

Legislative Analysis



REQUIRE DEFENDANT TO REMAIN PRESENT DURING VICTIM IMPACT STATEMENT

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5407 as introduced
Sponsor: Rep. Holly Hughes
Committee: Law and Justice
Complete to 2-2-18

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5407 would amend the William Van Regenmorter Crime Victim's Rights Act to require that a defendant be physically present during victim impact statements at a sentencing hearing. The bill also would require that a juvenile defendant be physically present during victim impact statements at a disposition or sentencing hearing. These requirements would be referred to as the "Rebekah Bletsch Law."

Currently, a victim has the right to appear and make an oral impact statement at the sentencing of a defendant, as well as at the disposition or sentencing of a juvenile defendant. The bill would require that a defendant, including a juvenile defendant, be *physically* present in the courtroom when a victim makes an oral impact statement. A defendant would not be required to be physically present only if the court determines that the defendant is behaving in a disruptive manner or presents a threat to the safety of any individuals present in the courtroom.

The bill would take effect 90 days after enactment.

FISCAL IMPACT:

House Bill 5407 would have no fiscal impact on the state or local units of government.

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