

WILLIAM VAN REGENMORTER CRIME VICTIM'S RIGHTS ACT (EXCERPT)
Act 87 of 1985

780.825 Notice of sentencing; impact statement; physical presence of defendant; remote option; 2018 PA 153 may be cited as "Rebekah Bletsch law".

Sec. 75. (1) If no presentence report is prepared, the court shall notify the prosecuting attorney of the date and time of sentencing at least 10 days before the sentencing. The victim has the right to submit a written impact statement and has the right to appear and make an oral impact statement at the sentencing of the defendant. If the victim is physically or emotionally unable to make the oral impact statement, the victim may designate any other person 18 years of age or older who is neither the defendant nor incarcerated to make the statement on the victim's behalf. The other person need not be an attorney. The victim may elect to remotely provide the oral impact statement under this section. The court shall consider the victim's statement in imposing sentence on the defendant.

(2) Unless the court has determined, in its discretion, that the defendant is behaving in a disruptive manner or presents a threat to the safety of any individuals present in the courtroom, the defendant must be physically present in the courtroom at the time a victim makes an oral impact statement under subsection (1). In making its determination under this subsection, the court may consider any relevant statement provided by the victim regarding the defendant being physically present during that victim's oral impact statement. This subsection applies to cases in which the sentencing of the defendant occurs after May 22, 2018.

(3) 2018 PA 153, which amended this section and sections 15 and 43, may be cited as the "Rebekah Bletsch law".

History: Add. 1988, Act 21, Eff. June 1, 1988;—Am. 2000, Act 503, Eff. June 1, 2001;—Am. 2018, Act 153, Imd. Eff. May 23, 2018;—Am. 2023, Act 178, Eff. Feb. 13, 2024.