

Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bill 1180 (Substitute S-1 as reported by the Committee of the Whole)  
Sponsor: Senator William Van Regenmorter  
Committee: Judiciary

## **CONTENT**

The bill would amend the Crime Victim's Rights Act to do the following:

- Include additional information in the notices that must be given to crime victims before and after a defendant's trial or adjudication.
- Include references to criminal proceedings in provisions concerning juvenile offenders.
- Provide that information about a victim and visual representations of a victim would be exempt from disclosure.
- Provide that a victim could not be sequestered after he or she first testified.
- Allow a victim to designate another person to make an oral impact statement.
- Expand the payments that an order of restitution may include, and allow a court to order three times the amount of restitution if a crime resulted in the death or serious impairment of a body function of a victim.
- Authorize a probation officer who determined that restitution was not being paid as ordered to petition the court for a probation violation.
- Specify the allocation of payments if a person were subject to a combination of fines, costs, restitution, assessments, probation or parole supervision fees, or other payments.
- Require appellate courts to give prosecuting attorneys advance notice of an order or opinion reversing a conviction, vacating a sentence, remanding a case, or denying a prosecutor's appeal.
- Prohibit a juvenile's case from being diverted or otherwise removed from the adjudicative process without the prosecutor's consent, and provide for a victim's rights before any formal or informal action was taken.

MCL 780.2 et al.

Legislative Analyst: P. Affholter

## **FISCAL IMPACT**

The bill would have an indeterminate impact on the State and local units of government.

**Community Health.** The FY 2000-01 Community Health budget includes \$5.3 million for victims rights compliance costs. That amount includes approximately \$750,000 for the automated notification system currently being installed.

**Corrections.** The bill would have an indeterminate impact on the Department of Corrections (DOC), but potentially could increase costs for the DOC. To the extent that the Department currently provides notification of prisoner transfers to community residential placement (CRP) centers and has developed database systems and staff to provide notices to crime victims, the DOC is able to provide the services necessary to inform crime victims of movements of offenders within the community. To the extent that the bill would require additional notification of crime victims of prisoner movements within the community, thousands of moves would be added to the notification system already in place and modifications to the system to provide electronic tether addresses could be required. Assuming that the increases and modifications would be required, costs for the Department would increase. There are no data available to indicate the cost of database modifications. There are already 2.5 full-time equated positions (FTEs) providing notifications within the DOC and 1.0 FTE working for the parole board. Assuming that an additional employee would be necessary to provide the additional notification required in the bill and that

the position would be equivalent to an entry-level general office assistant, costs to the Department would increase \$23,000 to \$28,000 a year for wages.

Police. The bill would have a minimal impact on State and local police agencies.

Date Completed: 10-5-00

Fiscal Analyst: B. Bowerman  
K. Firestone  
B. Baker

Floor\sb1180

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.