

RAISE THE AGE: REQUIRE ANNUAL REPORT REGARDING JUVENILES TRIED AS ADULTS

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House Bill 4696 as introduced
Sponsor: Rep. Sam Singh
Committee: Law and Justice
Complete to 9-24-18

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

SUMMARY:

House Bill 4696 would add a new section to the Code of Criminal Procedure to require the State Court Administrator to develop and provide an annual report to the legislature regarding juveniles less than 18 years of age who are tried as adults in adult criminal court for criminal offenses. The report would be provided electronically and would have to include at least the following information:

- The number of juveniles prosecuted as adults in a court having criminal jurisdiction for a felony, misdemeanor, or traffic offense and, if convicted, the sentence entered by the court.
- The number of motions under Section 4 of the Probate Code by the prosecutor of each county to transfer juvenile matters from a probate court (the juvenile justice system) to a court that has criminal jurisdiction over that offense (adult court).
- For those juveniles tried for felonies or misdemeanors in adult criminal court, whether those individuals were represented by counsel and, if so, whether the counsel was appointed or retained.
- The rate of recidivism for juveniles tried for felonies or misdemeanors in adult criminal court in the same manner as adults.

Demographic and geographic data for each juvenile tried for a felony or misdemeanor criminal offense in an adult criminal court in the same manner as an adult must be included in the report and would include at least the juvenile's custody status and custody history if the juvenile was in the legal custody of an individual other than a biological parent at any time before incarceration, and the juvenile's educational and school history including schools attended, grades completed, and suspensions or expulsions.

The bill would take effect October 1, 2018.

Proposed MCL 760.1m

BACKGROUND INFORMATION:

House Bill 4696 is a reintroduction of House Bill 4963 of the 2015-2016 legislative session. It is part of a larger bill package known as the "Raise the Age" legislation, which is intended to treat individuals who are 17 years of age as juveniles rather than automatically treating them as adults.

FISCAL IMPACT:

House Bill 4696 would have an indeterminate fiscal impact on the state and on local court funding units. Costs would depend on the amount of staff time it would take for each local court to collect the required data and submit it to the State Court Administrative Office (SCAO), and then on how much staff time it would take for the SCAO to compile the data and prepare and distribute the report. It is also likely that the Department of Corrections would have to assist the SCAO with data collection and compilation.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.