

# Legislative Analysis

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## ALLOW VICTIM ORAL IMPACT STATEMENT TO BE PROVIDED REMOTELY

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

**House Bill 5681 as introduced**  
**Sponsor: Rep. Greg VanWoerkom**  
**Committee: Judiciary**  
**Complete to 1-29-22**

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

### SUMMARY:

House Bill 5681 would amend the William Van Regenmorter Crime Victim's Rights Act to allow a victim impact statement to be made remotely.

Currently under the act, a victim has the right to appear and make an oral impact statement at the sentencing of the defendant or at the juvenile's disposition or sentencing. If the victim is physically or emotionally unable to make the oral impact statement, he or she may designate an adult (except for the defendant or someone who is incarcerated) to make the statement on his or her behalf. The defendant or juvenile must be physically present in the courtroom when a victim makes an oral impact statement, unless the court determines that the defendant or juvenile is disruptive or a threat to anyone's safety. In making this determination, the court may consider any relevant statement provided by a victim as to the defendant's or juvenile's physical presence during that victim's oral impact statement.

The bill would amend the above provisions to additionally allow the victim to choose to provide the oral impact statement remotely.

MCL 780.795 et seq.

### FISCAL IMPACT:

House Bill 5681 will have no fiscal impact on the state or on local units of government.

Legislative Analyst: Emily S. Smith  
Fiscal Analysts: Sydney Brown  
Robin Risko

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