

HOUSE BILL No. 4963

October 7, 2015, Introduced by Reps. Kosowski, Kesto, Santana, Garrett, Lucido, Love, Chang, Webber, Byrd, Robinson, Geiss, Banks, Gay-Dagnogo, Greig, Yanez, Darany, Forlini, Howrylak, LaVoy, Durhal, Rutledge, Irwin, Neeley, Hovey-Wright, Plawecki, Moss, Callton and Zemke and referred to the Committee on Criminal Justice.

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
(MCL 760.1 to 777.69) by adding section 1m to chapter IX.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER IX

1
2 SEC. 1M. (1) THE STATE COURT ADMINISTRATOR SHALL DEVELOP AND
3 PROVIDE AN ANNUAL REPORT TO THE LEGISLATURE REGARDING JUVENILES
4 LESS THAN 18 YEARS OF AGE TRIED FOR FELONIES OR MISDEMEANORS IN A
5 COURT OF GENERAL CRIMINAL JURISDICTION IN THE SAME MANNER AS
6 ADULTS. THE REPORT SHALL BE PROVIDED TO THE LEGISLATURE
7 ELECTRONICALLY AND SHALL INCLUDE, BUT NOT BE LIMITED TO, ALL OF THE
8 FOLLOWING:

1 (A) THE NUMBER OF JUVENILES IN THIS STATE PROSECUTED AS ADULTS
2 IN A COURT HAVING GENERAL CRIMINAL JURISDICTION FOR A FELONY,
3 MISDEMEANOR, OR TRAFFIC OFFENSE, AND IF CONVICTED, THE SENTENCE
4 ENTERED BY THE COURT.

5 (B) THE NUMBER OF MOTIONS UNDER SECTION 4 OF THE PROBATE CODE
6 OF 1939, 1939 PA 288, MCL 712A.4, BY THE PROSECUTOR OF EACH COUNTY
7 TO TRANSFER JUVENILE MATTERS FROM A PROBATE COURT TO A COURT HAVING
8 GENERAL CRIMINAL JURISDICTION OF THE OFFENSE.

9 (C) FOR THOSE JUVENILES WHO ARE TRIED FOR FELONIES OR
10 MISDEMEANORS IN A COURT OF GENERAL CRIMINAL JURISDICTION IN THE
11 SAME MANNER AS ADULTS, WHETHER THOSE INDIVIDUALS WERE REPRESENTED
12 BY COUNSEL, AND IF SO, WHETHER THE COUNSEL WAS APPOINTED OR
13 RETAINED.

14 (D) THE RATE OF RECIDIVISM FOR JUVENILES TRIED FOR FELONIES OR
15 MISDEMEANORS IN A COURT OF GENERAL CRIMINAL JURISDICTION IN THE
16 SAME MANNER AS ADULTS.

17 (2) THE ANNUAL REPORT SHALL INCLUDE ALL OF, BUT NOT BE LIMITED
18 TO, THE FOLLOWING DEMOGRAPHIC AND GEOGRAPHIC DATA FOR EACH JUVENILE
19 TRIED FOR A FELONY OR MISDEMEANOR CRIMINAL OFFENSE IN A COURT OF
20 GENERAL CRIMINAL JURISDICTION IN THE SAME MANNER AS AN ADULT:

21 (A) A JUVENILE'S CUSTODY STATUS AND CUSTODY HISTORY IF THE
22 JUVENILE WAS IN THE LEGAL CUSTODY OF AN INDIVIDUAL OTHER THAN HIS
23 OR HER BIOLOGICAL PARENT AT ANY TIME BEFORE HIS OR HER
24 INCARCERATION.

25 (B) A JUVENILE'S EDUCATIONAL AND SCHOOL HISTORY INCLUDING
26 SCHOOLS ATTENDED, GRADES COMPLETED, AND SUSPENSIONS OR EXPULSIONS.