



HOUSE OF REPRESENTATIVES

COMMITTEE ON CRIMINAL JUSTICE

REP. KARA HOPE

CHAIR

COMMITTEE MEETING MINUTES

Tuesday, June 6, 2023

9:00 AM

Room 519, House Office Building

The House Committee on Criminal Justice was called to order by Chair Hope.

The Chair requested attendance be called:

Present: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou, Filler, Mueller, Harris, BeGole.

Absent: Rep. Bezotte.

Excused: Rep. Bezotte.

Representative Andrews moved to adopt the meeting minutes from May 23, 2023. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4474, HB 4475, HB 4476 and HB 4477 before the committee:

HB 4474 (Rep. Arbit)

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 147b (MCL 750.147b), as added by 1988 PA 371.

HB 4475 (Rep. Grant)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2020 PA 50.

HB 4476 (Rep. Arbit)

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 147c.

HB 4477 (Rep. Puri)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2020 PA 50.

Representative Arbit testified in support of HB 4474, HB 4475, HB 4476 and HB 4477. Questions and discussion followed.

Attorney General Dana Nessel testified in support of HB 4474, HB 4475, HB 4476 and HB 4477. Questions and discussion followed.

Kym Worthy, Wayne County Prosecutor, representing the Prosecuting Attorneys Association of Michigan, testified in support of HB 4474, HB 4475, HB 4476 and HB 4477. Questions and discussion followed.

The following people submitted a card in support of HB 4474, HB 4475, HB 4476 and HB 4477, but did not wish to speak:

Roz Gould Keith, representing Stand with Trans.

Eli Savit, Prosecuting Attorney, representing Washtenaw County.

Rabbi Asher Lopatin, representing the Jewish Community Relations Council / American Jewish Committee of Detroit.

Sharkey Haddad, representing the Chaldean American Chamber of Commerce.

Gabrielle Dresner, representing the ACLU of Michigan.

Heath Lowry, representing the Michigan Coalition to End Domestic and Sexual Violence.

Sherri Boyd, representing The Arc Michigan.

Michelle Roberts, representing Disability Rights Michigan.

Kelly Doyle, representing The HIV / Aids Alliance of Michigan.

The following person submitted a card in opposition to HB 4474 and HB 4475, but due to the time constraints were unable to speak:

Professor William Wagner, representing himself.

The following person submitted a card in support of HB 4474 and HB 4475, but did not wish to speak:

Melissa Seifert, representing the AARP Michigan.

The following person submitted a card in opposition to HB 4474 and HB 4475, but did not wish to speak:

Katherine Bussard, representing herself.

The following person submitted a card in support of HB 4476 and HB 4477, but did not wish to speak:

Tom Hickson, representing the Michigan Catholic Conference.

The Chair laid SB 90 before the committee:

SB 90 (Sen. Anthony)

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending section 103 (MCL 37.2103), as amended by 2023 PA 6.

Senator Anthony testified in support of SB 90. Questions and discussion followed.

Adjoa B. Asamoah, Founder and CEO of ABA Consulting LLC, testified in support of SB 90. Questions and discussion followed.

The following people submitted a card in support of SB 90, but did not wish to speak:

Aaron Rusch, representing the YWCA Kalamazoo.
Jeff Stoutenburg, representing Dow.
Lyndsay Palsrok, representing the Business Leaders for Michigan.
Dave Worthams, representing the Michigan Manufacturers Association.
Gabrielle Dresner, representing the ACLU of Michigan.
Steve Japinga, representing the Lansing Regional Chamber of Commerce.

Representative Young moved to report out SB 90 with recommendation. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou, Filler, Mueller, Harris, BeGole.
Nays: None.
Pass: None.

The Chair laid HB 4173 and HB 4384 before the committee:

HB 4173 (Rep. Aiyash)	A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding sections 34a and 34b to chapter IX.
HB 4384 (Rep. Meerman)	A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 34b to chapter IX.

Trent Wolf, representing the Office of Representative Aiyash, testified in support of HB 4173 and HB 4384. Questions and discussion followed.

The following people submitted a card in support of HB 4173 and HB 4384, but did not wish to speak:

Joe Haveman, representing Hope Network.
John Cooper, representing Safe and Just Michigan.
Monica Martinez, representing the Michigan Judges Association.
Noah Smith, representing the Criminal Defense Attorneys of Michigan.
Heath Lowry, representing the Michigan Coalition to End Domestic and Sexual Violence.

The following person submitted a card with a neutral position on HB 4173 and HB 4384, but did not wish to speak:

Jess Averill, representing the Michigan Domestic and Sexual Violence Prevention and Treatment Board.

The following people submitted a card in opposition to HB 4173 and HB 4384, but did not wish to speak:

Stephanie Johnson, representing the Michigan Association of Chiefs of Police.
Matt Saxton, representing the Michigan Sheriffs' Association.

The following person submitted a card in opposition to HB 4173, but did not wish to speak:
Samantha Gibson, representing the Michigan Association of Counties.

Representative Dievendorf moved to adopt substitute (H-2) to HB 4173. The motion prevailed 8-0-4:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: None.

Pass: Reps. Filler, Mueller, Harris, BeGole.

Representative Breen moved to report out HB 4173 with recommendation, as substitute (H-2). The motion prevailed 8-1-3:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: Rep. Filler.

Pass: Reps. Mueller, Harris, BeGole.

Representative Arbit moved to adopt substitute (H-2) to HB 4384. The motion prevailed 8-0-4:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: None.

Pass: Reps. Filler, Mueller, Harris, BeGole.

Representative Tsernoglou moved to report out HB 4384 with recommendation, as substitute (H-2). The motion prevailed 8-1-3:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: Rep. Filler.

Pass: Reps. Mueller, Harris, BeGole.

The Chair laid HB 4387 before the committee:

HB 4387 (Rep. MacDonell)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2020 PA 50.

The following people submitted a card in support of HB 4387, but did not wish to speak:

Michelle Roberts, representing Disability Rights Michigan.

Sherri Boyd, representing The Arc Michigan.

Representative Young moved to refer HB 4387 to the Committee on Families, Children and Seniors. The motion prevailed 11-0-1:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou, Filler, Harris, BeGole.
Nays: None.
Pass: Rep. Mueller.

The Chair laid SB 72 before the committee:

SB 72 (Sen. McDonald Rivet) A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13n of chapter XVII (MCL 777.13n), as amended by 2018 PA 583.

The following person submitted a card in support of SB 72, but did not wish to speak:
Meghan Reynolds, representing the Michigan Poverty Law Program.

Representative Breen moved to refer SB 72 to the Committee on Health Policy. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou, Filler, Mueller, Harris, BeGole.
Nays: None.
Pass: None.

Chair Hope returned to HB 4474, HB 4475, HB 4476, and HB 4477.

Je Donna Dinges, representing Ethnic Intimidation Work, testified in support of HB 4474.

Representative Filler moved to excuse Representative Bezotte from the meeting. There being no objection the motion prevailed by unanimous consent.

At 10:08 AM, the Chair laid the committee at ease.

At 3:07 PM, the Chair called the committee back to order.

Chair Hope returned to HB 4474, HB 4475, HB 4476, and HB 4477.

Representative Grant testified in support of HB 4474, HB 4475, HB 4476 and HB 4477.

Harman Singh, representing the Sikh Coalition, testified in support of HB 4474, HB 4475, HB 4476 and HB 4477.

Carolyn Normandin, representing the Anti-Defamation League Michigan (ADL), testified in support of HB 4474 and HB 4476.

The following person submitted a card in opposition to HB 4474, HB 4475, HB 4476 and HB 4477, but due to the time constraints were unable to speak:

Reverend Joseph Fox, representing Christianity.

The Chair laid HB 4482, HB 4483, HB 4484, HB 4485, HB 4486 and HB 4487 before the

committee:

- HB 4482 (Rep. Brixie) A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5851b (MCL 600.5851b), as added by 2018 PA 183.
- HB 4483 (Rep. Steckloff) A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5805 (MCL 600.5805), as amended by 2018 PA 183.
- HB 4484 (Rep. Arbit) A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 6431 and 6452 (MCL 600.6431 and 600.6452), section 6431 as amended by 2020 PA 42 and section 6452 as amended by 2020 PA 44.
- HB 4485 (Rep. Miller) A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2018 PA 182.
- HB 4486 (Rep. Whitsett) A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending section 7 (MCL 691.1407), as amended by 2013 PA 173, and by adding section 7d.
- HB 4487 (Rep. Scott) A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6431 (MCL 600.6431), as amended by 2020 PA 42.

Representative Brixie testified in support of HB 4482, HB 4483, HB 4484, HB 4485, HB 4486 and HB 4487. Questions and discussion followed.

Emily Bice, representing herself, testified in support of HB 4482, HB 4483, HB 4484, HB 4485, HB 4486 and HB 4487.

Marci Hamilton, representing CHILD USAAdvocacy, testified in support of HB 4482, HB 4483, HB 4484, HB 4485, HB 4486 and HB 4487. Questions and discussion followed.

Tad Deluca, representing himself, testified in support of HB 4482, HB 4483, HB 4484, HB 4485, HB 4486 and HB 4487.

Dr. Victor Petreca, representing Boston College, testified in support of HB 4482, HB 4483, HB 4484, HB 4485, HB 4486 and HB 4487.

Isabelle Brouman, representing herself, testified in support of HB 4482, HB 4483, HB 4484, HB 4485, HB 4486 and HB 4487.

Kierra Dallas, representing herself, testified in support of HB 4482, HB 4483, HB 4484, HB 4485, HB 4486 and HB 4487.

Judge Rosemarie Aquilina, representing herself, testified in support of HB 4482, HB 4483, HB 4484, HB 4485, HB 4486 and HB 4487.

Cary Silverman, representing the American Tort Reform Association, testified in opposition to HB 4482.

The following person submitted a card in support of HB 4482, HB 4483, HB 4484, HB 4485, HB 4486 and HB 4487, but due to the time constraints were unable to speak:

Nadja Tirrell, representing the Survivors Network of those Abused by Priest (SNAP).

The following people submitted a card in support of HB 4482, HB 4483, HB 4484, HB 4485, HB 4486 and HB 4487, but did not wish to speak:

Linda Beebe, representing herself.

Peggy J. Reali, Esq., representing Stephen Olsick (Survivor).

Heath B. Lowry, representing the Michigan Coalition to End Domestic and Sexual Violence.

Chelsea Cooper, representing herself.

Marjorie Gardner, representing herself.

Flannery Houston, Director of Programs, representing Rise.

Jess Averill, representing the Michigan Domestic and Sexual Violence Prevention and Treatment Board.

Brian Hurtekant, representing himself.

The following person submitted a card in support of HB 4482, HB 4483, HB 4484, HB 4486 and HB 4487, but did not wish to speak:

Bill Flory, representing the Michigan Association for Justice.

The following people submitted a card in opposition to HB 4482, HB 4485 and HB 4486, but did not wish to speak:

Don Wotruba, representing the Michigan Association of School Boards.

Mike Letvis, representing Wayne RESA.

David Randels, representing Oakland Schools.

Jerry Johnson, representing the Barry, Branch, Calhoun, Jackson, Lenawee, and Monroe ISD's.

Matt Schueller, representing the Michigan Association of Superintendents & Administrators.

Matt Schueller, representing the Michigan Association of Intermediate School Administrators.

The following person submitted a card in support of HB 4485, but did not wish to speak:
Mitch Albers, representing the Michigan Department of Attorney General.

The following people submitted a card in opposition to HB 4486, but did not wish to speak:

Jen Riggerink, representing the Michigan Municipal League.

Samantha Gibson, representing the Michigan Association of Counties.

Judy Allen, representing the Michigan Townships Association.

Bob Kefgen, representing the Michigan Association of Secondary School Principals.

There being no further business before the committee, Chair Hope adjourned the meeting at 4:48 PM.

Representative Kara Hope, Chair

Melissa Sweet
Committee Clerk
msweet@house.mi.gov