



# LEGISLATION – HELP FOR VICTIMS AVAILABLE

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Our Legislature has recognized domestic violence as a serious problem and has passed all of the following laws, and more not mentioned, to curtail it. The laws do the following.

Authorizes an arrest by a peace officer without a warrant for assault of an individual having a child in common; household resident, dating relationship, or spouse or former spouse.

Authorizes an arrest without a warrant for violation of personal protection order.

Requires providing victim with investigation information and providing victim with notice of rights.

Provides the onset of the right to a personal protection order; restraining or enjoining spouse, former spouse, individual with child in common, individual in dating relationship, or person residing or having resided in same household from certain conduct.

May require the abuser to participate in a mandatory counseling program.

Pertains to simple assault and battery penalties applying to domestic violence and MCL 750.81 a pertains to serious or aggravated injury "dating relationship defined" and subsequent violation treated more severely than first time violation.

The Crime Victim's Right Act establishes the rights of victim of crimes; the right of victims to notices, conferences with prosecutor, protection, speedy trial; right of victim of non disclosure of information. See Mich Constitution Article 1, Section 24.

Allows the conviction of a person for criminal sexual conduct even though the victim is the spouse.

Provides to allow a person other than the victim to sign a complaint on information and belief if the complaint is alleging a violation of MCL 750.81 or MCL 750.81a.

Defines stalking, makes stalking a misdemeanor, provides penalties and presumptions. MCL 750.411i defines aggravated stalking as a felony. Both sections make stalking of a person who is less than age 18 and the stalker is more than 5 years older than the victim the violation is a 5 or 10 year felony.

Provides for the prevention and treatment of domestic violence to develop and establish policies, procedures and standard for providing domestic violence assistance programs and services: to create a domestic violence prevention and treatment board. Establishes a DV fund.

Domestic violence shelters have been set up all over the State of Michigan and all one needs to do is call the National Domestic Violence hotline at ] -800-789-SAFE (7233) or 1-800-787-3224 for the deaf to find one near them.

