

**CRIMINAL LAW SECTION
PUBLIC POLICY POSITION
HB 4433**

The Criminal Law Section is a voluntary membership section of the State Bar of Michigan, comprised of 2,464 members. The Criminal Law Section is not the State Bar of Michigan and the position expressed herein is that of the Criminal Law Section only and not the State Bar of Michigan. The State Bar's position support the bill with amendments addressing the following issues: 1) clarify which offenses qualify for the summary procedure on an application to set aside an adjudication; 2) provide an opportunity for victims of the offense at issue to request a hearing on the application; 3) expand the list of crimes that are disqualified from the bill's summary procedure to include crimes committed in the context of dating violence, sexual abuse, and family violence; and 4) exempt victims of the offense at issue from any misdemeanor penalty for disclosing information about the offense after the adjudication has been set aside.

The Criminal Law Section has a public policy decision-making body with 17 members. On May 16, 2017, the Section adopted its position after discussion and vote at a scheduled meeting. 14 members voted in favor of the Section's position on HB 4433, 3 members voted against this position, 0 members abstained, 0 members did not vote.

The Criminal Law Section Supports HB 4433

The Section supports HB 4433 because it comports with the notions of justice and would allow for the efficient administration of justice.

***Keller* Explanation**

The Section's position on HB 4433 is permissible under *Keller* because it would improve of the functioning of the courts by increasing the efficiency with which petitions to set aside convictions are handled.

Contact person: Joshua Blanchard

Email: josh@mielcarr.com