

**Public Policy Position
HB 5440**

The Criminal Law Section is a voluntary membership section of the State Bar of Michigan, comprised of 2,320 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 on this matter is to support bail/bond legislation that aligns with the recommendations of the Michigan Joint Task Force on Jail and Pretrial Incarceration—namely, HB 5436-HB 5439 and HB 5441-HB 5443—and to oppose HB 5440, as it was not based upon any Task Force recommendation. The State Bar further authorizes the Section to advocate its public policy positions on this legislative package.

The Criminal Law Section has a public policy decision-making body with 21 members. On November 16, 2021, the Section adopted its position after a discussion and vote at a scheduled meeting. 21 members voted in favor of the Section's position, 0 members voted against this position, 0 members abstained, 0 members did not vote.

Oppose**Explanation:**

The Council opposes the use of such instruments in general due to bias and lack of transparency by the companies about the algorithms.

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