

PRISONS & CORRECTIONS SECTION  
Respectfully submits the following position on:

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HB 4069

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The Prisons & Corrections Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Prisons & Corrections Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Prisons & Corrections Section is 235.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 15. The number who voted in favor to this position was 10. The number who voted opposed to this position was 1.

## Report on Public Policy Position

**Name of Section:**

Prisons & Corrections Section

**Contact person:**

Jessica Zimbelman

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**Bill Number:**

[HB 4069](#) (Santana) Criminal procedure; youthful trainees; eligibility criteria for youthful trainee program; modify. Amends sec. 11, ch. II of [1927 PA 175](#) (MCL [762.11](#)).

**Date position was adopted:**

February 13, 2015

**Process used to take the ideological position:**

Position adopted after an electronic discussion and vote

**Number of members in the decision-making body:**

15

**Number who voted in favor and opposed to the position:**

10 Voted for position

1 Voted against position

1 Abstained from vote

3 Did not vote

**Position:**

Support and Amend

**Explanation of the position, including any recommended amendments:**

The Section supports the expansion of HYTA to individuals aged 21 through 24. However, the Section believes the bill should be amended to remove the provisions that (1) the prosecutor must approve assignment under HYTA for individuals aged 21 through 24 and (2) that an individual, regardless of age, can only be assigned to HYTA one time. Both provisions severely limit judicial discretion.

**The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.**

<http://legislature.mi.gov/doc.aspx?2015-HB-4069>