

PRISONS & CORRECTIONS SECTION  
Respectfully submits the following position on:

\*

HB 5025

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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.

The State Bar's position in this matter is support.

The total membership of the Prisons & Corrections Section is 140.

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 12. The number who voted opposed to this position was 0.

## Report on Public Policy Position

**Name of section:**

Prisons & Corrections Section

**Contact person:**

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**Bill Number:**

[HB 5025](#) (Heise) Criminal procedure; expunction; victim of human trafficking to set aside certain prostitution convictions; allow under certain circumstances. Amends secs. 1, 2 & 4 of [1965 PA 213](#) (MCL [780.621](#) et seq.).

**Date position was adopted:**

November 2, 2013

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

Position adopted after discussion and vote at a scheduled meeting.

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

15

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

12 Voted for position

0 Voted against position

0 Abstained from vote

3 Did not vote

**Position:**

Support

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

The Section supports HB 5025, which would broaden expungement opportunities for convictions stemming from offenses committed while the offender was a victim of a human trafficking violation. The Section believes that such opportunities are essential to meet the goals of rehabilitation and reintegration of offenders into society. However, the Section believes that the legislation should go even further in providing additional expungement opportunities beyond this narrow group of offenders. This is consistent with the Policy taken by the Section on April 6, 2013, supporting HB 4186.

**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?2013-HB-5025>

**FOR LEGISLATIVE ISSUES ONLY:**

This position falls within the following Keller-permissible category:

- The regulation and discipline of attorneys
- ✓ The improvement of the functioning of the courts
- The availability of legal services to society
- The regulation of attorney trust accounts
- The regulation of the legal profession, including the education, the ethics, the competency, and the integrity of the profession.

**Keller-permissible explanation:**

This bill affects the functioning of the court in the setting aside of convictions in certain criminal cases.