



p 517-346-6300

p 800-968-1442

f 517-482-6248

www.michbar.org

306 Townsend Street

Michael Franck Building

Lansing, MI

48933-2012

August 3, 2011

The Honorable Kate Segal
State Representative
State Capitol
P.O. Box 30014
Lansing, MI 48909-7514

Re: HB 4392 Cyberbullying

Dear Representative Segal:

At its July 22, 2011 meeting, the State Bar of Michigan's Board of Commissioners considered HB 4392 at the recommendation of the State Bar's Criminal Jurisprudence and Practice Committee. The Board did not take a position on the bill but would respectfully request an amendment to subsection 4 as introduced to delete the word "shall" and replace it with "may." The Board requests the amendment to ensure judicial discretion, similar to other statutes that allow for a court to defer prosecution of a crime.

If you would like to discuss this position in further detail or have questions, please contact me directly at your convenience.

Sincerely,

Elizabeth K. Lyon
Director of Governmental Relations
Direct dial: (517) 346-6325
Email: elyon@mail.michbar.org

CC. W. Anthony Jenkins, President
Nell Kuhnmuensch, Governmental Consultant Services, Inc.