

Legislative Analysis



REVISE CVRA TO PROTECT IDENTITY OF MINOR VICTIMS

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House Bill 4725

Sponsor: Rep. Tom McMillin

Committee: Judiciary

Complete to 1-19-12

A SUMMARY OF HOUSE BILL 4725 AS INTRODUCED 6-9-11

The bill would prohibit certain governmental agencies from disclosing personally identifying information pertaining to minor victims of child abuse, criminal sexual conduct, sexual assaults or molestation, or similar crimes.

Provisions of the William Van Regenmorter Crime Victim's Rights Act (CVRA) prohibit the disclosure under a FOIA request of a victim's home address, home telephone number, work address, and work telephone (unless the address identified the location of the crime) as well as any pictures, photographs, drawings, or other visual representations of the victim, which includes film, videotape, or digitally stored images. However, the CVRA does not protect the name of the victim, though most newspapers and broadcast media outlets voluntarily withhold the names of victims who are under 18 years of age.

House Bill 4725 would add two new sections (at MCL 780.830 et al.) to the William Van Regenmorter Crime Victim's Rights Act (CVRA) and amend an existing provision to prohibit a governmental agency having duties and responsibilities under Articles 1, 2, and 3 (or an employee of that agency) from disclosing any of the following information concerning a crime of child abuse, criminal sexual conduct, sexual assault or molestation, or similar crime, in which one or more victims are less than 18 years of age:

- The name and address of any victim.
- The name and address of a victim's immediate family member or a victim's relative who has the same surname as the victim, other than the name and address of the accused.
- Any other information that would tend to reveal the identity of any victim, including a reference to a victim's familial or other relationship to the accused.

Affected governmental agencies include the courts, Department of Corrections, Department of Human Services, county sheriffs, and county prosecutors.

FISCAL IMPACT:

This bill would have no fiscal impact on state or local governments.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.