



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

Minutes of the House Standing Committee
On
Criminal Justice

Wednesday, March 19, 2014

10:30 a.m.

327 House Office Building

The House Standing Committee on Criminal Justice was called to order by Representative Kurt Heise, Chair.

The Clerk called the roll; members present were **Representatives Heise, Graves, Kurtz, Callton, McBroom, O'Brien, Kesto, Oakes, Robinson, Kivela, and Banks. (11/11)**
The Clerk announced that a quorum was present.

The Chair laid before the committee the minutes of March 12, 2014 as printed.

Representative McBroom moved to adopt the minutes of March 12, 2014 as printed. There being no objection, the motion prevailed by unanimous consent of the members present; the minutes were adopted as printed.

The Chair laid before the committee House Bills 5230 and 5233.

HB 5230 (Cavanagh) Civil procedure; other; abatement of nuisances; allow abatement for property used for human trafficking and make other general amendments.

HB 5233 (Kesto) Criminal procedure; forfeiture; forfeiture of property for certain human trafficking violations; provide for.

Representative Cavanagh, the bill sponsor, introduced David Leyton, Genesee County Prosecuting Attorney, and Brian T. Moody, Deputy Chief of the Forfeiture Unit in the Wayne County Prosecutor's Office, and continued to explain the need for this bill. Prosecutors Leyton and Moody testified in support of the House Bill 5230. Following the completion of all their comments, the men addressed various questions from committee members.

Thomas Cameron, Bureau Chief for the Criminal Justice Bureau of the Michigan Department of Attorney General, provided a brief summary of the bill to the committee members. Mr. Cameron answered various questions from committee members.

Shelli Weisberg, Legislative Director for the American Civil Liberties Union of Michigan, testified in opposition to House Bill 5230. Following her testimony, Ms. Weisberg responded to questions from committee members.

The following individuals submitted a testimony card in support of the bill package, but did not wish to speak:

Rebecca Mastee, Policy Advocate in Public Policy for the Michigan Catholic Conference; and

Megan Noland State and Federal Coordinator at Oakland County Sheriff's Office.

Representative Kesto, the bill sponsor for House Bill 5233, introduced Brian T. Moody, Deputy Chief of the Forfeiture Unit in the Wayne County Prosecutor's Office, and Kimberly Mitseff, Assistant Attorney General of Michigan, to the committee, and then went on to explain the substitute (H-1) for the bill. Prosecutor Moody stated what he said on the previous bill also applies to this bill. Assistant Attorney General Mitseff briefed the committee members further on the bill. Following the completion of their testimony, they responded to members questions.

Shelli Weisberg, Legislative Director for the American Civil Liberties Union of Michigan, testified in opposition to House Bill 5233. Ms. Weisberg took questions from a committee member.

Representative Kesto offered and moved to adopt the substitute (H-1) for House Bill 5233. The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Representatives Heise, Graves, Kurtz, Callton, O'Brien, Kesto, Kivela, and Banks, (8/11)

Nays: Representative Robinson, (1/11)

Pass: Representative McBroom. (1/11)

The substitute was adopted.

Representative Kesto moved to report House Bill 5233 with the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Representatives Heise, Graves, Kurtz, Callton, O'Brien, Kesto, Kivela, and Banks, (8/11)

Nays: Representative Robinson, (1/11)

Pass: Representative McBroom. (1/11)

The bill and substitute were referred to the full House.

The Chair laid before the committee Senate Bills 582 and 583.

SB 582 (Marleau) Crimes; weapons; penalties for intentionally discharging a firearm from vehicle or at a dwelling or a potentially occupied structure; increase under certain circumstances.

SB 583 (Ananich) Criminal procedure; sentencing guidelines; sentencing guidelines for increased penalties for crime of intentionally discharging a

firearm from a motor vehicle or at a dwelling or potentially occupied structure; enact.

The Chair announced that the committee took testimony on these bills on Wednesday, February 12, 2014.

The following individuals submitted a testimony card in support of the bills, but did not wish to speak:

Megan Noland, State and Federal Coordinator at Oakland County Sheriff's Office;
Genesee County Prosecutor David Leyton; and
Ben Bodkin, representing the Michigan Sheriffs Association.

Representative Graves moved to report Senate Bill 582 with the recommendation that the bill pass.

The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Representatives Heise, Graves, Kurtz, Callton, McBroom, O'Brien, Kesto, Robinson, Kivela, and Banks, (10/11)

Nays: None. (0)

The bill was referred to the full House.

Representative Robinson moved to report Senate Bill 583 with the recommendation that the bill pass.

The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Representatives Heise, Graves, Kurtz, Callton, McBroom, O'Brien, Kesto, Robinson, Kivela, and Banks, (10/11)

Nays: None. (0)

The bill was referred to the full House.

There being no other business before the committee; **Representative Graves moved to adjourn the meeting.**

The motion prevailed by unanimous consent of the members present, the time being 11:40 a.m.
The Chair declared the Committee was adjourned.

Kurt Heise, Chair
House Standing Committee on Criminal Justice

Joy Brewer, Committee Clerk

Date approved by the committee