



**MEMBERS:**

SEN. TONYA SCHUITMAKER, VICE CHAIRMAN  
SEN. TORY ROCCA  
SEN. STEVE BIEDA, MINORITY VICE CHAIR

**THE SENATE**  
**COMMITTEE ON JUDICIARY**  
**SENATOR RICK JONES**  
**CHAIRMAN**

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**Senate Committee on Judiciary**

A meeting of the Senate Committee on Judiciary was held on Tuesday, January 17, 2012 at 2:30 p.m. in Room 110 of the Farnum Building.

The meeting was called to order at 2:30 p.m.

Members present: Senators Jones, Schuitmaker, Rocca, Bieda  
Members excused: None

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Senator Jones called the meeting to order.

Senator Jones announced that the agenda for the committee:

Approval of Minutes

SB 845	Sen. Jones	Criminal procedure; sentencing; penalties for domestic violence with prior conviction; allow to be enhanced with a deferred and dismissed conviction.
SB 846	Sen. Rocca	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of domestic violence with prior conviction; enact.
SB 847	Sen. Schuitmaker	Criminal procedure; sentencing; penalties for domestic violence with prior offenses; enhance.
SB 848	Sen. Bieda	Crimes; other; assault by strangulation or suffocation as assault with intent to do great bodily harm less than murder; specify.
SB 387	Sen. Gleason	Crimes; fleeing and eluding; penalties for crime of fleeing and eluding a law enforcement officer; provide mandatory minimum sentence.
SB 388	Sen. Nofs	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of fleeing and eluding a peace officer; revise to reflect increased penalties.

Senator Jones announced that Senate Bill 388 would be pulled from the agenda for the day.

Senator Bieda moved to adopt the minutes from December 13, 2011 with unanimous consent. Without objection, the minutes were adopted.

Senator Jones placed before the committee Senate Bills 845-848 (Sens. Jones, Rocca, Schuitmaker, and Bieda). Senator Jones announced that there were substitutes for SB 845, 846, 847, 848. Senator Jones explained the package of bills and substitutes to committee members and answered questions.

The following persons testified on Senate Bills 845-848 and answered questions from committee members:

- Mary Lovik, representing the Michigan Domestic Violence Prevention & Treatment Board—Support (SB 845 S-2, 846 & 847 S-2, and 848 S-2) (Also submitted written testimony on file with clerk)
- Hank Zavislak, Jackson County Prosecutor—Support (SB 845-847)
- James Benison, Kent County Assistant Prosecuting Attorney, representing the Prosecuting Attorneys Association of Michigan—Support (SB 848)

The following persons submitted cards, but did not testify, on Senate Bills 845-848:

- Kathy Hagman, representing the Michigan Coalition Against Domestic and Sexual Violence—Support

Senator Rocca moved to adopt the S-2 Substitute to Senate Bill 845. The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Senators Jones, Schuitmaker, Rocca, and Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Bieda moved that Senate Bill 845 S-2 be reported out of committee with the recommendation 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: Senators Jones, Schuitmaker, Rocca, and Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Bieda moved to recommend immediate effect for Senate Bill 845 S-2. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Schuitmaker moved to adopt the S-2 Substitute to Senate Bill 846. The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Senators Jones, Schuitmaker, Rocca, and Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Rocca moved that Senate Bill 846 S-2 be reported out of committee with the recommendation 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: Senators Jones, Schuitmaker, Rocca, and Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Rocca moved to recommend immediate effect for Senate Bill 846 S-2. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Bieda moved to adopt the S-2 Substitute to Senate Bill 847. The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Senators Jones, Schuitmaker, Rocca, and Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Bieda moved that Senate Bill 847 S-2 be reported out of committee with the recommendation 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: Senators Jones, Schuitmaker, Rocca, and Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Bieda moved to recommend immediate effect for Senate Bill 847 S-2. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Rocca moved to adopt the S-2 Substitute to Senate Bill 848. The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Senators Jones, Schuitmaker, Rocca, and Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Schuitmaker moved that Senate Bill 848 S-2 be reported out of committee with the recommendation 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: Senators Jones, Schuitmaker, Rocca, and Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Schuitmaker moved to recommend immediate effect for Senate Bill 848 S-2. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones placed before the committee Senate Bills 387 (Sen. Gleason). Senator Gleason explained the bill and substitute to committee members and answered questions.

The following persons submitted cards, but did not testify, on Senate Bills 387:

- Erik Hingst, representing the Deputy Sheriffs Association—Support
- Chris Luty, representing the Michigan State Police Troopers Association—Support
- Jessica Peterson, representing the Administration/Department of Corrections—Neutral

Senator Schuitmaker moved to adopt the S-3 Substitute to Senate Bill 387. The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Senators Jones, Schuitmaker, Rocca, and Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Bieda moved that Senate Bill 387 S-3 be reported out of committee with the recommendation 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: Senators Jones, Schuitmaker, Rocca, and Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Schuitmaker moved to recommend immediate effect for Senate Bill 387 S-3. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones adjourned the committee at 3:09 p.m.

1/24/12

Date Approved by Committee

\*\*An audio recording of this committee meeting is available upon request for a minimal fee.