

Fiscal Analysis

NO PRESENTENCE RELEASE FOR CHILD MOLESTERS



Bill/Sponsor **HOUSE BILL 5199 Substitute (H-2), Rep. Leon Drolet**

House Committee Criminal Justice

Analysis

Summary

The bill would amend the Code of Criminal Procedure to bar release on bail for offenders convicted of sexual assault of minor and awaiting sentencing or the outcome of an appeal. At present, assaultive offenders, including those described by the bill, may be released on bail only if the court finds by clear and convincing evidence that the offender is not likely to pose a danger to other persons (and, if an appeal is pending, that the appeal raises a substantial question of law or fact).

Fiscal Impact

By requiring that certain offenders remain in jail post-conviction and pre-sentence, the bill could increase local correctional costs or affect jail utilization regarding various accused, convicted, and sentenced offenders.

Data from the Department of Corrections indicate that of the 2,522 felony dispositions in 2001 for criminal sexual conduct offenses, at least 1,131 were for offenses involving minors. Of those 1,131 dispositions, 953 were for violations and 178 were for attempts.

Analyst(s)

Marilyn Peterson

FLOOR ANALYSIS - 11/6/03

Mitchell Bean, Director – House Fiscal Agency
124 N. Capitol Avenue, Lansing, MI 48909
Phone: (517)373-8080, Fax: (517)373-5874
<http://www.house.mi.gov/hfa>