

# Legislative Analysis

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## JUVENILES: DESTROY FINGERPRINTS IF CHARGES DISMISSED AFTER PROBATION

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### House Bill 5995

Sponsor: Rep. Joel Sheltroun

Committee: Judiciary

Complete to 3-30-10

### A SUMMARY OF HOUSE BILL 5995 AS INTRODUCED 3-24-10

The bill would require the destruction of the fingerprints and arrest card of a juvenile who successfully completed a period of probation that resulted in the dismissal of the alleged juvenile offense.

Public Act 289 of 1925 places the responsibility for criminal and juvenile identification and records with the Department of State Police. Under Section 3(8), the fingerprints and arrest card of a juvenile adjudicated but found not to be within the provisions of Section 712A of the Probate Code (delinquency provisions) must be destroyed by the official holding those items. In addition, the clerk of the court entering the disposition must notify the department of the dismissal.

House Bill 5995 would amend Section 3 of Public Act 289 (MCL 28.243) to also apply the provisions of subsection (8) to a juvenile who successfully completes a period of probation that results in a dismissal of the alleged juvenile offense.

[Note: Under Section 3(12)(i), the requirement to destroy the fingerprints and arrest card under subsection (8) does not apply to a juvenile charged with an offense or attempted offense that would constitute the commission or attempted commission of the following crimes if committed by an adult: rape, criminal sexual conduct, sodomy, gross indecency, indecent liberties, child abusive commercial activities, or the commission or attempted commission of a crime with or against a child under 16 years of age.]

### FISCAL IMPACT:

The bill would have no fiscal impact on state or local units of government.

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