

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.520k Suppression of names and details.

Sec. 520k.

Upon the request of the counsel or the victim or actor in a prosecution under sections 520b to 520g the magistrate before whom any person is brought on a charge of having committed an offense under sections 520b to 520g shall order that the names of the victim and actor and details of the alleged offense be suppressed until such time as the actor is arraigned on the information, the charge is dismissed, or the case is otherwise concluded, whichever occurs first.

History: Add. 1974, Act 266, Eff. Apr. 1, 1975

Constitutionality: The statute authorizing suppression of a court file containing the name of a victim of criminal sexual conduct, the name of the defendant, and the details of the offense until the defendant is arraigned, the charge is dismissed, or the case is otherwise concluded is not a prior restraint upon publication, but a valid legislative restriction on the common-law right of access to public records and the statutory right of access to court proceedings. In re Midland Publishing, 420 Mich 148; 362 NW2d 580 (1984).

Compiler's Notes: Section 2 of Act 266 of 1974 provides: "Saving clause." "All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this amendatory act takes effect are saved and may be consummated according to the law in force when they are commenced. This amendatory act shall not be construed to affect any prosecution pending or begun before the effective date of this amendatory act."