

THE CODE OF CRIMINAL PROCEDURE (EXCERPT)
Act 175 of 1927

771.14 Presentence investigation report; contents; information related to victim prohibited from inclusion; information exempted from disclosure; amendment or alteration; review of report; challenge; findings; copies.

Constitutionality: <Paragraph><P>A postconviction presentence psychiatric examination of a defendant, ordered by the trial court in the presence of defense counsel without objection and conducted two weeks later outside the presence of counsel, which was referred to by the trial court in imposing sentence, did not violate the defendant's Fifth Amendment right against self-incrimination or his Sixth Amendment right to counsel. <Emph EmphType="underscore">People</Emph> v <Emph EmphType="underscore">Wright</Emph>, 431 Mich 282; 430 NW2d 133 (1988).</P></Paragraph>

Compiler's Notes: <Paragraph><P>Section 3 of Act 210 of 1979 provides:</P></Paragraph><Paragraph><P>â€œThe provisions of Act Nos. 81 and 89 of the Public Acts of 1979 shall not take effect in a county with a population of 1.5 million or more prior to a majority vote of the elected members of the county's board of commissioners to place the question of the creation of a charter commission under the terms of enacted Senate Bill No. 652 before the county electorate. Subsequent to the above action by the board of commissioners, funds appropriated for probation services for a county with a population of 1.5 million or more shall become immediately effective, and shall be retroactive to the extent of the funds provided.â€œ</P></Paragraph><Paragraph><P>Section 4 of Act 210 of 1979 provides:</P></Paragraph><Paragraph><P>â€œImplementation of Act Nos. 81 and 89 of the Public Acts of 1979 shall not be effective in counties which refuse to provide probation support costs as required in those acts.â€œ</P></Paragraph>

Former Law: <Paragraph><P>See section 14 of Act 105 of 1913, being CL 1915, Â§ 2042.</P></Paragraph>