

John McDonough

Assistant Prosecuting Attorney

TEEN PREGNANCY AND THE LAW

Important Ages

- 16 yrs. Age of Consent in Michigan
- 17 yrs. Adult in eyes of Criminal Justice System
- Under 13...Age where CSC Crimes become more serious

CSC 1st Degree

- did engage in sexual penetration, to-wit: (1), with (2), under the following existent circumstance(s), to-wit: (3); contrary to MCL 750.520b. [750.520B]
- **HIV/STD TESTING NOTICE**
- Take notice that pursuant to MCL 333.5129, upon bindover to circuit court or recorder's court, the district court judge shall order the defendant to be tested for venereal disease, hepatitis B infection, and for the presence of HIV or an antibody to HIV if the judge determines there is reason to believe the violation involved sexual penetration or exposure to a body fluid of the defendant. If the district judge determines that testing is not required, upon conviction, the court must order the defendant to be tested.
- **FELONY:Life; mandatory AIDS/STD testing** **GROUP:PersonCLASS:A**
- **RESPONSIBILITIES:PrintableAdult DNA**
- **Test for HIV or STD**

Variables for CSC 1st Degree

- Person under 13
- Relationship
- During Felony
- Accomplices
- Weapon Used
- Personal Injury
- Injury to Incapacitated Victim
- Mentally Disabled Victim w/ Injury
- Person under 13 Defendant over 17 (25 yr. Mandatory Minimum)

CSC 2nd Degree

- did engage in sexual contact with another person, to-wit: (1) , under the following existent circumstance(s), to-wit:
- (2) ; contrary to MCL 750.520c. [750.520C]
- **HIV/STD TESTING NOTICE**
- Take notice that pursuant to MCL 333.5129, upon bindover to circuit court or recorder's court, the district court judge shall order the defendant to be tested for venereal disease, hepatitis B infection, and for the presence of HIV or an antibody to HIV if the judge determines there is reason to believe the violation involved sexual penetration or exposure to a body fluid of the defendant. If the district judge determines that testing is not required, upon conviction, the court must order the defendant to be tested.
- FELONY:15 Years; mandatory AIDS/STD testingGROUP:PersonCLASS:C
- RESPONSIBILITIES:PrintableAdult DNA

Variables for CSC 2nd Degree

- Person under 13
- Relationship
- During Felony
- Accomplices
- Weapon Used
- Personal Injury
- Injury to Incapacitated Victim
- Mentally Disabled Victim w/ Injury
- Person under 13 Defendant over 17 (Lifetime Registration)

CSC 3rd Degree

- did engage in sexual penetration, to-wit: (1) , with (2) , under the following existent circumstance(s), to-wit:
- (3) ; contrary to MCL 750.520d. [750.520D]
- **HIV/STD TESTING NOTICE**
- Take notice that pursuant to MCL 333.5129, upon bindover to circuit court or recorder's court, the district court judge shall order the defendant to be tested for venereal disease, hepatitis B infection, and for the presence of HIV or an antibody to HIV if the judge determines there is reason to believe the violation involved sexual penetration or exposure to a body fluid of the defendant. If the district judge determines that testing is not required, upon conviction, the court must order the defendant to be tested.
- FELONY:15 Years; mandatory AIDS/STD testing
GROUP:Person
CLASS:B
- RESPONSIBILITIES:PrintableAdult DNA
- Test for HIV or STD

Variables for CSC 3rd Degree

- 13-16 yrs of Age
- Force or Coercion
- Physically helpless or mentally incapacitated
- Incest
- 16-18 when defendant was teacher or other type of school authority figure

CSC 4th Degree

- did engage in sexual contact with (1) , under the following existent circumstance(s), to-wit: (2) ; contrary to MCL 750.520e. [750.520E]
- **HIV/STD TESTING NOTICE**
- Take notice that pursuant to MCL 333.5129, upon bindover to circuit court or recorder's court, the district court judge shall order the defendant to be tested for venereal disease, hepatitis B infection, and for the presence of HIV or an antibody to HIV if the judge determines there is reason to believe the violation involved sexual penetration or exposure to a body fluid of the defendant. If the district judge determines that testing is not required, upon conviction, the court must order the defendant to be tested.
- MISDEMEANOR:2 Years and/or \$500.00; mandatory AIDS/STD testing
GROUP:Person
CLASS:G
- RESPONSIBILITIES:Printable
Adult DNA
- Juvenile DNA
- Test for HIV or STD

Variables for CSC 4th Degree

- 13-16 yrs of Age
- Force or Coercion
- Physically helpless or mentally incapacitated
- Incest
- 16-18 when defendant was teacher or other type of school authority figure

Other Common Sex Crimes

- Assault w/intent to commit CSC 3rd
- Assault w/intent to commit CSC 2nd
- Indecent Exposure
- Disorderly Person/Obscene Conduct
- Accosting a Minor for Immoral Purposes
- Computer Crimes

Sex Offender Registration

- CSC 2nd, 3rd, 4th = 25 yrs. Registration
- CSC 1st = Lifetime Registration
- Failure to Register can result in both Misdemeanor and Felony Sanctions