ARCHIVED LEGAL UPDATES

Issue	Topics
November 2006	**Statutes:** Felony Murder; Sex Offender Registry; **Did You Know?** Possession of Untaxed Tobacco; **Back to Basics:** Interrogation & Miranda
October 2006	**Statutes:** Impersonating a Firefighter; **Did You Know?** Interpreters for the deaf; **Back to Basics:** Custody & Miranda
September 2006	**Statutes:** Harboring a Fugitive; The Self-Defense Act; Sales of Ephedrine; Meth Reporting; Child Abuse Reporting; *Search & Seizure;* LEIN Checks as a Search; *Did You Know?;* Arrest of Parole Violators; *Back to Basics;* Miranda
August 2006	**Statutes:** Kidnapping; Unlawful Imprisonment; Human Trafficking **Cases:** Independent Chemical Tests; Definition of 'Firearm'; Possession of Firearms by Non-Michigan Residents; Inventory Search Summary
July 2006	**Statutes:** Disorderly conduct at funerals; School lockdown drills; CPL expiration dates; Knock-and-announce. **Cases:** Metabolized THC in OUID cases; Admissibility of 9-1-1 tapes; Consular notification; Plain smell; and Exculpatory Evidence
June 2006	**Statutes:** Electronic monitoring of parolees; Replacement of license plates; Forfeiture, Display of emblems. **Cases:** Aiding and abetting; "Operate" defined; Accessory after the fact, Response to burglar alarms; Knock and announce; and Hot pursuit
May 2006	Hearsay exception – domestic violence; Disorderly conduct at funerals; Emergency exception to search warrant rule; Soliciting a minor using a computer; Minor possessing BB gun; Terry pat-down review; Cigarette butts as litter
April 2006	**Statutes:** Gray market cigarettes; Truck speed limit – 60 mph; Phone & computer tampering; E-mail SOR notification; Police scanners; CPL Holders – pistols owned by others; Extension of expired CPL. **Cases:** Consent search when suspect refuses; Anticipatory search warrants; Vision obstruction; Seizures while driving; OUIL law summary. **Attorney General Opinions:** Machine guns; and Child custody.
January 2005 Vol. 10, Issue 1	Identity Protection Act; Public Act 458 Statute of Limitations; Secretly obtaining another's personal identification; Venue for prosecution of identity theft; Expansion of prohibited explosives law.
October 2004 Vol. 9, Issue 3	Evidence obtained in violation of Miranda; First confession without warning may taint second confession; Venue for prosecution is where the crime occurred; Taser law amended; Hazing law created.
August 2004 Vol. 9, Issue 2	Michigan adopts good faith exception; ID proceedings that occur prior to any adversarial judicial criminal proceeding; Knock and talk procedures and remaining in the home without consent; Mandated reporters and reporting suspected child abuse.
July 2004 Vol. 9, Issue 1	False reports now include 911 operators; Urine can be considered a harmful substance for adulterated food charge; Perjury does not require proof of materiality; Eaves dropping statute amended; Carjacking statute rewritten; Armed Robbery statute rewritten; Unarmed Robbery rewritten; May arrest for OWI if have probable cause to believe subject operated under the influence.
October 2003 Vol. 8, Issue 9	Emergency services providers may not detain an individual suspected of carrying a communicable disease; Officers may not initiate questioning when the Sixth Amendment is invoked; CSC fourth constitutes an assault for Home Invasion charges; District court judges may issue search warrants.

September 2003 Vol. 8, Issue 8	OUIL/.08 Legislation-Public Act 61; Zero tolerance for certain controlled substances; Misconduct in office applies when a police officer acts with "corrupt purpose;" Uttering and publishing may include a copy of a document.
August 2003 Vol. 8, Issue 7	False impersonation of a police officer statute rewritten; Registration violations are civil infractions; Assisting a subject does not automatically render liability; Statutory right to polygraph extends until the verdict; Eavesdropping charges may be brought against a subject who hides a camera in his own bedroom.
July 2003 Vol. 8, Issue 6	Premeditation requires time for a second look; Officer's subjective reason for searching; No VIN exception to the search warrant rule; Accident scenes and the Fifth Amendment; Misconduct in office; The exclusionary rule.
May 2003 Vol. 8, Issue 5	Suppression of a confession; Felony Firearm Conviction; Indecent Exposure; Reasonable suspicion for a Terry Stop; Accidental dog bite by a police K-9.
April 2003 Vol. 8, Issue 4	One count carjacking, two occupants; False police report may apply to false crime details; Charges for felony murder could be brought against a mother who left children in locked car; Forceful act must occur at the time of the taking for armed robbery; "Confessing to all charges would be in your best interest" is not a promise leniency; Zero tolerance violation may be used to enhance OUIL charge.
March 2003 Vol. 8, Issue 3	Child sexually abusive material is rewritten: New definitions, New penalties; Operating a locomotive under the influence; CSC includes actions by teachers; Possession of counterfeit tax stamps for cigarettes requires knowledge that they are counterfeit.
February 2003 Vol. 8, Issue 2	Conspiracy charges may still occur even if the police become involved; Statute on stun guns rewritten; Traffic stops may be based on reasonable suspicion and Officers do not have to "verbally" identify themselves; Possession of stolen car is a felony; CCW and DNR violations; Changes made in drug penalties.
January 2003 Vol. 8, Issue 1	Statements obtained in violation of M.C.L. 764.27; Liability may occur where an officer makes an arrest after being insulted; Second warrant is needed to reenter property already searched; Raising an OUIL Causing Death to a charge of Second-Degree Murder; Receiving and concealing stolen property.
September 2002 Vol. 7, Issue 7	Violation of 48-hour rule may lead to liability; Admissible evidence; Claiming defense of an unborn child; Sexual contact has been redefined; Mental Health official added to Criminal Sexual Conduct; Force requirement under CSC; Police officers allowed to carry certain weapons.
August 2002 Vol. 7, Issue 6	Questioning during an OUIL investigation; Robbery charges require some type of force or violence; The "Castle Doctrine;" Open fields exception and protected curtilage; A prevailing claimant in a forfeiture action; Use of drugs is no defense to criminal activity unless it was a specific intent crime and the defendant had an unforeseeable reaction to medication or other legal substance.
July 2002 Vol. 7, Issue 5	Resisting and obstructing, along with assault upon officers, now under new law MCL 750.81d; "Reasonable" assistance in locating witnesses for defense; What is needed for forceful entry into a house; Illegal possession of a controlled substance can be actual or constructive; The offense of Fleeing and Eluding does not require a certain speed or distance.
June 2002 Vol. 7, Issue 4	Concealing or storing a stolen firearm can be considered a continuing offense; Reasonable suspicion is the proper standard for investigatory detentions; "Household" is an all-inclusive word for a family unit residing under one roof; Detainment for on-scene-identifications, or shows, may take such time that is reasonable.
May 2002 Vol. 7, Issue 3	A bail Bondsmen can be liable for a false arrest; An inoperable vehicle is still considered mobile for the automobile exception to a search warrant; Soliciting minor for immoral purposes does not require knowledge of actual age; "New" procedures for search warrants; etc.

March 2002 Vol. 7, Issue 2	Simple assault and battery becomes a 93 day misdemeanor; Domestic Relationships includes dating relationships; Officer may arrest for violation of personal protection orders issued from other states, Indian Tribes or United States Territory; It is not entrapment where the police do nothing more than present the defendant with the opportunity to commit the crime of which he was convicted;
January 2002 Vol. 7, Issue 1	Charges of "felon in possession of firearm;" Authority of local officers deputized by the County Sheriff; Prisoners giving testimony in court cannot be shackled; Gross indecency; Proving the offense of "carrying a firearm while under the influence;" Felonious driving now applies to all places open to the general public.
November 2001 Vol. 6, Issue 9	The "knock and talk" tactic is constitutional; The scope of consent; "No-Knock Warrant"; Euthanasia is not justifiable homicide; New Terrorism Legislation; Increased penalties for other violations.
October 2001 Vol. 6, Issue 8	Legal impossibility is not a defense in Michigan; Increased penalties for Construction Zone Injuries; Increased penalties for traffic injuries to farm workers; An unauthorized driver of a rental car my have standing to challenge search; "Just shy of" reasonable suspicion to detain a motorist; "Assault Upon an Employee of a Place of Confinement"; Interest on returned forfeiture.
August 2001 Vol. 6, Issue 7	Examining the exterior of an item without a search warrant; The crime a making a false police report; Lying does not constitute resisting and obstructing; Depositing money from a business transaction to a personal account; Sex Offender Registration includes youthful offenders; Delivery of controlled substance includes social sharing.
July 2001 Vol. 6, Issue 6	Requirements when stopping CCW license holder; CCW Free Zones; Carrying "while under the influence"; Seizure of pistols; Notice of suspension; Impersonating an FIA worker; Assault upon FIA workers; Lacking knowledge of drug amount-no defense for a delivery charge, but may be a defense for a conspiracy charge.
June 2001 Vol. 6, Issue 5	Thermal Imaging violates Fourth Amendment without search warrant; Rioting includes actions aimed at police officers; Entering a residence when it's believed that a person within is in need of immediate help; Failure to look at officers-one factor to establish reasonable suspicion; A juvenile's confession is admissible if the statement is voluntarily made.
May 2001 Vol. 6, Issue 4	Failure to leave copy of affidavit; The "public safety" exception for Miranda; Felons in "possession of a firearm"; Statute of Limitations-Public Act 6 of 2001 MCL 767.24; Two parties drag racing-both are "involved" when an accident occurs.
March 2001 Vol. 6, Issue 3	Uttering and publishing; Questioning a suspect after requesting an attorney; "Reasonable beliefs" to armed robbery; Unrecovered buy money; Knowing and voluntary waiver of Miranda rights; "Totality of the circumstances" in determining if a confession is admissible.
February 2001 Vol. 6, Issue 2	Attorney/Client privileges; A "spiritual" therapist; Use of audio tape to identify a suspect; Restitution under Crime Victims Rights; Listening to cordless phone conversations is eavesdropping; Sixth Circuit upholds stalking statute; Reasonable detention of a suspect is constitutional.
January 2001 Vol. 6, Issue 1	First degree murder for killing a police officer; Retreat from one's porch; Pulling a telephone cord from the wall; Polygraph by a witness; Leaving a copy of an affidavit; Felony for training an animal to fight; CCW does not apply to double-edged knives.
December 2000 Vol. 5, Issue 10	Officers must inform suspects that attorney is available; US Supreme Court invalidates drug checkpoints; Can be convicted of OUIL causing death and involuntary manslaughter; Obtaining blood results from hospital may invade doctor patient privilege; Absconding on a felony charge; PPO Violations; 1st degree murder for killing a police officer upheld.
November 2000 Vol. 5, Issue 9	New law on sale of Nitrous Oxide; Increased penalties for Methamphetamine; Abandoned vehicles on trunklines; The authority of bordering states police officers; School officials can request vehicle info; Lawfully abandoning newborns; The smell of intoxicants may result in an

	investigatory detention; Gamma-Butyrolactone illegal for human consumption.
October 2000 Vol. 5, Issue 8	Probable cause to issue a search warrant; Assault with intent to commit unarmed robbery is included in felony murder; Unarmed robbery charges; Statute of limitation when suspect lives in another state; Right to a jury for MIP trials; CSC 2nd degree.
September 2000 Vol. 5, Issue 7	Investigative detention; Charges for leaving the scene of an accident; Sale of children; Felons in possession of body armor; Vulnerable adult fraud.
July/August 2000 Vol. 5, Issue 6	Searching the casing surrounding the gear shift; Miranda rights; Mental anguish required for 1st Degree CSC; Warrantless arrest authority; Spousal privilege law change.
May/June 2000 Vol. 5, Issue 5	Measuring the length of the truck; Incest charges under CSC; Vulnerable Adult Abuse; Third degree Child Abuse; Criminal activity on the Internet; PPO process.
April 1, 2000 Vol. 5, Issue 4	Privacy of luggage; Warrantless entry under exigent circumstances; Voluntariness; Admissible statements against a co-defendant; Removal of victim from life support; Plea bargaining statements.
March 1, 2000 Vol. 5, Issue 3	Anonymous call of man with a gun; Lying to a police officer; Felony firearms charges.
February 2000 Vol. 5, Issue 2	The Odor of Marijuana, CCW Statute Violations, Statements Made to Third Parties, Anticipatory Search Warrants, Safety to Others
January 2000 Vol. 5, Issue 1	Leaving the Scene of a Personal Injury Accident, Pandering, Fingerprints for DWLS 1st Offense, Child Abuse, Drug Free School Zones, Computer Crimes, Identity Fraud, Consuming Alcoholic Liquor on School Property, Statewide School Safety, Fleeing From Police
December 1999 Vol. 4, Issue 2	Crime Scenes, Equal Protection, Escape, Use of Fake Warrant, 48 Hours, Gross Indecency, Resisting and Obstructing
November 1999 Vol. 4, Issue 1	OUIL, Home Invasion, Sex Offender Registration