



1 (a) Subject to subsections (3), (4), and (9), a document  
2 provided to the defendant's counsel or the defendant.

3 (b) Subject to subsection (5), a document that the prosecuting  
4 attorney submits as an ordinary court document or that will be  
5 entered into the court file.

6 (3) The prosecuting attorney is not required to redact the  
7 personal information of a witness under subsection (2)(a) if either  
8 of the following applies:

9 (a) The document was obtained from the defendant or  
10 defendant's counsel, or was obtained from the defendant's or  
11 defendant's counsel's possession.

12 (b) The personal information was obtained from the defendant  
13 or defendant's counsel, or was obtained from the defendant's or  
14 defendant's counsel's possession.

15 (4) The prosecuting attorney is not required to redact  
16 personal information of a witness as provided under subsection  
17 (2)(a) if, on a motion by the prosecutor, the court enters a  
18 protective order restricting the defendant and defendant's counsel  
19 from disclosing or using the document for any purpose other than  
20 the litigation of the case in which the document was provided to  
21 the defendant or defendant's counsel.

22 (5) The prosecuting attorney is not required to redact  
23 personal information of a witness as provided under subsection  
24 (2)(b) if, on a motion by the prosecutor, the court enters a  
25 protective order placing the document to be entered into the court  
26 record under seal and not accessible to the public.

27 (6) Subject to subsection (7), the defendant or defendant's  
28 counsel shall redact personal information of a witness from any  
29 document that the defendant or defendant's counsel submits as an



1 ordinary court document or that will be entered into the court  
2 file.

3 (7) The defendant or defendant's counsel is not required to  
4 redact personal information of a witness as provided under  
5 subsection (6) if, on a motion by the defendant or defendant's  
6 counsel, the court enters a protective order placing the document  
7 to be entered into the court record under seal and not accessible  
8 to the public.

9 (8) This section does not alleviate the obligation otherwise  
10 required under law to make a witness available for interview by the  
11 other party.

12 (9) On motion by the defendant, and subject to subsection  
13 (12), the court may order the prosecuting attorney to provide  
14 personal information of a witness to the defendant's counsel or the  
15 defendant.

16 (10) A motion under subsection (9) must demonstrate that the  
17 requested personal information of a witness is reasonably necessary  
18 to provide an adequate defense.

19 (11) If the court grants a motion under subsection (9), the  
20 order must do all of the following:

21 (a) Limit the disclosure of the personal information of a  
22 witness to the extent the disclosure is reasonably necessary to  
23 provide an adequate defense.

24 (b) Except as provided in subdivision (c), require the  
25 personal information of a witness to remain in the exclusive  
26 custody of the defendant's counsel or the defendant if the  
27 defendant is not represented by counsel.

28 (c) Include conditions and terms for the defendant's counsel  
29 or, if the defendant is not represented by counsel, the defendant,



1 to provide the personal information of a witness to the counsel's  
2 or the defendant's agent, employee, or expert witness if it is  
3 necessary for a limited purpose that is approved by the court.

4 (d) Prohibit the reproduction, copying, or dissemination of  
5 the personal information of a witness unless authorized in the  
6 order.

7 (12) This section does not authorize the disclosure of the  
8 confidential address of a program participant.

9 (13) This section does not preclude the release of information  
10 to a victim advocacy organization or agency for the purpose of  
11 providing victim services.

12 (14) A person who is required to keep confidential or redact  
13 personal information of a witness under this section and who  
14 intentionally and willfully discloses that personal information in  
15 violation of this section is guilty of a misdemeanor punishable by  
16 imprisonment for not more than 93 days or a fine of not more than  
17 \$500.00, or both.

18 (15) As used in this section:

19 (a) "Confidential address" means that term as defined in  
20 section 3 of the address confidentiality program act, 2020 PA 301,  
21 MCL 780.853.

22 (b) "Internet identifier" means a designation used for self-  
23 identification or routing used in posting on the internet or in  
24 other internet communications.

25 (c) "Personal information" means the following information of  
26 an individual but does not include the location of a charged crime:

27 (i) Home address.

28 (ii) Telephone number and cellular telephone number.

29 (iii) Driver license number or official state personal



1 identification card number.  
2 (iv) Social Security number.  
3 (v) Date of birth.  
4 (vi) Place and address of employment.  
5 (vii) Employee identification number.  
6 (viii) Mother's maiden name.  
7 (ix) Demand deposit account, savings account, or checking  
8 account number, or other financial identification information.  
9 (x) Credit card number.  
10 (xi) Email address.  
11 (xii) Internet identifier.  
12 (xiii) Home address, telephone number, and cellular telephone  
13 number of a family member.  
14 (d) "Program participant" means that term as defined in  
15 section 3 of the address confidentiality program act, 2020 PA 301,  
16 MCL 780.853.

