

Legislative Analysis



TRANSPORTATION OF JUVENILE TAKEN INTO CUSTODY

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House Bill 4887 as introduced
Sponsor: Rep. Mike Mueller
Committee: Judiciary
Complete to 9-13-21

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4887 would amend Chapter XIIA (Juvenile Code) of the Probate Code to allow a juvenile taken into custody at the same time as an adult to be transported with the adult to the appropriate location and require that the juvenile then be separated at the earliest available time in accordance with the code's requirements.

Under the code, a juvenile who is taken into custody or detained is required to be separated from adults in custody. The requirement applies to a juvenile under the age of 17 and to a juvenile under 18 beginning October 1, 2021, when 2019 PA 102 takes effect. Specifically, the code prohibits a juvenile from being confined in any police station, prison, jail, lock-up, or reformatory *or transported* with, or compelled or permitted to associate or mingle with, criminal or dissolute persons. An exception is made for a juvenile who is at least 15 years old and who poses a safety threat to other juveniles. Those juveniles may be placed in a jail or other place of detention for adults, but only in a room or ward separate from adults and for not more than 30 days (unless a longer detention is necessary for the service of process).

The bill would take effect 90 days after being enacted.

MCL 712A.16

FISCAL IMPACT:

House Bill 4887 would have no significant fiscal impact on the Department of Health and Human Services. Under the provisions of the bill, counties may see decreased costs in their county child care funds related to the transportation of juvenile offenders with adult offenders. The amount of any savings gained is indeterminate and would depend upon the number of juveniles no longer having to be transported separately from adult offenders.

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