

# SENATE BILL NO. 669

September 30, 2021, Introduced by Senators IRWIN and CHANG and referred to the Committee on Judiciary and Public Safety.

A bill to regulate the use by law enforcement agencies of minors as law enforcement participants and informants; and to provide for the issuance of injunctive orders and payment of damages under certain circumstances.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. As used in this act:  
2           (a) "Informant" means an individual who is used by a law  
3 enforcement agency to provide information about any other person  
4 for purposes of investigating a violation of law that is a crime or  
5 a state civil infraction. Informant does not include an individual

1 who reports a crime or a state civil infraction to a law  
2 enforcement agency on his or her own volition unless the law  
3 enforcement agency recontacts that individual in order to require  
4 or allow that individual to obtain additional information about  
5 that crime or state civil infraction or any other crime or state  
6 civil infraction beyond that which he or she has at the time of  
7 that subsequent contact.

8 (b) "Minor" means an individual who is less than 18 years of  
9 age.

10 (c) "Law enforcement agency" means 1 or more of the following:

11 (i) The department of state police.

12 (ii) The police department of a city, village, or township.

13 (iii) A county sheriff and the sheriff department.

14 (iv) The police department of a community college, college, or  
15 university.

16 (v) The police department of a hospital.

17 (vi) The law enforcement division of the department of natural  
18 resources.

19 (vii) The law enforcement division of the department of  
20 environment, Great Lakes, and energy.

21 (viii) An employee, volunteer, or contractual service provider  
22 acting on behalf of an entity described in subparagraphs (i) to  
23 (vii).

24 (d) "Law enforcement participant" means an individual, other  
25 than a police officer, who is used by a law enforcement agency to  
26 directly participate in an action to do either of the following:

27 (i) Prevent a crime or a state civil infraction from taking  
28 place.

1           (ii) Enforce a law, the violation of which is designated to be  
2 a crime or a state civil infraction.

3           Sec. 2. A law enforcement agency shall not use a minor as a  
4 law enforcement participant or an informant without first obtaining  
5 the written consent of a parent or legal guardian of the minor.  
6 This subsection does not apply if the minor is emancipated under  
7 1968 PA 293, MCL 722.1 to 722.6.

8           Sec. 3. If a law enforcement agency uses a minor as a law  
9 enforcement participant or an informant without first complying  
10 with the requirements of section 2, a parent or legal guardian of  
11 that minor may obtain an order in the circuit court in which the  
12 parent or legal guardian resides or in which the minor resides  
13 prohibiting the law enforcement agency from using that minor as a  
14 law enforcement participant or an informant until the requirements  
15 of section 2 are met. If a parent or legal guardian obtains an  
16 order prohibiting the law enforcement agency from using the minor  
17 as a law enforcement participant or an informant until the  
18 requirements of section 2 are met, the court shall order the law  
19 enforcement agency to pay the actual costs and attorney fees of the  
20 parent or legal guardian in obtaining the order and to pay  
21 additional damages to the parent or legal guardian of not less than  
22 \$500.00 or more than \$1,000.00.