

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

***** 750.139.amended THIS AMENDED SECTION IS EFFECTIVE OCTOBER 1, 2021 *****

750.139.amended Child under 18 years of age; confinement; commitment or trial; presence at trial of adults; transportation with adults charged with or convicted of crime; exception; violation as misdemeanor.

Sec. 139. (1) Except as provided in subsection (2), a child under 18 years of age while under arrest, confinement, or conviction for a crime must not be placed in an apartment or cell of a prison or place of confinement with 1 or more adults who are under arrest, confinement, or conviction for a crime, be permitted to remain in any court room during the trial of adults, or be transported in a vehicle used to transport inmates with adults charged with or convicted of a crime.

(2) Subsection (1) does not apply to prisoners being transported to or from, or confined in a youth correctional facility operated by the department of corrections or a private vendor under section 20g of the corrections code of 1953, 1953 PA 232, MCL 791.220g.

(3) All cases involving the commitment or trial of children under 18 years of age for any crime or misdemeanor, before any court, must be heard and determined by the court at a suitable time, designated by the court, separate and apart from the trial of other criminal cases.

(4) A person who violates this section is guilty of a misdemeanor.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.139;—Am. 1991, Act 145, Imd. Eff. Nov. 25, 1991;—Am. 1998, Act 510, Imd. Eff. Jan. 8, 1999;—Am. 2019, Act 104, Eff. Oct. 1, 2021.

Former law: See sections 1 to 3 of Act 110 of 1901, being CL 1915, §§ 7240 to 7242; and CL 1929, §§ 12816 to 12818.