

FEDERAL AND STATE LAWS ON THE LOCKING OF JUVENILES

QUESTIONS AND ANSWERS

Revised March, 1991



Michigan Committee on Juvenile Justice
Michigan Office of Criminal Justice

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The Committee on Juvenile Justice and the Office of Criminal Justice sponsored a series of technical assistance workshops on "How to Cope With the Federal Mandates in Handling Juveniles". The workshops were held to provide technical assistance to the law enforcement community responsible for the handling of juvenile offenders.

Information was provided on:

- the legal liability of locking juveniles.
- the removal of juveniles from adult locked facilities.
- the alternatives to locking juveniles.

Numerous questions were raised at these technical assistance workshops regarding Michigan P.A. 72 of 1987, the federal Juvenile Justice and Delinquency Prevention Act (JJDP), and the handling of status offenders, nonoffenders (i.e. neglect and abuse cases), and criminal offenders by law enforcement agencies. In addition, new regulations on locking of juveniles were issued by the Department of Justice in November, 1988.

During the past years, Office of Criminal Justice staff have revisited many Michigan law enforcement agencies and discussed the issues addressed in this booklet with law enforcement officers and executives. As a result of questions raised, this revised booklet contains a section on private security and provides the names and telephone numbers of additional agencies which provide staff-secure supervision of juveniles in lieu of locking in an adult locked facility.

The following guidelines on processing runaways, other status offenders, or nonoffenders and on the locking of juvenile offenders were developed as a result of the discussions at the workshops. These guidelines are consistent with the new federal regulations. We hope this information clarifies any questions you may have.

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JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

The Juvenile Justice and Delinquency Prevention Act -- first enacted in 1974 -- was reauthorized in 1988. The Juvenile Justice and Delinquency Prevention Act (JJDP A) contains three mandates: deinstitutionalization of status offenders and nonoffenders; separation of juveniles from adults; and removal of juveniles from locked areas, in police departments and sheriff departments.

The JJDP A provides more than \$1,500,000 in federal funds to Michigan annually. To receive these funds, the State of Michigan agrees to monitor compliance with the mandates and to report violations to the Office of Juvenile Justice and Delinquency Prevention, United States Department of Justice.

Federal guidelines published in the Federal Register establish administrative regulations for the grant program, plan development, and monitoring. The Michigan Office of Criminal Justice administers the program. The Michigan Committee on Juvenile Justice, appointed by the Governor, provides policy direction for the program.

PUBLIC ACT 72

Michigan Public Act 72 of 1987 was passed and signed into law with an effective date of September 1, 1987. PA 72 prohibits police from placing a status offender in locked adult facilities in most cases but does not prohibit police from taking a status offender into custody. Locked detention of a status offender in an adult jail, police station, or lockup is only permitted if the juvenile is already under jurisdiction of the court for an offense which, if committed by an adult, would be a felony.

**GUIDELINES FOR PROCESSING
RUNAWAYS AND
JUVENILE STATUS OFFENDERS**
*in keeping with P.A. 72 and the Juvenile
Justice and Delinquency Prevention Act (JJDP A)*

Some municipal police departments and sheriff departments have questions regarding how the recent changes in state law and the mandates in the Juvenile Justice and Delinquency Prevention Act impact the handling of status offenders and nonoffenders i.e., neglect and abuse cases. Here are some practical suggestions in question and answer form.

MAY I STILL TAKE STATUS OFFENDERS INTO CUSTODY?

Certainly. Neither the JJDP A nor P.A. 72 affects your action to take a juvenile into custody, to question her/him regarding his/her home, family, why they were on the street, where they were going, etc. Neither does it change your ability and responsibility to seek assistance for the youth from his/her parents, guardians, or other caregivers.

MAY I STILL TRANSPORT STATUS OFFENDERS TO THE POLICE STATION?

Certainly. Part of the normal process of responding to a juvenile requires taking basic information, asking some questions, and making phone calls to parents and guardians. Frequently this can be completed in the police station easier than in other locations.

MAY I REQUIRE A JUVENILE TO REMAIN IN THE LOBBY OR AN UNLOCKED INTERROGATION ROOM OR OFFICE?

Certainly. While in the custody of an officer, the juvenile is expected to follow reasonable instructions and to cooperate. As long as the officer still has a need for his/her attendance, the juvenile is not free to depart from the officer's custody.

IF THE JUVENILE CHOOSES TO LEAVE THE FACILITY AFTER S/HE WAS ORDERED TO STAY, MAY I APPREHEND HER/HIM AGAIN?

If there is still a need for questioning or if more information is required, certainly. But, with proper interviewing technique and clear communication of expectations and process, few juveniles would attempt to leave before they are free to go.

WHAT STEPS SHOULD I TAKE TO RETURN A JUVENILE TO HER/HIS HOME?

Once the interview is complete, facilitating arrangements to return the juvenile to her/his parents, guardians, and/or home is the most important next step. Arranging for parents to pick up the juvenile is the preferred option. But, if parents cannot be reached or cannot come to the station for an hour or more, providing transportation home following the interview certainly is appropriate.

If the juvenile is within walking distance or has funds necessary for public transportation or a taxi, it may be appropriate for the juvenile to leave on her/his own. It is preferable if parents consent to these arrangements. But if parents cannot be reached and the juvenile has a reasonable plan for transportation, the department and the officer should encourage the juvenile to return to her/his home or neighborhood rather than to require him/her to wait in the station.

If the parents, guardians, and/or custodian cannot be reached and the juvenile does not have a relative or a residence available, then s/he may be transported to the nearest appropriate shelter facility. Usually this facility will be provided by the juvenile court, an agency designated by the juvenile court, or, in the case of a runaway, the runaway agency serving the jurisdiction.

IF I HAVE COMPLETED ALL ASPECTS OF THE APPREHENSION AND PROCESSING PROCEDURE AND THERE IS NO LONGER ANY NEED FOR PROCESSING PURPOSES FOR THE JUVENILE TO REMAIN IN THE FACILITY, MAY I REQUIRE A JUVENILE TO REMAIN IN AN UNLOCKED AREA OF THE FACILITY?

Yes, if there are specific, demonstrable reasons for your action. Such reasons could include the expected arrival of a parent or guardian, the knowledge that a staff member from a runaway agency or juvenile court is on her/his way to the agency to pick up the juvenile, or that a prearranged transportation service is coming, etc. The reason(s) should be clearly articulated to the juvenile when requiring her/him to stay. There should be clear communication on expectations.

No, if there is no further purpose in keeping the juvenile in the facility. If there is suitable public transportation or the police station is within walking distance of home and the juvenile has a key to her/his home, there is little reason for requiring her/him to stay. In the absence of parents to pick her/him up or lack of access to or funds for transportation, some departments transport juveniles home to assure their arrival.

WHEN DO I MAKE THE DECISION WHETHER I WILL APPREHEND THE JUVENILE IF THE JUVENILE LEAVES FROM A NON-SECURE AREA AFTER I GAVE CLEAR INSTRUCTIONS AND VALID REASONS TO STAY?

This is a two-part decision. First, you need to decide whether the juvenile should be ordered to stay in the facility once processing is completed. Before giving an order to stay, you must be certain that the reasons for requiring the juvenile to stay are valid.

If you do not intend to apprehend the juvenile if the juvenile leaves, the reasons for ordering the juvenile to stay may not be compelling enough. In that case, the instructions should be phrased as a recommendation, not an order.

If you do intend to apprehend the juvenile if the juvenile leaves, the juvenile should be directly ordered to stay. The reasons for ordering the juvenile to stay should be clearly stated. The order should be given in a calm firm manner with authority.

With proper communication and the use of calm, direct statements relating to expectations, experience from many departments demonstrates that few juveniles will leave a non-secure area when ordered to stay. But if a juvenile does leave, the second part of the apprehension decision is necessary.

In most departments the decision to pursue is based in large part on available resources. If the dispatcher or the front desk officer is the only person available, it is unrealistic to pursue the juvenile.

However, if after double checking that the reasons for detaining the juvenile were defensible and relevant and that adequate staff resources are available, the juvenile can be brought back into the station and placed in a locked area. All of the separation requirements still apply. The apprehension order should relate to being unwilling to follow the instructions of an officer, not to being a runaway.

IF, UNDER QUESTIONING, I FIND OUT THAT THE JUVENILE IS A RUNAWAY FROM ANOTHER STATE, DO I HAVE TO LET HER/HIM GO?

No. However, detention may or may not be appropriate depending on the case.

If an out-of-state runaway is picked up, you should determine whether the juvenile is listed on LEIN, is listed in her/his home jurisdiction as missing, and/or is subject to court and/or state wardship. The steps taken to return the juvenile depend on the circumstances in the case.

If the juvenile is a runaway but is not listed as missing and not subject to court or state wardship, the juvenile should be referred to the local runaway services agency if one is available. Otherwise you should make other voluntary arrangements or follow the procedures outlined below to go through the juvenile court as provided under the Interstate Compact on Juveniles.

If an out-of-state runaway is listed on LEIN or in her/his home jurisdiction as missing but is not subject to a pickup order, a wanted person order, or a warrant from her/his home state, voluntary arrangements should be made to return the juvenile to her/his home.

If an out-of-state runaway is not subject to a pick-up order, a wanted person order or a warrant from her/his home state - and timely return home to the family or pickup by the family is not feasible - the juvenile should be referred to the local runaway services agency if one is available.

Otherwise you should follow the procedures outlined below to go through the juvenile court as provided under the Interstate Compact on Juveniles.

If the juvenile is subject to a pickup order, a wanted person order, or a warrant from another state, you should make arrangements to bring the juvenile to the juvenile court. Any locked detention of a status offender in a municipal facility or a sheriff department facility is a direct violation of state law. Michigan, as a member of the Interstate Compact, with the cooperation of local law enforcement agencies and juvenile courts, has a responsibility to provide for custody of the juvenile pending her/his return pursuant to the Compact.

The legislative basis for the Interstate Compact on Juveniles is P.A. 203 of 1958 as amended by P.A. 165 of 1962 and P.A. 39 of 1972. A copy of the Interstate Compact on Juveniles can be obtained from the Michigan Department of Social Services, Interstate Compact on Juveniles, Lansing, MI 48909.

The Department of Social Services, Office of Children and Youth Services, provides oversight for the Compact. The Interstate Compact Coordinator can be reached at 517/373-6918.

The police department should notify the local juvenile court to make arrangements for the transfer of the juvenile to a juvenile detention facility pending transfer back to her/his home state using the Interstate Compact. While awaiting this transfer, the juvenile may remain in a juvenile detention home facility under juvenile court jurisdiction.

IS A JUVENILE WHO IS APPREHENDED FOR A CURFEW VIOLATION CONSIDERED A STATUS OFFENDER OR A CRIMINAL OFFENDER?

A juvenile apprehended for a curfew violation is considered a status offender under the Juvenile Justice and Delinquency Prevention Act and Public Act 72. This means every juvenile apprehended for a curfew violation placed in any locked area in a sheriff department or a police department facility for any period of time must be counted as a violation under these laws and added to the status offender total for monitoring purposes.

IS THE JUVENILE WHO IS APPREHENDED AS A MINOR IN POSSESSION OF ALCOHOL CONSIDERED A STATUS OFFENDER OR A CRIMINAL OFFENDER?

A juvenile apprehended for possession of alcohol is considered a status offender under federal and state guidelines.

**GUIDELINES FOR COUNTING TIME
IN LOCKED SETTINGS IN
MUNICIPAL POLICE DEPARTMENTS
AND SHERIFF DEPARTMENTS**

Some municipal police departments and sheriff departments have questions regarding when the clock starts in holding juveniles in locked facilities. The Juvenile Justice and Delinquency Prevention Act (JJJPA) calls for the removal of all juveniles from all locked facilities in municipal and sheriff departments, with the exception that juveniles alleged to have committed a delinquent act or charged with a misdemeanor criminal offense, or a civil code violation for which secure detention would be authorized for all adults, may be held in a locked setting for up to six hours pending investigation, processing and release to parents, guardians, transfer to a juvenile detention facility, etc., provided, however, that they do not have regular contact with incarcerated adults when in a locked status. Only the above described juveniles are subject to a 6 hour hold. Status offenders and nonoffender juveniles may not be placed in a locked area for any length of time.

The JJJPA guidelines consider each juvenile court ward or state ward held in a locked area of a municipal or sheriff department to be a violation which must be reported. The JJJPA guidelines also require that each juvenile offender held in a locked area of a municipal or sheriff department for more than six hours be counted as a violation.

WHEN DOES THE CLOCK START ON THE LOCKED DETENTION OF JUVENILES SUBJECT TO THE 6 HOUR HOLD PROVISION IN A MUNICIPAL OR SHERIFF DEPARTMENT FACILITY?

The clock does not start with apprehension on the street or with placement in the locked back seat of a police car. The clock does not start with entry into the municipal or sheriff department facility, nor does it start when the juvenile is placed on a bench, or is placed in an office or interrogation room if the door is not locked and if the juvenile is not handcuffed to a cuffing rail or other stationary object. The clock does not start when a juvenile is in a secure area for processing purposes (sally port, booking area) provided that the juvenile is in the area for processing purposes only and is under continuous in-person supervision while in such area.

The clock does start when a juvenile is placed in any locked room within the facility for detention purposes or if the room or area is set aside or used for detention purposes. This includes a locked staff office, a locked interrogation room, a locked booking area, a locked corridor, or any cell, bullpen, detoxification unit, or other detention area, whether or not locked. It also starts if the juvenile is handcuffed to a cuffing rail or other stationary object anywhere within the facility.

DOES THE LEGAL STATUS OF THE JUVENILE INFLUENCE THE START OF THE CLOCK?

It does not. The clock starts at the time a juvenile is placed in a locked area without direct, in-person supervision for processing purposes. The clock starts at the same time for juveniles who are accused of committing a status offense or a criminal offense or for juveniles who are already adjudicated for committing a status offense or a criminal offense.

DOES THE WAY YOUR DEPARTMENT PROCESSES JUVENILES SUBJECT TO A 6 HOUR HOLD HAVE AN IMPACT ON THE CLOCK?

It certainly does. If your standard operating procedure is to place a juvenile in a locked area to await interrogation as soon as s/he is brought into the station, the clock starts immediately when the juvenile goes into the locked area. On the other hand, if the apprehending officer stays with the juvenile in the squad room, the detective's office, or some other area until the juvenile officer arrives, the clock will not start until the juvenile is placed in a locked room or area or in any room or area set aside or used for detention purposes following the interrogation.

If the juvenile is briefly placed in a locked area, then removed to be interviewed, then placed back in the same or another locked area, the clock starts at the first entry into a locked area and continues right through from the original entry into the locked area until the juvenile is finally released from any locked area or secure detention status within the facility.

DOES THE LEGAL STATUS OF THE JUVENILE INFLUENCE THE LENGTH OF THE TIME THE CLOCK MAY RUN BEFORE THERE IS A VIOLATION OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT GUIDELINES?

It certainly does. Juveniles who are accused of committing a status offense and juveniles who are already under the jurisdiction of the juvenile court and/or the department of social services as court wards and/or state wards count as a violation the minute they are placed in a locked area. Juveniles who are in law enforcement custody for the alleged commission of a misdemeanor or a felony are subject to an exception for up to six hours pending investigation, processing, and release to parents, guardians, etc. or transfer to a juvenile detention facility.

ARE THERE ADVANTAGES TO THE DEPARTMENT IF IT TAKES THE LEGAL STATUS OF THE JUVENILE INTO ACCOUNT WHEN PROCESSING THE JUVENILE?

There certainly are. By determining as early as possible whether the juvenile is already under the jurisdiction of the court or the state, transportation to the juvenile detention facility or return to placement can be arranged at the beginning. Interrogation and processing on the new offense can continue under the supervision of the apprehending officer or the juvenile officer. By checking on legal status early in the process, transfer of the juvenile to the juvenile court, department of social services, or private agency staff without locking the juvenile in the department facility may be accomplished. The department will move the juvenile to the appropriate persons or facility more quickly, with less use of department staff, and without a violation of the federal guidelines or state law.

ARE THERE ANY LOCKED FACILITIES IN WHICH A JUVENILE CAN BE PLACED IN WHICH THE CLOCK IS NOT A FACTOR?

OCJ staff know of no locked facility or area in a municipal department or a sheriff department in which the clock is not a factor. Placement of any juvenile subject to a 6 hour hold in a locked facility or detention area, or in a secure detention status in a municipal or sheriff department starts the clock.

ARE THERE ANY MUNICIPAL OR SHERIFF DEPARTMENTS IN MICHIGAN IN WHICH THE CLOCK IS NOT RUNNING?

Many municipal police departments and many sheriff departments have voluntary policies to prohibit locked detention of juveniles in their facilities. An increasing number of municipal departments are exempted from reporting to the Office of Criminal Justice based on their statements of policy. However, should any of these departments decide to lock a juvenile in a room or area within their facility or handcuff a juvenile to a cuffing rail or other stationery object within the facility, the clock would immediately start, and reporting would be necessary.

IF A JUVENILE IS LOCKED IN AN ADULT FACILITY, WOULD THE JUVENILE HAVE TO BE ISOLATED FROM ADULT PRISONERS TO PREVENT VERBAL, VISUAL OR PHYSICAL CONTACT?

Yes. State law provides that no juvenile under the age of seventeen can be held in an adult facility without being "completely isolated so as to prevent any verbal, visual or physical contact with any adult prisoner" (MCLA 712.14) and that "if a juvenile is taken into custody or detained, the juvenile shall not be confined in a police station, prison, jail, lock-up, or reformatory, or be transported with, or compelled or permitted to associate or mingle with, criminal persons while awaiting trial. However, a juvenile whose habits or conduct are considered to be a menace to other children, or who may not otherwise be safely detained, may be ordered by a court to be placed in a jail or other place of detention for adults, but in a room or ward out of sight and sound from adults." (MCLA 764-27A). It should be noted, however, that use of this authority would result in a violation of the JJDP (223(a)(14)) and would need to be reported.

In addition, court rule provides for separate custody of juveniles: "while awaiting arrival of the parent, appearance before the court, or otherwise, the juvenile must be maintained separately from adult prisoners to prevent any verbal, visual, or physical contact with an adult prisoner." (Rule 5.933 D).

The JJDPa also requires sight and sound separation from adults for any juvenile held in an adult locked facility.

Remember, that if any juvenile subject to a 6 hour hold - i.e. for an alleged felony or misdemeanor criminal act violation or a civil violation applicable to all adults - is to be held in secure detention in an adult facility, and sight and sound separation has been met (as provided by state law, court rule, and federal law), these juveniles may not be held more than six hours from the time they enter into a secure detention status.

**MICHIGAN LAW ENFORCEMENT AGENCIES
PRIVATE SECURITY FIRMS
AND THEIR
COOPERATIVE RESPONSIBILITIES
FOR HANDLING JUVENILES**

Recently, the Michigan Committee on Juvenile Justice and the Michigan Office of Criminal Justice have become much more aware of the role of private security in the locking of juveniles. Through discussions with private security officers at shopping malls and through discussions with police officers in local police departments, it is clear that handcuffing of juveniles to fixed objects in areas maintained by private security staffs is a practice which some private security firms follow. Additional information has been added to this booklet to cover the issue of private security.

WHAT SHOULD PRIVATE SECURITY FIRMS AND PRIVATE SECURITY OFFICERS KNOW ABOUT THE FEDERAL JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT, MICHIGAN PUBLIC ACT 72 OF 1987, AS WELL AS OTHER PERTINENT INFORMATION REGARDING THE HANDLING OF JUVENILES?

Every private security agency must follow federal, state, and local law. The best way to assure this is to provide information and training to officers that keeps them current on practices and procedures which conform to law.

Liability is a major concern for local law enforcement. Certainly that concern is at least as high for the private security industry. The best method to keep liability costs low and to reduce the risk for the private security field is to assure that their policies and practices are current and that their employees receive regular updates.

Given the common objectives of law enforcement and private security as well as the common information and training which both require, it is advantageous to both to share information and training regarding the handling of juveniles.

AS THE DIRECTOR OF A PRIVATE SECURITY FIRM, THE DIRECTOR OF SECURITY FOR A PROPRIETARY (IN-HOUSE) PRIVATE SECURITY ORGANIZATION, OR AS A PRIVATE SECURITY OFFICER, DO I HAVE SPECIFIC AUTHORITY TO HANDCUFF A JUVENILE TO A FIXED OBJECT OR FACILITY OR TO PLACE A JUVENILE IN A LOCKED ROOM PENDING PICKUP BY HER/HIS PARENT(S) OR TRANSPORTATION TO THE JUVENILE COURT OR TO THE JUVENILE DETENTION CENTER?

Generally a private security officer has the same powers of arrest as does a private citizen. With the exception of felonies committed in her/his presence, the private security officer does not have arrest powers. Neither the citizen nor the private security officer has the specific right to place a juvenile in a locked room or to handcuff a juvenile to a fixed object such as a cuffing rail pending pickup by her/his parent(s) or transportation to the juvenile court.

Private security officers working in a proprietary private security organization which has requested and received arrest powers from the Private Security and Investigator Section of the Department of State Police and working on the organization's premises, must have a written agreement from the local police and/or sheriff department(s) regarding handling of juveniles. In that agreement there should be specific guidelines for the holding of juveniles.

Unless the local police agency specifically grants the proprietary organization the right to lock juveniles and designates the area as an official facility of the law enforcement agency, the proprietary agency does not have the authority to cuff a juvenile to a fixed object or to lock a juvenile in a room. If the local law enforcement agency does extend the right to lock a juvenile, it has extended its own responsibility for the practice and thereby assumes some liability. The facilities and procedures would also have to be accepted by the Private Security and Investigator Section of the Department of State Police in its license for arrest powers. With both of these levels of permission, the private security officer with arrest powers must meet all federal, state and local laws. Lacking either of these, the proprietary private security officer, like all of the other private security officers, does not have the authority to lock a juvenile.

AS A CHIEF OF POLICE OR A SHERIFF, DO I HAVE ANY RESPONSIBILITY FOR THE PRACTICES AND PROCEDURES WHICH PRIVATE SECURITY FIRMS OR PRIVATE SECURITY GUARDS UTILIZE IN MY JURISDICTION?

Yes. Most law enforcement agencies have a close working relationship with private security firms and private security guards which provide services within their jurisdictions. Some police departments and sheriff departments maintain policies which restrict police officers involvement in the private security area, and impose conditions upon the hours of employment, the type of uniform worn while on duty, and the sanctions which the officer can take while working for a private firm or a private security agency.

In many circumstances, police officers are called upon to come to private security offices to pick up juveniles who are accused of breaking local and state ordinances, particularly regarding shoplifting, larceny from a building, breaking and entering, malicious destruction of property, or other criminal offenses which are committed on private property protected by private security. While the legislative authority for the services arises from different public acts, and while the law enforcement executives do not directly supervise the private security companies or their employees, there is sufficient interaction to expect the local law enforcement agency to know the practices and procedures of private security firms which are contrary to federal, state, and/or local law, and to inform the private security firms of the deviations identified.

The local law enforcement relationship with proprietary (in-house) security organizations which voluntarily apply for arrest powers from the Private Security and Investigator Section of the Department of State Police is direct. The local chief of police and/or sheriff must agree that there is need for the proprietary agency to have arrest powers and the chief of police and/or sheriff must further agree to set up procedures for handling arrests if arrest powers are to be granted. This gives the local police department the opportunity and the responsibility to assure that Michigan P. A. 72 of 1987, as well as the federal Juvenile Justice and Delinquency Prevention Act of 1974, and other juvenile justice legislation, guidelines and requirements are followed.

IF I PICK UP A JUVENILE FROM A LOCAL DEPARTMENT STORE, CLOTHING STORE, OR OTHER RETAIL SALES ESTABLISHMENT, AND I FIND THE JUVENILE LOCKED IN A ROOM OR HANDCUFFED TO A FIXED OBJECT, DOES MY DEPARTMENT HAVE TO COUNT THAT TOTAL IN THE REPORT WHICH IS SUBMITTED TO THE OFFICE OF CRIMINAL JUSTICE?

Yes. When the Michigan Committee on Juvenile Justice and the Office of Criminal Justice reviewed the purpose of the Juvenile Justice and Delinquency Prevention Act, both the Office and the Committee found no provision for private security firms to have greater powers of detention or less responsibility for adhering to federal, state, and or local laws than local law enforcement. On the contrary, the Office and the Committee found that state law closely held and limited the authority of the private security firms and private security officers, and made *no provision for holding juveniles in a secure area unless the private firm was expressly licensed* by the Michigan Department of State Police. Local law enforcement should be comfortable knowing that private security firms are required to follow federal, state, and local law and the guidelines and responsibilities which come with them.

DOES LOCAL LAW ENFORCEMENT HAVE A RESPONSIBILITY TO PROVIDE LOCAL PRIVATE SECURITY FIRMS AND PRIVATE SECURITY OFFICERS WITH INFORMATION ON THE IMPLEMENTATION OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT, PUBLIC ACT 72 OF 1987, AS WELL AS OTHER PERTINENT INFORMATION REGARDING THE HANDLING OF JUVENILES?

While local law enforcement does not have a direct mandated legal responsibility to provide information to private security firms, unless the firms are licensed for arrest powers, there is an implied responsibility; the law enforcement community is certainly well served by providing such information. To the extent that local law enforcement officers observe the procedures of private security officers and process juveniles who are brought to them by private security officials, local law enforcement officers have direct knowledge of private security practice. Through their day-to day interaction with private security officers, local law enforcement officers can determine whether the private security officers know what the laws and procedures regarding handling juveniles are, do know whether juveniles are being held in violation of these rules, and thus have a responsibility to inform.

DOES LOCAL LAW ENFORCEMENT HAVE A RESPONSIBILITY TO PROVIDE LOCAL PRIVATE SECURITY FIRMS AND PRIVATE SECURITY OFFICERS WITH TRAINING ON THE IMPLEMENTATION OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT, PUBLIC ACT 72 OF 1987, AS WELL AS OTHER PERTINENT INFORMATION REGARDING THE HANDLING OF JUVENILES?

While local law enforcement does not have any responsibility to provide training to private security firms, although they may assume responsibility if the firms are licensed for arrest powers, the law enforcement community certainly benefits from providing training. By providing training to officers and to private security personnel, the department provides valuable assistance which should lead to reduced liability for all parties.

Private security firms and/or officers will find participation in training sessions to be quite helpful when police departments or sheriff departments provide training regarding handling juveniles. Offering this joint training will assure law enforcement officers that the private security officers with which they work have access to the same training that officers have, and that expectations on procedures regarding the holding of juveniles are the same.

For proprietary security organizations which have requested and received arrest authority, the Private Security and Investigator Section of the Department of State Police have the responsibility for assuring that a training program of at least 136 hours is provided to all private security officers employed by the organization which has arrest powers. In some instances, this training is provided by the local police agency or persons certified by the Michigan Law Enforcement Officers Training Council (MLEOTC). Certainly that training should include information on the procedures for the apprehension, processing and holding of juveniles described in this booklet.

MICHIGAN RESOURCES FOR RUNAWAYS

WHAT SHOULD I DO WITH A RUNAWAY? ARE THERE ANY SERVICES FOR RUNAWAYS?

One of the best responses to these questions is to contact the Michigan Network of Runaway and Youth Services agency which provides services in your area or the 24-hour statewide Runaway Assistance Program (RAP) hotline. All of these agencies are under contract to provide services on a 24-hour basis. All welcome referrals from local law enforcement agencies. The listing of the Michigan Network of Runaway and Youth Services member agencies is provided on the following pages.

The Michigan Office of Criminal Justice contributed to the development of the Network in direct response to these questions beginning in the mid-1970s. A majority of the network agencies received grant funds from federal Safe Streets Act and/or Juvenile Justice and Delinquency Prevention Act funds. Once established, these agencies received on-going funding from the Michigan Department of Social Services, the United States Department of Health and Human Services, local units of government, and many private sources. The services they provide are a key Michigan resource for status offenders.

We encourage officers who work with juveniles to contact the local runaway services agency, to take the time to visit the facility, and to meet staff members. If you take the time to visit, you will have answers to many of the questions which will come up when you have a status offender in custody. You will know more about the services to runaways available in your community.

For your convenience, the listing of the Michigan Network of Runaway and Youth Services member agencies is provided below. The agencies are listed alphabetically by the city or county in which the agency is located. Most of the agencies provide services to surrounding communities and counties. If you have general questions or need to know which agency serves your department, call the Rapline at 1-800-292-4517.

Rainbow
2373 Gordon Road
P.O. Box 1038
Alpena, MI 49707
517/356-3474

Ozone House
608 N. Main Street
Ann Arbor, MI 48104
313/662-2222

Cory Place
307 Second Street
Bay City, MI 48708
517/895-5563

Alternative for Girls
1950 Trumbull
Detroit, MI 48216
313/496-0938

Casa Maria Family
Services
1500 Trumbull Avenue
Detroit, MI 48216
313/962-4230

Off The Streets
10612 E. Jefferson
Detroit, MI 48214
313/824-4520 (Boys)
680 Virginia Park
Detroit, MI 48202
313/873-0678 (Girls)

Gateway Community
Services
910 Abbott, Suite 100
East Lansing, MI 48823
517/351-4000 8-5 M-F
517/337-1611 other
hours

Runaway Assistance
Program/RAP
910 Abbott, Suite 100
East Lansing, MI 48823
517/351-4000 9-5 M-F
1-800-292-4517

Project SODA
524 Ludington St.
Suite 207
Escanaba, MI 49829
906/789-9411

REACH
914 Church Street
Flint, MI 48503
313/233-8700

Bethany Christian
Services
(Looking Glass)
6995 W. 48th St.
P.O. Box 173
Fremont, MI 49412
616/924-3350

Advisory Center for
Teens
(The Bridge)
1115 Ball Avenue, NE
Grand Rapids, MI 49505
616/451-3001

Counterpoint/Youth
Living Centers
715 Inkster Rd.
Inkster, MI 48141
313/563-5005

Project Rehab/
Youth and Family Services
319 N. Jackson Street
Ionia, MI 48846
616/527-9331

Juvenile Diversion
Program and Runaway
Services
301 Francis
Jackson, MI 49201
517/784-9611

Catholic Family Services
(The Ark)
1625 Gull Road
Kalamazoo, MI 49001
616/343-8765

The Staircase
201 N. Rowe Street
Ludington, MI 49431
Mason County
616/843-3200
Lake County
616/745-4992
Wexford County
616/775-8861
Manistee County
616/723-4602

Youth Emergency
Services
116 Harold
Midland, MI 48640
517/631-5639

Runaway Services
16 E. Fifth Street
Monroe, MI 48161
Monroe and Lenawee
313/242-3800

Listening Ear Crisis
Center, Inc.
107 W. Illinois
P.O. Box 65
Mt. Pleasant, MI 48858
517/772-2919

Webster House
125 Delaware
Muskegon, MI 49442
616/722-2694

Mecosta/Osceola
Youth Attention
Center
22250 Northland Drive
Paris, MI 49338
616/832-3351

Children Youth Equal
Rights Advocate
(CYERA)
132 Franklin Blvd.
Pontiac, MI 48341
313/333-2277

The Harbor
929 Pine St.
Port Huron, MI 48060
313/982-8584

The Sanctuary
Runaway Shelter
1222 S. Washington
Royal Oak, MI 48067
313/547-2260

The Link
Crisis Intervention
Center, Inc.
2002 S. State St.
St. Joseph, MI 49085
616/983-5465

Saginaw County Youth
Protection Council
(Innerlink)
1110 Howard
P.O. Box 3191
Saginaw, MI 48605
517/753-3431

Third Level
908 West Front Street
P.O. Box 1035
Traverse City, MI 49685
1-800/442-7315
616/922-4800

Macomb County Youth
Interim Care
Facility
4227 Bart Street
Warren, MI 48091-1918
313/758-7040

**MICHIGAN RESOURCES
FOR NON-SECURE SUPERVISION OF
PRE-ADJUDICATED JUVENILE OFFENDERS
IN LIEU OF LOCKING JUVENILES
IN A JAIL OR A LOCKUP**

WHAT SHOULD I DO WITH A CRIMINAL OFFENDER? ARE THERE ANY SERVICES TO PROVIDE SUPERVISION FOR JUVENILES WHO ARE CHARGED WITH A CRIMINAL OFFENSE WHILE WAITING A PRELIMINARY HEARING OR PICKUP BY THEIR PARENT(S)?

Working through Michigan probate/juvenile courts and sheriff departments, the Michigan Department of Social Services/Regional Detention Support Services (RDSS) program provides staff supervised non-secure holdover sites where youth may be held for up to 24 hours awaiting a preliminary hearing, return to parents or return to another jurisdiction. These sites are provided in counties which do not have a juvenile detention center. The sites are usually located in the county sheriff department. Volunteers recruited and supervised by the juvenile court staff provide continuous supervision. These volunteers are trained by Regional Detention Support Services (RDSS) trainers and also receive in-service training through the juvenile court. Other components of the RDSS program include home detention, electronic monitoring and transportation services for delinquent youth.

We encourage officers who work with juveniles to contact the local juvenile court in those counties utilizing the RDSS program to get more information about these resources and visit the holdover site.

The Regional Detention Support Services program has a ten year record of service to youth in Michigan. Beginning in 1981, the Michigan Office of Criminal Justice made a series of grants to the Michigan Department of Social Services to establish the Regional Detention Support Services program. These grants were issued in response to the Juvenile Justice and Delinquency Prevention Act in 1980 which required the removal of juveniles from adult jails and lockups. The program is now 100 percent State funded.

The RDSS program became the principal resource for holding pre-adjudicated juveniles in rural areas of the State. Replicated in many other states, the "Michigan Model" has become the most widely used program to reduce the jailing of juveniles in America.

Another service of the Michigan Department of Social Services which may be of assistance to you is the Regional Detention Center juvenile detention bed availability service. Each Monday the Regional Detention Center staff call each of the participating juvenile detention homes or youth homes in Michigan to determine how many beds are available. By calling 1-313-733-3820 and asking for the bed availability service, you can find out the location of the closest available juvenile detention center bed.

If you have more specific questions, call the Regional Detention Support Services Office at 1-800-821-7484 or 313-733-2936 from 8AM to 5PM. The office is located at the Flint Regional Detention Center at G-4287 West Pasadena Avenue, Flint, MI 48504.

Following is a list of counties utilizing the RDSS components and the telephone numbers of the juvenile courts. Also included is the location and telephone number of the holdover site in each county. Law enforcement officers who take a juvenile into custody and determine that further supervision is required should call the appropriate juvenile court telephone number to arrange for staff supervision at a non-secure holdover site.

Some of the juvenile courts do not have 24 hour answering services. If you call after hours and do not reach the juvenile court staff, the sheriff department will have the juvenile court after hours contact number.

UPPER PENINSULA HOLDOVER SITES

Alger County:

Juvenile Court
906/387-2080

Sheriff Department
101 East Varnum
Munising, MI 48862
906/387-4444

Chippewa County:

Juvenile Court
906/635-6316

Sheriff Department
331 Court Street
Sault Ste. Marie, MI
49783
906/635-6355

Delta County:

Juvenile Court
906/786-3564

Escanaba Department
of Public Safety
1900 Third Avenue
Escanaba, MI 49829
906/786-5911

Dickinson County:

Juvenile Court
906/774-3373

Sheriff Department
300 East "D" Street
Iron Mountain, MI
49801
906/774-6262

Gogebic County:

Juvenile Court
906/663-4147

Sheriff Department
Iron Street
Bessemer, MI
48214
906/667-0203

Hannahville Tribe

Juvenile Court
906/466-2681

Police Department
Route One
Wilson, MI 49892
906/466-2681

Keweenaw Bay Tribe:

Juvenile Court
906/353-6623

Police Department
Route One
Baraga, MI 49908
906/353-6623

Iron County:

Juvenile Court
906/875-6351

Michigan State
Police Post #92
897 Lalley Road
Iron River, MI
49935
906/265-99916

Luce County:

Juvenile Court
906/293-5751

Courthouse
407 W. Harrie
Newberry, MI 49868
906/293-5751

Mackinac County

Juvenile Court
906/643-7319

Sheriff Department
470 N. Marely
St. Ignace, MI 49781
906/643-7324

Marquette County

Juvenile Court
906/228-1506

Courthouse
234 W. Baraga
Marquette, MI 49855
906/228-1506

Menominee County

Juvenile Court
906/863-5213

Public Safety Building
831 10th Avenue
Menominee, MI 49858
906/863-4441

Ontonagon County

Juvenile Court
906/884-4539

Sheriff Department
629 Conglomerate
Ontonagon, MI
49953
906/884-4901

Sault Ste. Marie Tribe

Juvenile Court
906/635-6538

Tribal Center
1306 Marquette
Sault Ste. Marie,
MI 49783
906/635-6538

Schoolcraft County

Juvenile Court
906/341-5338

Sheriff Department
300 Main St.
Manistique, MI
49854
906/341-2122

NORTHERN LOWER MICHIGAN HOLDOVER SITES

Alcona County

Juvenile Court
517/724-6880

County Building
106 5th St.
Harrisville, MI 48740
517/724-6880

Charlevoix County

Juvenile Court
616/547-7214

Sheriff Department
1000 Grant
Charlevoix, MI
49720
616/547-4461

Alpena County

Juvenile Court
517/354-8785

Sheriff Department
320 Johnson St.
Alpena, MI 49707
517/354-4128

Cheboygan County

Juvenile Court
616/627-8812

Sheriff Department
870 Main St.
Cheboygan, MI
49721
616/627-3155

Antrim County

Juvenile Court
616/533-6681

Sheriff Department
207 Cayuga
Bellaire, MI 49615
616/533-8627

Clare County

Juvenile Court
517/539-7109

County Building
225 W. Main
Harrison, MI
48625
517/539-7109

Benzie County

Juvenile Court
616/882-9671

Frankfort Police
Department
412 Main St.
Frankfort, MI 49635
616/352-4212

Crawford County

Juvenile Court
517/348-2841

Shawono Center
Howe Lake Rd.
Grayling, MI
49738
517/348-5443

Emmet County

Juvenile Court
616/348-1766

County Building
200 Division
Petoskey, MI 49770
615/348-1765

Gladwin County

Juvenile Court
517/426-7451

Sheriff Department
501 W. Cedar
Gladwin, MI 48624
517/426-9284

Grand Traverse County

Juvenile Court
616/922-4650

Governmental Center
400 Boardman
Traverse City, MI
49684
616/922-4650

Iosco County

Juvenile Court
517/362-3991

Sheriff Department
428 Lake St.
Tawas City, MI 48763
517/362-6164

Lake County

Juvenile Court
616/745-4614

Sheriff Department
1153 Michigan Ave.
Baldwin, MI 49304
616/745-2711

Leelanau County

Juvenile Court
616/256-9803

Sheriff Department
201 Chandler
Leland, MI 49654
616/256-9829

Manistee County

Juvenile Court
616/723-2573

County Building
415 Third St.
Manistee, MI
49660
616/723-1579

Mason County

Juvenile Court
616/845-1213

Sheriff Department
302 N. Delia St.
Ludington, MI
49431
616/843-3475

Montmorency County

Juvenile Court
517/785-4053

Sheriff Department
M-32 West
Atlanta, MI 49709
517/785-4238

Otsego County

Juvenile Court
517/732-6484

MI State Police
Gaylord Post #73
563 S. Otsego
Gaylord, MI 49735
517/732-5141

Ogemaw County

Juvenile Court
517/345-0145

Sheriff Department
806 W. Wright
West Branch, MI 48661
517/345-3111

Presque Isle County

Juvenile Court
517/734-2214

Sheriff Department
267 N. Second St.
Rogers City, MI
49779
517/734-2156

Osceola County

Juvenile Court
616/832-3261

Sheriff Department
325 W. Upton
Reed City, MI 49677
616/832-2288

Roscommon County

Juvenile Court
517/275-5221

Sheriff Department
109 George St.
Roscommon, MI
48653
517/275-5101

Oscoda County

Juvenile Court
517/826-3241

Sheriff Department
301 Morenci
Mio, MI 48647
517/826-3214

Wexford County

Juvenile Court
616/779-9511

Sheriff Department
820 Carmel St.
Cadillac, MI
49601
616/779-9211

DOWNSTATE HOLDOVER SITES

Barry County

Juvenile Court
616/948-4846

Hastings Police
Department
102 S. Broadway
Hastings, MI 49058
616/945-2463

Huron County

Juvenile Court
517/269-9267

County Building
E. Huron Ave.
Bad Axe, MI 48413
517/269-9267

Branch County

Juvenile Court
517/279-8411

Sheriff Department
23 S. Pearl St.
Coldwater, MI 49036
517/278-2325

Ionia County

Juvenile Court
616/527-5332

Sheriff Department
100 Library
Ionia, MI 48846
616/527-0400

Cass County

Juvenile Court
616/445-8621

Sheriff Department
101 N. Rowland
Cassopolis, MI 49031
616/445-2481

Isabella County

Juvenile Court
517/772-0911

Sheriff Department
207 Court St.
Mt. Pleasant, MI
48858
517/772-5911

Gratiot County

Juvenile Court
517/875-5222

MI State Police
Ithaca Post
1876 N. State St.
Ithaca, MI 48847
517/875-4111

Lapeer County

Juvenile Court
313/667-0261

Sheriff Department
2408 Genesee St.
Lapeer, MI 48446
313/667-0443

Midland County

Juvenile Court
517/832-6890

County Building
301 W. Main
Midland, MI 48640
517/832-6600

Montcalm County

Juvenile Court
517/831-5226

Sheriff Department
659 N. State St.
Stanton, MI 48888
517/831-5253

Oceana County

Juvenile Court
616/873-3811

Sheriff Department
216 Lincoln
Hart, MI 49420
616/873-2121

Sanilac County

Juvenile Court
313/648-3220

Sheriff Department
65 N. Elk
Sandusky, MI 48471
313/648-2000

Shiawassee County

Juvenile Court
517/743-2372

Sheriff Department
201 E. McArthur
Corunna, MI 48817
517/743-3411

St. Joseph County

Juvenile Court
616/467-6361

Sheriff Department
650 E. Main St.
Centreville, MI
49032
616/467-9045

Tuscola County

Juvenile Court
517/673-5999

Sheriff Department
420 Court St.
Caro, MI 48723
517/673-8161

Van Buren County

Juvenile Court
616/657-5581

South Haven City
Hall
539 Phoenix St.
South Haven, MI
49090
616/637-5211

HOLDOVER FACILITIES IN NATIVE AMERICAN TRIBAL POLICE AGENCIES

The Michigan Department of Social Services Regional Detention Support Services program has worked with the Native American tribes in Michigan to establish staff-supervised non-secure holdover sites for juveniles who are apprehended on areas with tribal police department jurisdiction. These sites are identified below:

Keweenaw Bay Tribe
Route One
Baraga, MI 49908
906/353-6623

Saginaw Chippewa Tribe
7070 East Broadway
Mt. Pleasant, MI 48858
517/772-5700

Hannahville Tribe
Route One
Wilson, MI 49892
906/466-2681

Sault Ste. Marie Tribe
1306 Marquette Avenue
Sault Ste. Marie, MI
49783
906/635-6538

*MICHIGAN COMMITTEE
ON
JUVENILE JUSTICE*

Vicki B.E. Neiberg, Chair
Robert Aguirre
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Nathan Martin
Hudson J. Nyenhuis
Reverend Armistice Polk
Sherrie Ross
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Lalinda Turner
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Thomas Werth
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The text of this technical assistance pamphlet was prepared by Ralph Monsma, Juvenile Justice Specialist, Michigan Office of Criminal Justice.

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