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## JUVENILE BOOT CAMP ACT

House Bills 4723 and 4724  
Sponsor: Rep. Michael Nye  
Committee: Judiciary and Civil Rights

Complete to 3-1-96

### A SUMMARY OF HOUSE BILLS 4723 AND 4724 AS INTRODUCED 4-25-95

House Bill 4723 would create the Juvenile Boot Camp Act, which would require the Department of Social Services (DSS) to establish one or more juvenile boot camps and to develop one or more juvenile boot camp programs. Juvenile boot camps would house and train juveniles who had been ordered by the juvenile division of the probate court to participate in the juvenile boot camp programs. In developing boot camp programs, the DSS would be required to create programs patterned after military basic training that provide for the participants to be involved in physically strenuous work and exercise, along with other programming as determined by DSS.

Detention in a boot camp program could not exceed 120 days. However, if the juvenile missed more than 5 days of the program due to medical excuse for injury or illness which occurred after his or her entrance in the program, the juvenile's placement in the program could be increased by the number of days he or she missed, beginning with the sixth day he or she was medically excused. The juvenile's detention in the program could be extended on this basis for up to 20 days. If the injury or illness prevented the juvenile's participation in the program for more than 25 days he or she would be returned to the probate court for alternative disposition. Verification of the medical excuse by way of a physician's statement would be required, and a copy of the excuse would have to be forwarded to the probate court that had jurisdiction over the juvenile.

The clerk of the court that had placed the juvenile in the boot camp program would be required to mail a certified copy of the disposition to the DSS within five business days after the juvenile's placement. After the placement of the juvenile, DSS would have to make a second determination that the juvenile met the requirements (which the court would have to have made prior to placing the juvenile in the program) established by House Bill 4724. Specifically, after the juvenile had been placed in the boot camp program by the court, DSS would be required to establish that the juvenile was both physically and mentally capable of participating in the program. If DSS determined that the juvenile did not meet those requirements, the juvenile would be returned to the probate court for alternative disposition.

A juvenile who failed to work diligently and productively at the boot camp or failed to obey the rules of behavior established for the program could be reported to the probate court for alternative disposition. DSS would be required to provide the probate court with information certifying whether the juvenile had satisfactorily completed the course of training at the boot camp at least than five days prior to his or her expected date of release. Upon completion of the boot camp program the juvenile would remain under the intensive supervision of DSS in the local community for a period of no less than 120 days.

House Bill 4723 would take effect September 1, 1995 and is tie-barred to House Bill 4724.

House Bill 4724 would amend the juvenile code to add placement in a juvenile boot camp as an option for disposition of a juvenile by the juvenile division of the probate court. Specifically, the bill would allow the court to place a child in, and order the child to satisfactorily complete a program of training in, a juvenile boot camp as established under the provisions of House Bill 4723. In order to place the juvenile in a boot camp program, the court would have to determine all of the following: 1) that the child would benefit from placement in the boot camp, 2) that the child was physically able to participate in the program, 3) that the child did not appear to have any mental handicap which would prevent his or her participation in the program, and 4) that the child would not be a danger to other children in the boot camp.

The court would be required to authorize the release of the juvenile from the boot camp program upon receipt of a report from the DSS indicating that the juvenile's satisfactory performance in the program (which the DSS would have to issue under House Bill 4723). After satisfactorily completing the boot camp program, the juvenile would have to undergo no less than an additional 120 days of intensive supervision by the DSS in the local community. If the court received notice from DSS that the juvenile's performance in the program was unsatisfactory, that the juvenile had failed to meet the program's requirements, or that the juvenile was medically unable to meet the demands of the program for more than 25 days, the court would be required to release the child from his or her detention in the boot camp program and enter an alternative order of disposition. A juvenile would not be eligible for placement in a boot camp program more than once. However, a juvenile who had been unable to complete the program due to a medical condition could be placed in the program again after the medical condition was corrected.

House Bill 4724 is tie-barred to House Bill 4723.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.