



SENATE BILL No. 724

October 10, 1995, Introduced by Senator CISKY and referred to the Committee on Judiciary.

A bill to amend section 27a of chapter IV of Act No. 175 of the Public Acts of 1927, entitled as amended "The code of criminal procedure," as added by Act No. 67 of the Public Acts of 1988, being section 764.27a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 27a of chapter IV of Act No. 175 of the
2 Public Acts of 1927, as added by Act No. 67 of the Public Acts of
3 1988, being section 764.27a of the Michigan Compiled Laws, is
4 amended to read as follows:

5 CHAPTER IV

6 Sec. 27a. (1) ~~If a juvenile is taken into custody or~~
7 ~~detained, the juvenile~~ A JUVENILE, OTHER THAN A JUVENILE
8 CONFINED UNDER SUBSECTION (3), shall not be confined in a police
9 station, prison, jail, lock-up, or reformatory, or be transported

1 with, or compelled or permitted to associate or mingle with,
2 criminal persons while awaiting trial. ~~However, a~~

3 (2) A juvenile, OTHER THAN A JUVENILE CONFINED UNDER
4 SUBSECTION (3), whose habits or conduct are considered to be a
5 menace to other children, or who may not otherwise be safely
6 detained, may be ordered by a court to be placed in a jail or
7 other place of detention for adults, but in a room or ward out of
8 sight and sound from adults.

9 (3) A JUVENILE OR INDIVIDUAL LESS THAN 17 YEARS OF AGE WHO
10 IS UNDER THE JURISDICTION OF THE CIRCUIT COURT OR RECORDER'S
11 COURT FOR THE CITY OF DETROIT FOR A FELONY CHARGE MAY BE CONFINED
12 IN THE COUNTY JAIL PENDING TRIAL. IF A JUVENILE OR INDIVIDUAL
13 LESS THAN 17 YEARS OF AGE IS CONFINED IN THE COUNTY JAIL UNDER
14 THIS SUBSECTION, THE JUVENILE OR INDIVIDUAL LESS THAN 17 YEARS OF
15 AGE SHALL BE HELD PHYSICALLY SEPARATE FROM ADULT PRISONERS. A
16 JUVENILE OR INDIVIDUAL LESS THAN 17 YEARS OF AGE SHALL NOT BE
17 CONFINED IN THE COUNTY JAIL UNDER THIS SUBSECTION WITHOUT THE
18 PRIOR APPROVAL OF THE COUNTY SHERIFF.

19 (4) THE COURT, UPON MOTION OF A JUVENILE OR INDIVIDUAL LESS
20 THAN 17 YEARS OF AGE WHO IS SUBJECT TO CONFINEMENT UNDER
21 SUBSECTION (3) MAY, FOR GOOD CAUSE SHOWN, ORDER THE JUVENILE OR
22 INDIVIDUAL LESS THAN 17 YEARS OF AGE TO BE CONFINED AS OTHERWISE
23 PROVIDED BY LAW.

24 (5) ~~-(2)-~~ If a person is convicted of a crime within this
25 state and has served time in a juvenile facility prior to sen-
26 tencing because of being denied or being unable to furnish bond
27 for the offense of which he or she is convicted, the trial court

1 in imposing sentence shall specifically grant credit against the
2 sentence for time served in a juvenile facility prior to
3 sentencing.