



**Chapter:** Arrests, Use of Force, Care of Prisoners  
**Subject:** 05-40 – Apprehension of Juvenile Offenders  
**Effective:** October 29, 2024  
**Supersedes:** Official Order 05-40, dated April 19, 2022  
**Distribution:** Department Members

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**PURPOSE:** This Order establishes department policy related to the investigation and apprehension of juveniles.

#### 05-40-1 POLICY

Enforcement members shall use their discretion and the least restrictive available options when investigating incidents involving juveniles, consistent with this Order and preserving public safety. This policy reflects the department's dedication to treating juveniles with dignity, respect, and fairness in all interactions, while safeguarding their rights, promoting their well-being, and fostering positive outcomes.

#### 05-40-2 INVESTIGATING INCIDENTS INVOLVING JUVENILES

- A. Enforcement members shall properly investigate incidents involving juveniles when there have been violations of criminal laws, civil offenses in which the state is a party, or the probate code.
- B. Taking Custody of a Juvenile Offender
  - (1) [MCL 712A.14](#) provides police officers with the authority to take a juvenile into custody who is found violating the law. The word “found” is an all-inclusive word that may lead to misinterpretation. In the interest of conformity, when taking a juvenile into custody without a court order, enforcement members shall use the same standards they would use for arresting an adult without a warrant, as listed in [MCL 764.15](#).
  - (2) Enforcement members shall take all necessary precautions when taking a juvenile offender into custody. Enforcement members shall abide by the requirements for securing arrested subjects listed in written directives related to arrests and shall not subject themselves to possible bodily harm, regardless of the age of the offender.
  - (3) Status offenders (e.g., runaways) and non-offenders (e.g., victims of child abuse/neglect) taken into custody shall not be held in a locked room or handcuffed to any fixed or stationary object. They may be held in a lobby or an unlocked office and shall be kept under constant supervision or in visual contact at all times.
  - (4) In the case of a status offender (e.g., runaway), the juvenile may be placed in a local runaway shelter or facility. Such placement, however, does not relieve enforcement members of their responsibility to notify a parent, guardian, or custodian.

- (5) When a juvenile is taken into custody, enforcement members shall determine whether the juvenile has been harmed, is alleged to have been harmed, or is in danger of harm.
- (6) Juveniles taken into custody shall be transported to a processing or detention facility without delay, unless a juvenile is in need of emergency medical treatment.

C. Removal of a Juvenile Offender from School

- (1) The law authorizes the arrest of a juvenile offender with or without a warrant while they are attending school. However, enforcement members shall exercise extreme care in determining whether removing the juvenile offender from the school is the best course of action.

D. Notification of a Parent, Guardian, or Custodian

- (1) The arresting enforcement member is required by law to immediately notify a parent, guardian, or custodian of any child taken into custody, including a fugitive apprehension.
- (2) Under no circumstances shall a juvenile offender be apprehended and released by an enforcement member without notification of a parent, guardian, or custodian. This does not include civil infraction traffic offenses.
- (3) The parent, guardian, or custodian shall be called to the post to pick up the child whenever it is practical to do so.

If there is no other means of travel available, the enforcement member shall provide transportation.

E. Release to the Custody of a Parent, Guardian, or Custodian

- (1) A juvenile offender shall be released to a parent, guardian, or custodian unless immediate detention is required.
  - a. Unless the child requires immediate detention, the arresting enforcement member shall acquire the written release and promise of that parent, guardian, or custodian to bring the child to the court.
  - b. Completing and submitting the Juvenile Apprehension Report, UD-023, satisfies the legal requirements of [MCL 712A.14](#).
- (2) If the enforcement member is unable to immediately contact a parent, guardian, or custodian, the efforts to make contact shall be documented in the incident report, and the parent, guardian, or custodian shall be notified at the earliest possible time.

DIRECTOR

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**Annual Review Responsibility:** Field Services Bureau

**Accreditation Standards:** CALEA 44.1.1, 44.2.1 A-D, and 44.2.2 A-E