



Lansing Police Department Manual

700.66 – YOUTH INTERACTION AND ARREST POLICY

Operational Procedure

Effective Date: 6/2020

Rescinds: NEW

1 **PURPOSE**

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3 The purpose of this policy is to provide guidelines for officers when interacting with “youth” in the
4 community relating to enforcement and custody situations. Refer to Lansing Police Department
5 Policy 600.18 – Complaints Involving Juveniles for guidelines regarding arresting individuals age
6 13 or older but under 17.

7

8 **POLICY**

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10 While youth are afforded the same constitutional protections as adults, the Lansing Police
11 Department (LPD) acknowledges and recognizes the need for additional protective measures
12 while encountering “youth.” It is the policy of the LPD to take into consideration those unique
13 characteristics and protections when dealing with “youth.” The detention and/or custodial arrest
14 (handcuffing) of youth should be applied only when no other alternatives exist.

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16 **POLICY DEFINITIONS**

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18 "Youth" means an individual under the age of thirteen (13).

19

20 "Juvenile" means a person under the age of eighteen (18) who is accused of violating a law or
21 ordinance or of committing a status offense. MCL 712A.1; 764.27. Also, a "Juvenile" does not
22 include a person that is seventeen (17) years old who is subject to a delinquency petition.

23

24 MCL 712a.1 was updated last year to define juvenile as anyone under 18, not 17. This law
25 change will become effective on 10/21/2021.

26

27 "Juvenile Status Offender" means a juvenile that is alleged to fall within the jurisdiction of the
28 Family Division of circuit court as a runaway, incorrigible, truant, wayward minor, or for violations
29 of the curfew ordinance. MCL 712A.2 and MCL 764.27.

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31 **YOUTH INTERACTION FACTORS**

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33 When dealing with “youth,” LPD officers should consider the following factors:

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- 35 a. Type of complaint and/or contact
- 36 b. Likelihood of weapons
- 37 c. Age, intelligence, mental capacity, and physical condition
- 38 d. Prior contacts/history with officers
- 39 e. Parental cooperation level
- 40 f. Level of cooperation, attitude, and demeanor

41 g. Any other relevant factor known or observed by the officer

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43 **NOTIFY PARENT OF INVESTIGATIVE INTERACTIONS WITH YOUTH**

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45 If during a criminal investigation, an investigative Terry stop or other investigation-based
46 encounter when the “youth” has been patted down, searched or handcuffed, the officer should
47 notify the youth’s parent or guardian as soon as reasonably practical. The officer will inform the
48 parent or guardian of the reason for contact and provide them with the complaint information if
49 one is to be filed whether the “youth” is in custody or not.

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51 **HANDCUFFING OF YOUTH**

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53 When safe, considering the totality of the circumstances, officers will consider a youth's age,
54 whether known or objectively apparent to a reasonable officer, when determining whether to
55 apply handcuffs or restraints or not. While there is no set age, the Supreme Court
56 discussed, in *JDB v North Carolina*, that officers must understand the age of the “youth” and
57 realize they are not an adult and that officers must realize a 7-year-old is not a 13-year-old and
58 neither is an adult. The following are applicable to the handcuffing and restraint of youths:

- 59
- 60 a. The handcuffing of youths under the age of thirteen (13) requires approval from LPD
61 command unless (1) there are exceptional and exigent circumstances directly related to an
62 officer’s or youth’s safety, (2) if there is a court order or (3) there are other circumstances
63 to be considered, based upon clearance of a supervisor.
64
 - 65 b. Handcuffs will only be used for as long as reasonably necessary for the protection of
66 the officers, bystanders and the “youth.” Officers will remove handcuffs as soon as
67 reasonable to do so.
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 - 69 c. Officers will notify LPD command when a “youth” under 13 has been handcuffed.
70 Notification will be documented in the accompanying report or CAD notes if there is an
71 incident to be filed.
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 - 73 d. LPD command should be called to the scene when possible if it does not extend the
74 duration of the stop beyond a reasonable length of time. If command is delayed the
75 officer may release the “youth” and review the incident with the supervisor upon the
76 supervisor’s arrival at the scene.
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78 **PATROL CAR CONFINEMENT OF YOUTH**

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80 When safe, under the totality of the circumstances, present officers will consider a youth's age,
81 whether known or objectively apparent to an officer, when determining whether to place a
82 “youth” in the back of a patrol car as part of an investigation. All placement of “youth” in a
83 patrol car should be used only when no other reasonable alternatives exist within the scope of
84 the incident or as necessary to conduct a courtesy transport of the “youth.”
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87 **COMMUNITY ENGAGEMENT ENCOUNTERS WITH YOUTH**

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89 Officers are encouraged to initiate contacts and establish relationships with “youth” in the
90 community based on the department’s community policing policy in order to conduct positive,
91 non-enforcement interactions and to gain knowledge of their patrol districts and community.