



STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
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GRETCHEN WHITMER
GOVERNOR

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LT. GOVERNOR

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Michigan House of Representatives
State Capitol Building
Lansing, MI 48909-7514

Representatives,

In 2019, Republicans and Democrats came together to pass landmark "Raise the Age" laws. One of those laws ensured that juveniles under the age of 18 would not be transported alongside adults. Not nine months after the "Raise the Age" laws took effect, however, Enrolled House Bill 4887 would change the law to allow juveniles aged 16 and 17 to be transported with adult offenders.

It is risky to transport two offenders of any age together. The risks are orders of magnitude greater when one individual is a juvenile. Violence or threats of violence against the younger party not only cause harm to juveniles in the State's charge; they also impair law enforcement efforts to conduct criminal investigations without interference.

In addition, the bill is out of step with national standards on the detention of juveniles and adults. The Juvenile Justice and Delinquency Prevention Act, 42 U.S.C. § 5601 et seq., prohibits law enforcement from detaining juveniles alongside adults in a secure facility. The message is clear: adults and juveniles should rarely if ever be detained together.

Finally, this bill opens the state to legal liability. A law enforcement officer charged with supervising juveniles alongside adults may later be put in the difficult position of defending against a claim of failure to protect a juvenile. As recently as 2020, Michigan agreed to pay an \$80 million settlement related to incarcerated teenagers' claims of sexual abuse in adult prisons. This bill invites similar litigation at taxpayer expense.

I am therefore returning Enrolled House Bill 4887 without my approval.

Respectfully,

Gretchen Whitmer
Governor