

IC 31-37-7

Chapter 7. Detention of Alleged Delinquent Child

IC 31-37-7-1

Detention in certain facilities, camps, or schools prohibited

Sec. 1. A child alleged to be a delinquent child under IC 31-37-2, except as provided in section 3 of this chapter, may not be held in:

- (1) a secure facility; or
- (2) a shelter care facility, a forestry camp, or a training school that houses persons charged with, imprisoned for, or incarcerated for crimes.

As added by P.L.1-1997, SEC.20. Amended by P.L.146-2008, SEC.625.

IC 31-37-7-2

Detention of child committing acts that would be offenses if committed by adults

Sec. 2. A child alleged to be a delinquent child under IC 31-37-1 may be held in either of the following:

- (1) A secure facility for not more than six (6) hours upon arrest for the limited purposes of:
 - (A) identification;
 - (B) processing;
 - (C) interrogation;
 - (D) transfer to a juvenile detention facility; or
 - (E) release to parents.

If the child is detained in a secure facility, the child shall be restricted to an area of the facility in which the child has not more than haphazard or incidental sight or sound contact with persons charged with, imprisoned for, or incarcerated for crimes.

- (2) A juvenile detention facility.

As added by P.L.1-1997, SEC.20.

IC 31-37-7-3

Detention of child leaving home without permission of parent, guardian, or custodian

Sec. 3. A child alleged to be a delinquent child because of an act under IC 31-37-2-2 may be held in a juvenile detention facility for:

- (1) not more than twenty-four (24) hours before; and
- (2) not more than twenty-four (24) hours immediately after;

the initial court appearance, not including Saturdays, Sundays, and nonjudicial days.

As added by P.L.1-1997, SEC.20. Amended by P.L.58-2004, SEC.1.

IC 31-37-7-4

Placement in facility located outside child's county of residence

Sec. 4. A court may not place a child in:

- (1) a community based correctional facility for children;
- (2) a juvenile detention facility;

- (3) a secure facility;
- (4) a secure private facility; or
- (5) a shelter care facility;

that is located outside the child's county of residence unless placement of the child in a comparable facility with adequate services located in the child's county of residence is unavailable or the child's county of residence does not have an appropriate comparable facility with adequate services.

As added by P.L.1-1997, SEC.20.