

THE CODE OF CRIMINAL PROCEDURE (EXCERPT)
Act 175 of 1927

763.7 Definitions.

Sec. 7.

As used in this section and sections 8 to 10 of this chapter:

(a) "Custodial detention" means an individual's being in a place of detention because a law enforcement official has told the individual that he or she is under arrest or because the individual, under the totality of the circumstances, reasonably could believe that he or she is under a law enforcement official's control and is not free to leave.

(b) "Interrogation" means questioning in a criminal investigation that may elicit a self-incriminating response from an individual and includes a law enforcement official's words or actions that the law enforcement official should know are reasonably likely to elicit a self-incriminating response from the individual.

(c) "Law enforcement official" means any of the following:

(i) A police officer of this state or a political subdivision of this state as defined in section 2 of the commission on law enforcement standards act, 1965 PA 203, MCL 28.602.

(ii) A county sheriff or his or her deputy.

(iii) A prosecuting attorney.

(iv) A public safety officer of a college or university.

(v) A conservation officer of the department of natural resources and environment.

(vi) An individual acting under the direction of a law enforcement official described in subparagraphs (i) to (v).

(d) "Major felony" means a felony punishable by imprisonment for life, for life or any term of years, or for a statutory maximum of 20 years or more, or a violation of section 520d of the Michigan penal code, 1931 PA 328, MCL 750.520d.

(e) "Major felony recording" means the interrogation recording required under section 8 of this chapter or a duplicate of that recording.

(f) "Place of detention" means a police station, correctional facility, or prisoner holding facility or another governmental facility where an individual may be held in connection with a criminal charge that has been or may be filed against the individual.

History: Add. 2012, Act 479, Eff. Mar. 28, 2013