

# JACKSONVILLE POLICE DEPARTMENT

Policy: 15-2  
Effective: 01-01-09  
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## JUVENILE CURFEW VIOLATIONS

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**PURPOSE:** To establish guidelines for juvenile curfew violations.

**POLICY:** If curfew laws are to be effective, they must be enforced in a consistent, fair and uniform manner. In addition, to be properly evaluated, enforcement actions must be fully documented. To these and related ends, law enforcement officers shall follow the procedures outlined below when enforcing curfew violations.

### **PROCEDURES:**

#### I. OFFICER ACTIONS

- A. Confronting Potential Violators. Upon observation of a juvenile who is in possible violation of the curfew ordinance, an officer should take the following steps:
  1. Request the juvenile's name, age, date of birth and address;
  2. Should the individual be in violation of curfew restrictions, ascertain why the youth is out, where he has been, and where he is going;
  3. Inform the individual that he is in violation of the curfew ordinance;
  4. Determine from communications whether the individual has outstanding warrants; and
  5. In all cases where a curfew violation has been identified, the officer shall complete a Curfew Violation Report (CVR) (JPD Form 15-2).
- B. Enforcement Options. When a curfew violation has been identified, an officer may use reasonable discretion in determining an appropriate course of action. These options include directing the juvenile to proceed directly home, transporting the juvenile home, or detention of the juvenile until his parents or guardian can be reached for pickup;
- C. Directing the juvenile in violation to proceed directly home is normally warranted for:
  1. First offenses;
  2. When the circumstances of the violation suggest a reasonable attempt on the part of the juvenile to conform with the law; or
  3. When the officer feels that the individual will proceed home as directed.
- D. If the juvenile is transported directly home, the officer shall present a copy of the Curfew Violation Report (CVR) to the youth and parent/guardian and provide counseling on the purpose and intent of the curfew ordinance and the potential law enforcement response to future violations.
- E. Detention of the juvenile is normally warranted when:
  1. The juvenile has more than one curfew violation;
  2. There are indications that the juvenile has purposely ignored the law;
  3. The officer has suspicion that the juvenile will not proceed home;
  4. The officer feels that he needs to make personal contact with the youth's parents or guardian;
  5. There is a question concerning the whereabouts of the parents or their ability to provide proper supervision for or control of their child.
  6. The parent or responsible adult should be contacted, informed of the specific circumstances of the violation, the nature and purpose of the law and potential consequences of future violations. A copy of the violation and Jacksonville City Ordinance #1351 should be served on the parent or guardian, who should sign the original.

Unwillingness of the parent or guardian to sign shall be noted on the violation or warning notice.

- F. If the juvenile's parents or guardian cannot be contacted within a reasonable period of time, the Department of Human Services should be contacted and the juvenile released in accordance with Arkansas and Federal Law.

## II. REPORTING AND FOLLOW-UP REQUIREMENTS

To adequately evaluate the effectiveness of the curfew ordinance and its impact on crime in this community and to provide information for the tracking of curfew violators, it is essential that the following reporting and follow-up activities be performed:

- A. All officers shall submit a report of a curfew violation in which a citation has been issued or a juvenile taken into custody. The report shall detail the name and place of residence of the violator, the time, place and circumstances surrounding the violation; actions taken by the officer with respect to the violator; any citations or warnings issued to the juvenile, parents or guardians; the final disposition of the incident; and any other pertinent information;
  - 1. All officers must obtain a legible photo copy of the parent's or guardian's license, in which the juvenile is released, and submit this with the Curfew Violation Report (CVR) (JPD Form 15-2).
- B. Supervisors shall review all curfew reports for completeness and shall use this information as necessary to identify current or potential problem areas or individuals;
- C. The Support Services Division Sergeant or designee shall ensure that a notice of violation is forwarded via first class mail to any parent or guardian who was not personally served with such notice by the arresting or reporting officer;
- D. The School Resource Officers shall be responsible for the proper filing of curfew violation reports and shall issue, or have issued, a warrant to the parent or guardian of any juvenile that has been identified as having two (2) curfew violations. The citation shall be issued through Jacksonville District Court. Any subsequent violation of the curfew Ordinance constitutes a separate offense; and
- E. Any juvenile found to be in violation of curfew three (3) or more times the Support Services Division SRO Sergeant or designee, shall notify the parent or guardian and assist them in filing a Family In Need Of Services Petition through the Pulaski County Juvenile Justice Center.



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Chief of Police