

JACKSONVILLE POLICE DEPARTMENT

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

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.