

Memorandum



DATE: December 30, 2008

TO: Members of the Public Safety Committee

SUBJECT: **Juvenile Curfew Ordinance**

Attached is briefing material on the "Juvenile Curfew Ordinance" to be presented to the Members of the Public Safety Committee on Monday, January 5, 2009.

A handwritten signature in black ink that reads "Ryan S. Evans".

Ryan S. Evans
First Assistant City Manager

alb

Attachment



Juvenile Curfew Ordinance

Public Safety Committee

January 5, 2009



Background

- The Juvenile Curfew Ordinance was adopted in 1991.
- The ordinance was challenged in court in 1992.
- In 1994, the U.S. Supreme Court allowed a lower court decision favorable to the ordinance to stand.
- Enforcement of the ordinance began May 1, 1994.
- State law requires that the ordinance be reviewed and re-approved every 3 years.
- The ordinance was extended by the Council in 1997, 2000, 2003 and again in 2006.

Current Enforcement

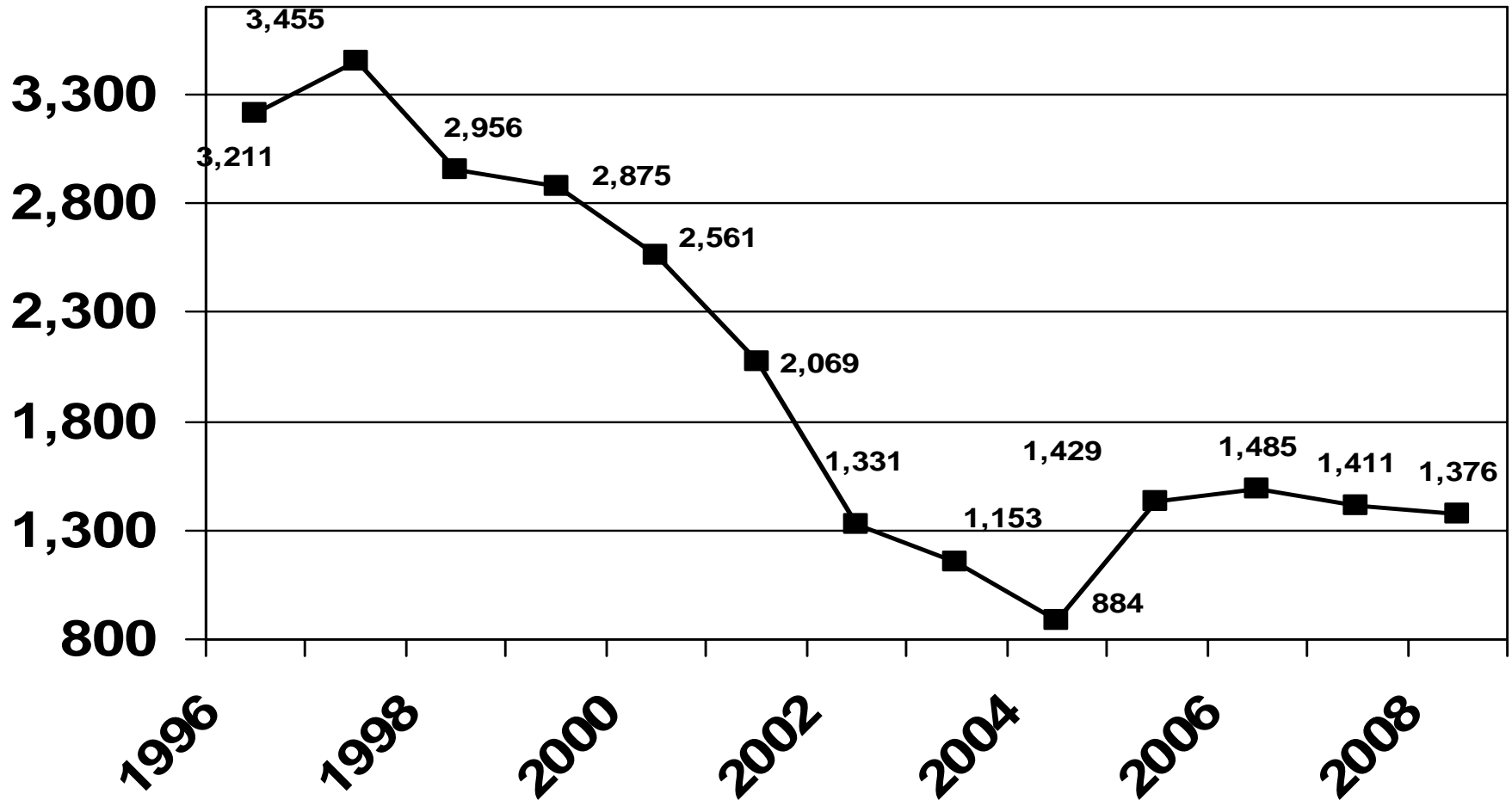
- The curfew hours are 11 PM - 6 AM, Sunday through Thursday and 12:01 AM - 6 AM, Friday and Saturday.
- Officers must ensure that the juvenile does not have a defense to prosecution before enforcement is taken.
- Parents may be issued a citation for allowing a juvenile to violate the ordinance.
- Business owners and operators may be cited for allowing juveniles to remain on premises during curfew hours.
- The penalty for violation of the ordinance is a fine of up to \$500.

Enforcement Alternatives

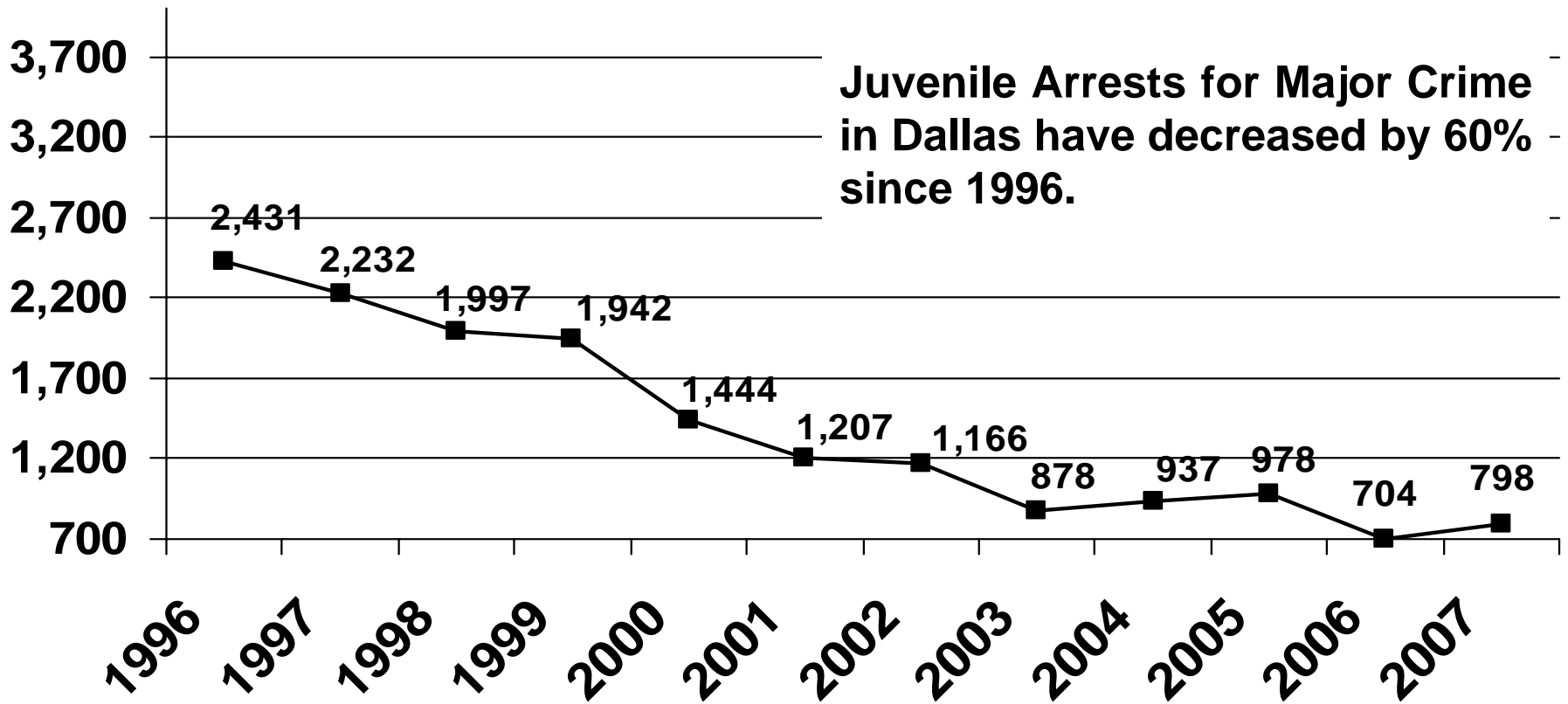
If a violation is observed, the juvenile may be:

- Warned;
- Issued a field interrogation report;
- Sent home;
- Taken home;
- Issued a citation; or
- Taken into custody

Citations Issued for Curfew Violations 1996 – 2008



Juvenile Arrests for Major Crime 1996 - 2007



Recommendation

- The Juvenile Curfew Ordinance is a major factor in the reduction of juvenile crime and juvenile victims of crime.
- The ordinance has become a national model for curfew enforcement.
- The ordinance has been reviewed through the entire judicial system and is constitutional.
- This item has been placed on the February 11, 2009 Council Agenda for the first public hearing, and again on April 25, 2009 for the final public hearing and City Council vote.
- It is recommended that the City Council readopt the Juvenile Curfew Ordinance to continue in effect for another 3 years in the City of Dallas.

QUESTIONS?