

# Los Angeles Police Department

## Curfew Ordinance (Daytime and Nighttime) Guidelines



Approved:  
April 1, 2011

This guide provides information on both the City of Los Angeles nighttime and daytime curfew ordinances. While the ordinances have existed for several years, they have undergone revisions, most recently in October 2008. These modifications resulted in several changes which impact enforcement by Department personnel.

Employees are encouraged to provide any information regarding corrections or suggestions to this Guide by contacting the Los Angeles Police Department, Juvenile Division, Bureau Consultants Office, at (213) 486-0560.

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## **Introduction**

In order to reduce juvenile delinquency and criminal victimization of minors, the State of California allows cities and counties to enact local ordinances that allow for the enforcement of both daytime and nighttime juvenile curfew.

In 1976, the City passed a nighttime curfew ordinance, Los Angeles Municipal Code (LAMC) Section 45.03. In 1995, the City passed a daytime curfew ordinance (LAMC Section 45.04). Over the years, both ordinances have undergone revisions. In late 2008, the City made additional changes to both ordinances which became effective on October 5, 2008.

According to juvenile citation statistics maintained by the County Traffic Courts, the Department issues over 12,000 daytime and nighttime curfew citations to juveniles each year. This large number of curfew citations, coupled with the absence of a comprehensive document outlining the many issues relating to the City's curfew ordinances, triggered the drafting and publication of this Guide.

While this Guide includes many curfew-related topics, it is not exhaustive. Additionally personnel need to bear in mind that this Guide was up-to-date as of the date it was published. Since that date Department policy, local ordinances, and State laws may have changed and may impact the material in this Guide after its original publication.

Additionally, the term "juvenile," as used in this document, refers to persons 17 years of age and under.

**DAYTIME CURFEW  
ORDINANCE  
45.04 LAMC**

## Daytime Curfew Ordinance 45.04 LAMC

### Background on the City's Daytime Curfew Ordinance

The City of Los Angeles has had a daytime curfew ordinance since 1995. On October 5, 2008, the City approved modifications to the ordinance. The City's current ordinance is set forth below.

In the past this ordinance was referred to as a "Truancy" or "Loitering" ordinance; however, consistent with the 2008 amendments and the overall intent of the enactment, the ordinance is titled "Daytime Curfew Ordinance."

### **SECTION 45.04 LAMC "DAYTIME CURFEW RESTRICTIONS FOR MINORS"** (Effective Date: October 5, 2008)

#### **45.04 (a) LAMC "Daytime Curfew" (Citing Section)**

It is unlawful for any minor under the age of 18, who is subject to compulsory education or to compulsory continuation education, alone or in concert with others, to be present in or upon the public streets, highways, roads, alleys, parks, playgrounds, or other public grounds, public places, public buildings, places or amusement and eating places, vacant lots or any place open to the public during the hours of the day when the school, which the minor would normally attend, is in session, on days when that school is in session.

(b) **Exceptions.** The provisions of this section shall not apply when:

- (1) The minor is accompanied by his or her parent, guardian, other adult person authorized by the parent or guardian having the care or custody of the minor; or,
- (2) The minor is on an emergency errand directed by his or her parent, guardian or other adult person having the care or custody of the minor; or,
- (3) The minor is going directly to or coming directly from their place of gainful employment; or,
- (4) The minor is going directly to or coming directly from a medical appointment; or,
- (5) The minor has permission to leave campus for lunch and has in his or her possession a valid, school-issued off-campus permit; or,
- (6) The presence of the minor in one or more of the places identified in Subsection (a) is connected with or required with respect to a business, trade, profession or occupation in which the minor is lawfully engaged; or,
- (7) The minor is involved in an emergency such as a fire, natural disaster, automobile accident, a situation requiring immediate action to prevent serious bodily injury or loss of life, or any unforeseen combination of circumstances or the resulting state, which calls for immediate action; or,
- (8) The minor is in a motor vehicle involved in interstate travel; or,
- (9) The minor is authorized to be absent from his or her school pursuant to the provisions of California Education Code Section 48205, or any other applicable state or federal law.

(Continued on next page)

(c) **Enforcement.** Before taking any action to enforce the provisions of this section, police officers shall ask the apparent offender's age and reason for being in the public place during curfew hours. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any responses and other circumstances, no exceptions to this section apply.

## **Daytime Curfew Procedures – Common Enforcement Questions**

While most of the Daytime Curfew Ordinance is self explanatory, the following provides additional information and guidance to officers.

**When issuing a citation for a violation of the Daytime Curfew Ordinance, what Code section and offense title shall an officer use?**

Officers shall use “45.04(a) LAMC Daytime Curfew” as the proper citing section. Officers shall not refer to a violation of this provision as a “Truancy” or “Loitering” citation.

**If an officer detains a person who is in 12<sup>th</sup> grade, enrolled full-time at a public school, and admits that they are not in school while school is in session, can they be issued a citation if they are 18 years of age?**

No. The City Ordinance only applies to minors 17 years of age or younger. Even though the student is enrolled full time at a public school, and admits that they are out of school while school is in session, they are not in violation of the Ordinance because they are 18 years of age.

**The Daytime Curfew Ordinance has an enforcement provision mandates that the detaining officer ask two questions of the minor. What are the questions and how are they important to the detention?**

The Daytime Curfew Ordinance mandates that an officer ask a minor detained under this Section two specific questions prior to issuing a citation. They are:

1. What is your age?
2. What is your reason for being in a public place during curfew hours?

If a citation will be issued, officers shall document the responses to the above two questions on the narrative portion of the citation. If additional narrative space is needed on the citation, officers shall use a Citation Continuation Form, 4.50.05.

**Office of the Chief of Police Notice - *Enforcement of Daytime Curfew and Activation of the Curfew Ordinance (Daytime and Nighttime) Guidelines*, dated April 1, 2011, advises that the officer should also note the initial time of the encounter in the narrative portion of the citation.**



According to the Informal Juvenile and Traffic Court supervising referee, if a minor requests a hearing on a citation for curfew violation, the issuing officer will be subpoenaed into court.

If the court determines that the officer failed to ask the above two questions, or if the officer does not remember if the questions were asked, the case has an increased potential for being dismissed.

The below is a sample of what should be documented on a daytime curfew citation:

### **Curfew Citation Narrative Example**

Violation: 45.04(a) LAMC Daytime Curfew  
Narrative: Observed minor in public place during daytime curfew hours.  
Age: 16 Reason: "I wanted to go to the beach." 625 WIC advised\*  
Time of Stop: 1800

\* Documenting "625 WIC advised" within the narrative section of a citation is only required if the juvenile was handcuffed and/or transported in a police vehicle during the investigation of the offense. See page 12 for additional information on the 625 WIC requirement.

### **Does the Daytime Curfew Ordinance apply to minors who are home schooled or fall under independent study?**

A parent may legally "home school" a minor or place him or her into a private independent or charter school program. Since these programs fall outside of public school operations, each parent/guardian or organization to which the minor is assigned for private schooling has the ability to set that minor's schooling schedule. When a minor is being educated in one of these alternative educational environments, each minor's schedule may be unique, and not necessarily match that of public school.

The following are guidelines for officers who encounter minors during daytime hours who claim that they do not attend a public school, but rather, are enrolled in an alternative education, home school, or independent study program.

- It is the officer's responsibility to verify a minor's claim that they are not in violation of the Daytime Curfew Ordinance due to their enrollment in an alternative educational program.
- If the officer has reason to question the validity of this exemption, the minor should be asked for written proof that they are enrolled in a home school / independent study program. Without written proof a minor could avoid

prosecution by falsely advising officers that he or she is home schooled and therefore beyond the reach of the Daytime Curfew Ordinance.

**Note:** Minors are not required to possess education enrollment documents. However, if the officer has reason to believe that the juvenile is not being truthful about their enrollment status, the officer has the right to conduct further investigation.

**Note:** Typically, when a minor is initially enrolled in alternative educational programs such as home schooling or independent study, the parent /guardian will be issued written documentation commonly referred to as an “Independent Study Enrollment Form,” “Private School Affidavit,” or other similar document that confirms the minor’s enrollment.

Again, possession by the minor of these forms is not required by law. However, their possession and/or review may help the officer determine the minor’s status in relation to the ordinance.

If an officer questions the validity of a document produced, and/or has reason to believe the enrollment form is fake, the officer should contact the issuing institution to verify the form’s validity, and that it is properly issued to the person detained.

- Another way to verify a minor’s claim of exemption from the Ordinance would be to contact the educational institution to which the minor has an educational affiliation. Again, while not mandated by local or State law, many of these minors are enrolled in some type of alternative education environments which may provide information to law enforcement confirming the minor’s enrollment. Typically a public school district will have a home schooling / independent study affidavit on file. A copy of the affidavit would be deemed valid documentation to avoid issuance of a citation.
- Officers may contact the State of California, Department of Education, Elementary Education Office, at 916-319-0839. This State office can verify if the “Private School Affidavit” is on file, and/or confirm a document’s authenticity with any school district in the State. This office is open during normal business hours.
- If the minor does not have any verifiable written documentation, officers should contact the minor’s parent/guardian. If verbal confirmation of enrollment in an alternative education program is obtained from the minor’s parent/guardian, the minor would be exempt from the Ordinance.
- If an officer is unable to obtain any of the above verification, depending on any responses and other circumstances, and if the officer reasonably believes that an offense has occurred, the officer has the option of issuing a citation under the Daytime Curfew Ordinance.

**What is meant by the term “other adult person authorized by the parent or guardian having the care or custody of a minor?” How can an officer verify that the “other adult person” is, in fact, authorized by the parent/guardian?**

If an adult person other than the minor’s parent or guardian claims that they have permission from the parent/guardian to escort the minor in public during hours of daytime curfew, an officer may do the following:

- Contact the minor’s parent/guardian by phone or in person and verify the “authorization.” The purpose of the verification is to ensure that the authorization is legitimate and a false statement has not been made by the minor or “other adult person.” Officers are cautioned that minors have been known to falsify parental permission slips or statements of their parent/guardian.
- If the parent/guardian cannot be contacted or is otherwise unavailable, and if conflicting information is obtained about the authorization which would cause an officer to reasonably believe that an offense has occurred, the officer may issue a citation.

**The Daytime Curfew Ordinance includes an exception allowing minors to be absent from school for reasons other than those explicitly listed in the Daytime Curfew Ordinance. What are these additional exceptions?**

Subsection (b) provides an exception to citation where “a minor is authorized to be absent from his or her school pursuant to the provisions of California Education Code Section 48205.” Where a minor claims one of the following, the officer shall take reasonable steps to verify the explanation.

The additional exceptions to the Daytime Curfew Ordinance, pursuant to Education Code Section 48205, are as follows:

**California Education Code Section 48205(a):** Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:

- (1) Due to his or her illness.
- (2) Due to quarantine under the direction of a county or city health officer.
- (3) For the purpose of having medical, dental, optometric, or chiropractic services rendered.
- (4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.

(5) For the purpose of jury duty in the manner provided for by law.

(6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.

(7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.

(8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.

**Once a minor is issued a citation for violation of the Daytime Curfew Ordinance, is the officer required to transport the minor back to school, or can they be released in the field?**

Depending on the circumstances, including but not limited to age, demeanor, or the distance from their school or home, the officer may transport the minor to their school, police station, or other location authorized by the parent/guardian for the minor's safety.

Officers who cite minors who reside outside of the City limits should telephonically contact the minor's parent/guardian, and/or school personnel and advise them of the violation.

While the transportation of a minor back to school or home is the preferred release, circumstances may dictate that the minor be released in the field and instructed to return to school.

***Example No. 1:***

Officers in Pacific Area detain a 17-year old minor who lives in Pomona, California, but drove to Venice Beach for the day.

Officers conducting the investigation determined that the minor was in violation of the Daytime Curfew Ordinance, and issued the minor a citation. Due to the minor's age, and the fact that he has the means to legally drive himself back to school or home, the officer would be justified in either detaining the minor until a parent or guardian could respond and take custody of the minor, or releasing the minor so they could drive themselves back to school/home. Whichever option is exercised, when possible, the officer should make telephonic contact with the minor's parent/guardian, as well as an administrator at the minor's assigned school.

***Example No. 2:***

An officer contacts an 11-year old found to be in violation of the Daytime Curfew Ordinance, walking alone in a public place. The best disposition would be to transport the minor to his/her school, home, or other location for the parent/guarding to respond and take custody of the minor.

**An officer issues a minor a citation for violating the City’s Daytime Curfew Ordinance. During the investigation, the minor was handcuffed and/or transported back to their school, home, or the police station for release. Is the officer required to advise the detained minor of their Constitutional Rights as set forth in 625 WIC?**

Yes. California Welfare and Institution Code Section 625(c) provides:

“ . . . in any case where a minor is taken into temporary custody on the ground that there is reasonable cause for believing that such minor is a person described in Section 601 or 602, or that he has violated an order of the juvenile court or escaped from any commitment ordered by the juvenile court, the officer shall advise such minor that anything he says can be used against him and shall advise him of his constitutional rights, including his right to remain silent, his right to have counsel present during any interrogation, and his right to have counsel appointed if he is unable to afford counsel.”

Many officers are unaware of the above requirement and believe this is required only when a minor is physically arrested and booked at a Department facility. This is not true.

According to the Special Counsel Office of the Los Angeles County District Attorney’s Office, once the initial detention of a minor for a curfew violation develops into a “temporary detention” which results in the curfew citation, the minor shall be read his or her Constitutional Rights. A “temporary detention” occurs when a minor is handcuffed and/or transported in a police vehicle to any location, including their school, home, or police station.

In order to document the issuance of the 625 WIC Constitutional Rights requirement in the above cases, the officer issuing the citation shall read the minor the following:

- You have the right to remain silent.
- You have the right to have an attorney present during any questioning.
- You have the right to have an attorney appointed if you are unable to afford one.

Once the above has been read to the minor, the officer issuing the citation shall document the following in the narrative section of the citation: “625 WIC advised.”

The below is a sample depicting how a 625 WIC advisement should be documented on a curfew citation:

### **Daytime Curfew Citation Narrative Example**

Violation: 45.04(a) LAMC Daytime Curfew  
Narrative: Observed minor in public place during daytime curfew hours.  
Age: 16 Reason: (example) "I wanted to go to the beach so I cut class." 625 WIC Advised.

### **Can an officer physically "book" a minor for violating the City's Curfew Ordinance?**

No. In June 1997, the California Attorney General issued a written opinion on this subject. The written opinion states the following: "Peace officers may not book (fingerprint and photograph) a minor for a violation of a city curfew ordinance." A copy of this opinion has been posted on the Department LAN, Juvenile Division, Curfew Section.

**NIGHTTIME CURFEW  
ORDINANCE  
45.03 LAMC**

## **Nighttime Curfew Ordinance 45.03 LAMC**

### **Background on the City’s Nighttime Curfew Ordinance**

The City of Los Angeles has had a nighttime curfew ordinance since 1976, which has been amended over the years, most recently in the last quarter of 2008. The following reflects the current ordinance.

### **SECTION 45.03 LAMC “NIGHTTIME CURFEW RESTRICTIONS FOR MINORS” (Effective Date: October 5, 2008)**

#### **45.03 (a) LAMC “Nighttime Curfew” (Citing Section)**

It is unlawful for any minor under the age of eighteen years to be present in or upon any public street, avenue, highway, road, curb area, alley, park, playground, or other public ground, public place or public building, place of amusement or eating place, vacant lot, or unsupervised place between the hours of 10:00 p.m. on any day and sunrise of the immediately following day.

**(b) Exceptions.** The provisions of this section shall not apply when:

- (1) The minor is accompanied by his or her parent, guardian, other adult person authorized by the parent or guardian having the care or custody of the minor, or by his or her spouse eighteen years of age or older; or,
- (2) The minor is on an errand directed by his or her parent, guardian, other adult person authorized by the parent or guardian having the care or custody of the minor, or by his or her spouse eighteen years of age or older without any detour or stop; or,
- (3) The minor is attending or going directly to or returning directly home from a public meeting or a place of public entertainment such as a movie, play, sporting event, dance or school activity; or,
- (4) The presence of a minor in one or more of the places identified in Subsection (a) is connected with or required with respect to a business, trade, profession or occupation in which the minor is lawfully engaged; or,
- (5) The minor is involved in an emergency such as a fire, natural disaster, automobile accident, a situation requiring immediate action to prevent serious bodily injury or loss of life, or any unforeseen combination of circumstances or the resulting state, which calls for immediate action; or,
- (6) The minor is exercising the rights guaranteed by the First Amendment of the United States Constitution and by Article I, Sections 2, 3, and 4 of the California Constitution; or,



(7) The minor is in a motor vehicle involved in interstate travel; or,

(8) The minor is emancipated in accordance with the California Family Code or other applicable state law.

**(c) Enforcement.** Before taking any action to enforce the provisions of this section, police officers shall ask the apparent offender's age and reason for being in the public place during curfew hours. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any responses and other circumstances, no exceptions to this section apply.

## **Nighttime Curfew Procedures – Common Enforcement Questions**

While most of the Nighttime Curfew Ordinance is self explanatory, the following provides additional information and guidance to officers.

**When issuing a citation for a violation of the Nighttime Curfew Ordinance, what Code section and offense title shall an officer use?**

Officers shall use “45.03(a) LAMC Nighttime Curfew” as the proper citing section.

**Are officers required to issue a 15-minute warning to minors prior to the issuance of a citation for 45.03(a) LAMC?**

No.

**The Nighttime Curfew Ordinance includes an exception (b6), for minors exercising their rights guaranteed by the First Amendment of the United States Constitution, and by Article I, Section 2, 3, and 4 of the California Constitution. What is the impact of this exception on enforcement?**

Case law provides that while there are situations where government may legally regulate the conduct of minors, minors do not lose all of their constitutional rights and freedoms. That is why curfew ordinances contain exceptions which allow minors to be in public places during otherwise prohibited hours. Respecting the exercise of federal and State rights of expression, officers should first determine whether the minor is going to, attending, or coming from a public meeting. (This would include open meetings held by organizations, political meetings, Board meetings, etc.) If so, there would be no violation of the ordinance, pursuant to Section 45.03(b)(3).

Examples of activities which would fall within the 45.03(b)(6) exception include, but are not limited to, participation in organized rallies, demonstrations, vigils, speeches, and

marches. Attendance at such events, even if the minor was not actively engaged in speaking, would most likely also qualify.

Where an officer observes one or more minors out during curfew hours, and the conduct of the minor(s) does not clearly reflect one of the above-mentioned examples, officers should use discretion in determining whether this exception applies. The facts and circumstances surrounding the minor's presence during curfew hours should be used in assessing whether a citation is proper.

**What is meant by the term “other adult person authorized by the parent or guardian having the care or custody of a minor”? How can an officer verify that the “other adult person” is, in fact, authorized by the parent/guardian?**

If an adult person other than the minor's parent or guardian claims that they have permission from the parent/guardian to escort the minor in public during hours of nighttime curfew, an officer may do the following:

- Contact the minor's parent/guardian by phone or in person and verify the “authorization.” The purpose of the verification is to ensure that the authorization is legitimate and not a false statement made by the minor or “other adult person.” Officers are cautioned that minors have been known to falsify parental permission slips or statements of their parent/guardian.
- If the parent/guardian cannot be contacted or is otherwise unavailable, and if conflicting information is obtained about the authorization which would cause an officer to reasonably believe that an offense has occurred, the officer may issue a citation.

**Can a minor be in an eating establishment past 10 PM without a parent/guardian, or other ‘qualifying’ adult person for reasons other than the exceptions enumerated in 45.03(b) LAMC?**

No. Subdivision (b)(3) of the Nighttime Curfew Ordinance does not include restaurants or eating establishments. Depending on the circumstances, the officer has the discretion to issue a citation or a warning.

Before issuing a citation under the above circumstances, the officer shall ensure that none of the enumerated exceptions set forth in 45.03(b) LAMC are presented.

Examples of circumstances where a citation should not issue include:

***Example No. 1:***

A minor was inside an eating establishment with an authorized adult.

***Example No. 2:***

A minor is employed at a restaurant and works past 2200 hours.

***Example No. 3:***

A minor is attending a meeting held in a restaurant, which extends past 2200 hours.

**A minor goes to a movie theater at 8:00 PM. The movie ends at 10:00 PM. At 11:30 PM, an officer observes the minor loitering outside the theater building in an open parking lot. If the officer is advised by the minor that he or she is not waiting to be picked up, can the minor be cited?**

Yes. While Subdivision (b)(3) provides an exception for a minor who is “attending or going directly to or returning directly home from . . . a place of public entertainment such as a movie. . .” in this scenario, the movie ended an hour and half earlier and the minor was observed loitering in the parking lot. When questioned, the minor was not waiting to be picked up. Other circumstances, however, could change the disposition of the investigation.

**It is 11:00 PM and an officer observes a car speeding on a public street. A traffic stop is conducted and the car contains two minors, one being the driver. No adults are with the minors. Beside a citation for speeding, can a second charge be added for violation of nighttime curfew?**

The answer depends on the results of officer’s investigation. Subdivision (b)(3) of the Nighttime Curfew Ordinance provides an exception if the minor is returning directly home from a public meeting, or place of entertainment, such as a movie, play, sporting event, dance or school activity. Additionally, several other exceptions are noted in the ordinance. If the reason for the minor’s presence during curfew hours falls within any of the exceptions, a citation for violation of Section 45.03 would not be appropriate.

**Once a minor is issued a citation for violation of the Nighttime Curfew Ordinance, can the minor be released in the field and instructed to go home?**

Depending on the circumstances, including but not limited to age, demeanor, or the distance from their home, the officer may transport the minor to the police station or their home. Additionally, officers who cite minors who reside outside of the City limits should telephonically contact the minor’s parent/guardian and advise them of the violation.

While the transportation of a minor back to the police station or home is the preferred release, circumstances may dictate that the minor be released in the field and instructed to return home.

***Example:***

Officers in Topanga Area detain a 17 year old minor who lives in Long Beach, California, but drove to a street party in a deserted business park in Chatsworth. The officer conducting the investigation determined that the minor was in violation of the Nighttime Curfew Ordinance, and issued the minor a citation. In light of the minor's age, the fact that he had his car parked at the location, and there were no other extenuating circumstances presented, the officer might release the minor to drive himself back home. Additionally, the officer should telephonically contact the minor's parent/guardian and advise them of the violation.

Consequently, if during the same event, the minor was 14 years old, the best course would be to transport the minor to the police station to await a parent/guardian to respond.

**Can officers transport Nighttime Curfew violators to the police station or a field task force center?**

Yes. While Welfare and Institution Code Section 626 does not include a police station or curfew center among the locations a minor taken into "temporary custody" for a curfew violation may be brought, case law interpreting this Section has approved of such law enforcement action. (See Cal. WIC, Section 626, Ian C. (March 8, 2001).

**Can an officer physically "book" a minor for violating the City's Nighttime Curfew Ordinance?**

No. In June 1997, the California Attorney General issued a written opinion on this subject. The written opinion states the following: "Peace officers may not book (fingerprint and photograph) a minor for a violation of a city curfew ordinance." A copy of this opinion has been posted on the Department LAN, Juvenile Division, Curfew Section.

**The Nighttime Curfew Ordinance contains an enforcement clause which mandates that the issuing officer ask the violator two questions. What are they and how are they important to the detention?**

The Nighttime Curfew Ordinance mandates that an officer ask a minor detained under this Section two specific questions prior to issuing a citation. They are:

1. What is your age?
2. What is your reason for being in a public place during curfew hours?

If the minor is cited, officers shall document the responses to the above two questions on the narrative portion of the citation. If additional narrative space is needed on the citation, officers shall use the Department Citation Continuation Form, 4.50.05.

Office of the Chief of Police Notice - *Enforcement of Daytime Curfew and Activation of the Curfew Ordinance (Daytime and Nighttime) Guidelines*, dated April 1, 2011, advises that the officer should also note the initial time of the encounter in the narrative portion of the citation.

According to the Informal Juvenile and Traffic Court supervising referee, if a minor requests a hearing on a curfew violation, the issuing officer will be subpoenaed into court. If the court determines that the officer failed to ask the two above questions, or the officer does not remember if the questions were asked, there is a greater potential for the citation being dismissed.

Below is a sample of what should be documented on a nighttime curfew citation:

### **Curfew Citation Narrative Example**

Violation: 45.03(a) LAMC Nighttime Curfew  
Narrative: Observed minor in public place during nighttime curfew hours.  
Age: 17 Reason: "I wanted to hang out in the park with my friends."  
625 WIC advised\*  
Time of Stop: 1800

\* Documenting "625 WIC advised" within the narrative section of a citation is only required if the minor was handcuffed and/or transported in a police vehicle during the investigation of the offense. See below for further.

**An officer issues a minor a citation for violating the City's Nighttime Curfew Ordinance. During the investigation, the minor was handcuffed, and/or transported home or to the police station for release to their parent/guardian. Must the officer advise the detained minor of their Constitutional Rights?**

Yes. California Welfare and Institution Code Section 625(c) provides:

" . . . in any case where a minor is taken into temporary custody on the ground that there is reasonable cause for believing that such minor is a person described in Section 601 or 602, or that he has violated an order of the juvenile court or escaped from any commitment ordered by the juvenile court, the officer shall advise such minor that anything he says can be used against him and shall advise him of his constitutional rights, including his right to remain silent, his right to have counsel present during any interrogation, and his right to have counsel appointed if he is unable to afford counsel."

Many officers are unaware of the above requirement and believe this is required only when a minor is physically arrested and booked at a Department facility.

According to the Special Counsel Office of the Los Angeles County District Attorney's Office, once the initial detention of a minor for a curfew violation develops into a

“temporary detention,” the minor shall be read his or her Constitutional Rights. A “temporary detention” occurs when a minor is handcuffed and/or transported in a police vehicle to any location, including their school, home, or police station. In order to document the issuance of the 625 WIC Constitutional Rights requirement, the officer issuing the citation shall read the minor the following:

- You have the right to remain silent.
- You have the right to have an attorney present during any questioning.
- You have the right to have an attorney appointed if you are unable to afford one.

Once the above has been read to the minor, the officer issuing the citation should document the following in the narrative section of the citation: “625 WIC advised.”

The below is a sample depicting how a 625 WIC advisement should be documented on a curfew citation:

#### **Nighttime Curfew Citation Narrative Example**

Violation: 45.03(a) LAMC Nighttime Curfew  
Narrative: Observed minor in public place during nighttime curfew hours. Age: 17  
Reason: “I wanted to go party with friends.” 625 WIC Advised

**GENERAL  
DAYTIME AND NIGHTTIME  
CURFEW ENFORCEMENT  
INFORMATION**

## **Field Detention of Curfew Violators**

### ***Cursory Search (Pat Down) of Violators and Backpacks***

**If a minor is stopped for a curfew investigation and is carrying a backpack, can it be searched if the officer is transporting the minor home or to the police station?**

Yes. In *Humberto O*, the California Court of Appeal ruled that such a search is valid as a “search incident to arrest,” because taking a minor in violation of a curfew law into temporary custody is tantamount to an “arrest” for purposes of deciding such a constitutional issue. Officers may conduct a search incident to arrest whenever the following three circumstances exist: (1) there is probable cause to arrest the suspect; (2) the suspect is taken into custody, not cited and released; and (3) the search is contemporaneous with the arrest.

### **Citation Completion**

**Other than the typical information which is written on all personal service citations, is there any additional information that should be written on a minor’s citation?**

Yes, per the Juvenile Manual, the following additional information shall be included on all personal service citations issued to minors, ***prior*** to issuance of the citation to the violator.

#### **Reporting District (RD)**

The RD number shall be written in the “location of violation” section of the citation.

#### **School and Grade of Attendance**

When possible, the minor’s school and grade of attendance should be documented on the citation. Due to limited space in the narrative section of a citation, an officer can write this information in any unused box on the citation, as long as the title of that box is lined out.

#### **Parent/Guardian Name**

The Supervising Referee of the Los Angeles County Juvenile Informal and Traffic Court strongly suggests that officers include parent/guardian information on the citation. This is for purposes of verifying a minor’s identification if a minor thereafter disputes that the citation was issued to him/her.

#### **Division of Report Number (DR)**

Any personal service citation issued to a minor for any PC, B&P, or LAMC violation shall be issued a DR number. Usually this number is issued after the citation has been issued to the minor. A DR number shall be written on the backside of the citation since the violator’s copy has already been issued. Vehicle Code violations do not require DR numbers.



**Field Data Report (FDR) and/or Incident Number (INC No.)**

If an officer documents an FDR or INC Number on a citation after the violator has been issued their copy, these numbers shall only be written on the back side of the original citation, or on any other document such as a DFAR.

**After a citation has been issued to a violator, can anything be written on the face of the citation such as the Incident Number or RD?**

No. Once a citation has been issued, nothing can be written on the face of the ticket. The only way to “officially” add information to the face of a citation after being issued is to complete a traffic citation Notice of Correction and Proof of Service, Form Number 04.07.00.

This topic is addressed in Section 40500(d) of the California Vehicle Code, which states:

“Any person, including the arresting officer and any member of the officer's department or agency, or any peace officer, who alters, conceals, modifies, nullifies, or destroys, or causes to be altered, concealed, modified, nullified, or destroyed, the face side of the remaining original or any copy of a citation that was retained by the officer, for any reason, before it is filed with the magistrate or with a person authorized by the magistrate or judge to receive a deposit of bail, is guilty of a misdemeanor.”

Department personnel are reminded that once a personal service citation has been issued to a violator, DR Numbers, RDs, FDR numbers, Incident Numbers, or any other information ***shall not*** be written on the face of the personal service citation. If information regarding the citation needs to be documented to assist in processing the citation, such as the RD or Incident Number, this information can only be documented on the back side of the original citation, or on a photocopy for processing purposes. This topic was addressed in a Department Detective Bureau Notice, dated March 24, 2008: Issuance of DR numbers for all juvenile citations involving Penal Code and Los Angeles Municipal Code violations.

If an officer needs to write notes about the curfew citation, they shall be written on the back of the book copy of the traffic citation, Form 4.50.

**Processing of Curfew Citations**

**Supervisory Review**

Citations issued to minors for any PC, B&P, or LAMC violations shall be submitted to a supervisor for review, prior to being submitted with the officers DFAR due to the likelihood that they will not receive DR numbers if processed otherwise.

If a supervisor reviews a citation, they should write their serial number on the back side of the citation.

**Refer to Office of the Chief of Police Notice - *Enforcement of Daytime Curfew and Activation of the Curfew Ordinance (Daytime and Nighttime) Guidelines*, dated April 1, 2011, for additional Supervisory responsibilities.**

### **Issuance of Division of Report Number (DR)**

Juvenile citations issued for any Penal Code, B&P Code, or LAMC violation shall be submitted to an Area or specialized division supervisor for review and issuance of DR numbers. The issuance of DR numbers on specific juvenile citations are vital in capturing data for crime and subject tracking information, specifically within the Department's Detective Case Tracking System (DCTS) and other Department databases.

When DR numbers are issued for these citations, the DR number **shall not be written on the face of the citation**; it should be written on a separate piece of paper for processing.

If DR numbers are not obtained for these juvenile citations, Areas and Divisions do not get credit for these citations for COMPSTAT, or other official record keeping purposes.

### **Detective Case Tracking System (DCTS)**

#### **DCTS Daytime and Nighttime Curfew Reports**

Each Area and Division has the ability to view and print curfew citation information via the DCTS report screen. This information can be a valuable crime reduction and tracking tool, especially during Area Crime Control Meetings. Included at the end of this guidebook are Sample DCTS "Truancy" and "Curfew" reports for review. These reports can be run for any date range, from a single day, week, month, or year. The last page of a DCTS Truancy and Curfew Report will depict the total amount of citations (bottom left corner), along with the date range of the report (upper right corner). These reports reflect data from the results of DR number issuance.

If DR numbers are not obtained, these DCTS reports may be inaccurate, Department criminal databases may be inaccurate, and Area productivity reports may inaccurately reflect productivity.

### **Daily Field Activities Report (DFAR)**

#### **Documentation of Curfew Citations on DFAR**

Patrol or traffic officers issuing curfew citations shall document each incident on a Department DFAR or other required document.

Officers issuing curfew citations shall account for the curfew citations by taking credit for each citation in the Juvenile Arrest Box (Box No. 22) only. Officers shall not take additional credit for the misdemeanor arrest in Box No. 21.

## **Task Forces**

### **Curfew Task Force Court Notifications – Informal Juvenile and Traffic Court**

Whenever Department employees organize a Daytime or Nighttime Curfew Task Force, the Informal Juvenile and Traffic Court has requested that specific notification be made to the court so it can better prepare for a large number of court appearances in the impacted courts. This issue was addressed in a Department Detective Bureau Notice, dated June 16, 2008. The following are the requirements from that Notice:

“The Los Angeles County Informal Juvenile and Traffic Court (IJTC) has requested that effective immediately, Los Angeles Police Department (LAPD) Area supervisors notify the Supervising Referee of the IJTC, prior to conducting any large scale truancy and/or curfew task forces.

Due to limited court staffing within the IJTC, it has become very difficult for the IJTC to process the large number of juvenile violators cited to the IJTC on any given day, without additional coordination between law enforcement agencies and the court.

In order to resolve this issue, the IJTC has requested the Department supervisor coordinating the respective task force to contact the IJTC supervising referee at (213) 744-4151, during normal business hours and a minimum of five days prior to any pre-planned truancy or curfew task force.

Additionally, if LAPD Area personnel are involved as participants in a multi-agency truancy and/or curfew task force, Department supervisors shall instruct the sponsoring agency to make the same court notification. The IJTC supervising referee will then coordinate the appearance dates with the respective IJTC wherein the task force is scheduled. Any questions regarding this notice should be directed to the Consultants’ Office, Juvenile Division, at (213) 486-0560.”

## **Criminal Justice Databases**

Curfew citations are only documented in three Department and criminal justice databases. It is important to point out that curfew citations (or any other type of citation for that matter) are not documented within the Los Angeles County Juvenile Automated Index (JAI), which is where juvenile arrest history is documented.

The JAI database only accepts arrest data that is fingerprint-based. Since juvenile citations are not fingerprint-based (which confirms the identification of the juvenile), documentation of the citation is very limited. The following are the databases which document juvenile citations:

### ***Department NECS System***

When a curfew citation receives a DR number, certain information is placed into the Department's Crime Class Analysis Detail (CCAD) system. When this occurs, an officer may search the CCAD system which will provide general information regarding each citation, such as the juvenile's name, complete physical descriptors, date, time, and location of the citation, as well as the serial number of the officer who issued the citation.

### ***Traffic Information System***

Within the NECS system, all traffic citations are entered in the Countywide Traffic Information System (TISI). This database provides similar information to the Department's CCAD System, however TISI accesses all citations issued across the entire County of Los Angeles.

### ***Department of Motor Vehicles***

The Department of Motor Vehicles documents certain information when juveniles are issued citations for curfew violation, especially if the juvenile failed to appear (FTA) in court. The juvenile's information should be checked within the DMV system. It should be noted that even if the juvenile never applied for a driver's license or identification card, if they FTA in the IJTC, an automatic "X" record would be created.

### ***Detective Case Tracking System (DCTS)***

Each Area and Division has the ability to view and print juvenile curfew and truancy citation information via the DCTS report screen. This information can be a valuable crime reduction and tracking tool, especially during Area Crime Control Meetings.

These reports can be run for any date range, from a single day, week, month or year. The last page of a DCTS Truancy and Curfew Report will depict the total number of citations (bottom left corner), along with the date range of the report (upper right corner). These reports obtain their data from the result of DR number issuance. If DR numbers are not obtained, these DCTS reports will be incorrect, Department criminal databases will be inaccurate, and Area curfew productivity reports will not be reflected properly.

# **Daytime and Nighttime Curfew Resources**

## **Department Resources**

### **Juvenile Division – Juvenile Consultant’s Office**

The Bureau Consultant’s Office has Department employees who are versed in curfew procedures, laws, and will be the general contact for questions regarding curfew that cannot be answered by Area Detective Juvenile personnel. The phone number is (213) 486-0560.

### **Juvenile Division – Local Area Network Online Resources.**

Located on the Department LAN are several pages of curfew resources that may aid Department personnel. When checking this website, both the [truancy](#) and [curfew](#) categories should be searched.

## **Los Angeles Unified School District**

### **Student Attendance and Review Board (SARB)**

School Attendance Review Boards (SARBs) divert students with habitual truancy or school behavior problems from the juvenile justice system by providing them with guidance and coordinated community services. A SARB is a community-centered review board coordinated by each district within LAUSD and is comprised of representatives from school districts, law enforcement, probation, county welfare agencies, and community-based youth service centers.

Enforcement of the compulsory education law is a shared responsibility of all juvenile service providers, including the police. Department personnel are assigned to serve on School Attendance Review Boards on a rotating schedule basis, coordinated by Juvenile Division.

Personnel are encouraged to contact their Area’s assigned SARB personnel for truancy reduction and student attendance issues. The LAUSD SARB offices are broken down into each of the (8) LAUSD Districts.

In order to find out the SARB contact information for each area, and or discuss attendance issues of LAUSD students, contact the LAUSD Pupil Services at (213) 241-3844, who will identify the specific office to contact. This office also has a website with valuable information. Their website is:  
<http://www.myfuturemydecision.org/>

## **LAUSD Police Department (LASPD)**

Generally, officers make contact with each juvenile's school to verify enrollment information. This is typically coordinated through each campus LASPD officer. However, in some instances, verification is coordinated through the LASPD Headquarters Watch Commander at (213) 625-6631.

## **Los Angeles County District Attorney (LADA)**

### **The LADA Countywide Chronic Truancy Symposium**

Each Year the Los Angeles County District Attorney's Office coordinates the annual "Countywide Chronic Truancy Symposium." This symposium provides valuable information for officers involved in truancy reduction and education.

For registration information, contact (213) 893-2222.

Website address: <http://da.lacounty.gov/cji>

### **LADA Abolish Chronic Truancy (ACT) Program**

A.C.T., or Abolish Chronic Truancy, places prosecutors in elementary schools across the County to work with administrators, teachers, parents and students to intervene at the very beginning of the truancy cycle. Prosecutors inform parents that it is their legal responsibility to ensure their children attend school and that education is as essential as food, clothing, and shelter in a child's life.

If there are problems interfering with the ability of a child to go to school, prosecutors attempt to find community resources to help overcome those problems. If the child continues to be truant, the prosecutor can take legal action, prosecuting the student, the parent, or both. The phone number of the DA's ACT Unit is (323) 357-5380.

The Supervisor of the DA's ACT Program may be reached at (323) 357-5334.

Their website is: <http://da.co.la.ca.us/cpys/act.htm>

## **Los Angeles County Office of Education (LACOE) – SARB**

The LACOE has a general office that coordinates SARB boards across Los Angeles County. If an officer has identified a juvenile residing outside the County who is not attending school, this office may be able to assist in coordinating services to assist the minor and their family. Their contact number is (562) 922-6234. Their website is:

<http://www.lacoe.edu/orgs/467/index.cfm>

## **Los Angeles County Probation Department (LACPD)**

The LACPD is mandated by the State to coordinate services for 601 WIC youth. This responsibility falls to the LACPD office where the juvenile resides. It should be noted that juveniles who are chronically truant are generally served between the Probation Department and their local school district SARB Board.

However, many of these youth fall under the State's definition of "incurability" which is usually handled by the Probation Department.

Additionally, many LAUSD middle and high schools have school-based probation officers who are assigned on campus that may be able to assist the parent/guardian.

If a member of the public calls regarding assistance needed with a 601 Incurable minor, or has questions regarding minors who are at risk, they should be referred to their local juvenile Probation Department office. To ascertain the number of the Juvenile Probation Office, contact the Probation Department's main number at:

Los Angeles County Probation Department  
General Public Information Desk  
(562) 940-2554 Mon-Fri 0800 to 1700 hours.



**SECTION 45.04 LAMC “DAYTIME CURFEW RESTRICTIONS FOR MINORS”**  
(Effective Date: October 5, 2008)

**45.04 (a) LAMC “Daytime Curfew” (Citing Section)**

It is unlawful for any minor under the age of 18, who is subject to compulsory education or to compulsory continuation education, alone or in concert with others, to be present in or upon the public streets, highways, roads, alleys, parks, playgrounds, or other public grounds, public places, public buildings, places of amusement and eating places, vacant lots or any place open to the public during the hours of the day when the school, which the minor would normally attend, is in session, on days when that school is in session.

(b) **Exceptions.** The provisions of this section shall not apply when:

- (1) The minor is accompanied by his or her parent, guardian, other adult person authorized by the parent or guardian having the care or custody of the minor; or,
- (2) The minor is on an emergency errand directed by his or her parent, guardian or other adult person having the care or custody of the minor; or,
- (3) The minor is going directly to or coming directly from their place of gainful employment; or,
- (4) The minor is going directly to or coming directly from a medical appointment; or,
- (5) The minor has permission to leave campus for lunch and has in his or her possession a valid, school-issued off-campus permit; or,
- (6) The presence of the minor in one or more of the places identified in Subsection (a) is connected with or required with respect to a business, trade, profession or occupation in which the minor is lawfully engaged; or,
- (7) The minor is involved in an emergency such as a fire, natural disaster, automobile accident, a situation requiring immediate action to prevent serious bodily injury or loss of life, or any unforeseen combination of circumstances or the resulting state, which calls for immediate action; or,
- (8) The minor is in a motor vehicle involved in interstate travel; or,
- (9) The minor is authorized to be absent from his or her school pursuant to the provisions of California Education Code Section 48205, or any other applicable state or federal law.

(c) **Enforcement.** Before taking any action to enforce the provisions of this section, police officers shall ask the apparent offender's age and reason for being in the public place during curfew hours. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any responses and other circumstances, no exceptions to this section apply.

**SECTION 45.03 LAMC “NIGHTTIME CURFEW RESTRICTIONS FOR MINORS”**  
(Effective Date: October 5, 2008)

**45.03 (a) LAMC “Nighttime Curfew” (Citing Section)**

It is unlawful for any minor under the age of eighteen years to be present in or upon any public street, avenue, highway, road, curb area, alley, park, playground, or other public ground, public place or public building, place of amusement or eating place, vacant lot, or unsupervised place between the hours of 10:00 p.m. on any day and sunrise of the immediately following day.

**(b) Exceptions.** The provisions of this section shall not apply when:

- (1) The minor is accompanied by his or her parent, guardian, other adult person authorized by the parent or guardian having the care or custody of the minor, or by his or her spouse eighteen years of age or older; or,
- (2) The minor is on an errand directed by his or her parent, guardian, other adult person authorized by the parent or guardian having the care or custody of the minor, or by his or her spouse eighteen years of age or older without any detour or stop; or,
- (3) The minor is attending or going directly to or returning directly home from a public meeting or a place of public entertainment such as a movie, play, sporting event, dance or school activity; or,
- (4) The presence of a minor in one or more of the places identified in Subsection (a) is connected with or required with respect to a business, trade, profession or occupation in which the minor is lawfully engaged; or,
- (5) The minor is involved in an emergency such as a fire, natural disaster, automobile accident, a situation requiring immediate action to prevent serious bodily injury or loss of life, or any unforeseen combination of circumstances or the resulting state, which calls for immediate action; or,
- (6) The minor is exercising the rights guaranteed by the First Amendment of the United States Constitution and by Article I, Sections 2, 3, and 4 of the California Constitution; or,
- (7) The minor is in a motor vehicle involved in interstate travel; or,
- (8) The minor is emancipated in accordance with the California Family Code or other applicable state law.

**(c) Enforcement.** Before taking any action to enforce the provisions of this section, police officers shall ask the apparent offender's age and reason for being in the public place during curfew hours. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any responses and other circumstances, no exceptions to this section apply.

**OFFICE OF THE CHIEF OF POLICE**

**NOTICE**  
14.5

April 1 2011

**TO:** All Department Personnel

**FROM:** Chief of Police

**SUBJECT:** ENFORCEMENT OF DAYTIME CURFEW AND ACTIVATION OF THE CURFEW ORDINANCE (DAYTIME AND NIGHTTIME) GUIDELINES

**EFFECTIVE:** IMMEDIATELY

The purpose of this Notice is to clarify the objective, scope and application of Los Angeles Municipal Code (LAMC) Section 45.04 — *Daytime Curfew* and to activate The Curfew Ordinance (Daytime and Nighttime) Guidelines. When properly enforced, LAMC Section 45.04 is an effective tool for reducing the likelihood of juveniles being victims of/or involved in crimes. The proper application of the ordinance is directed toward juveniles who are intentionally avoiding school, or are loitering in public places at times when they are required to be in school.

Officers must consider the *spirit* of the intended application of the Daytime Curfew ordinance prior to taking enforcement action. In addition, officers must understand and adhere to the numerous exceptions which allow juveniles to be in public during school hours without violating the ordinance. Students who are making a good faith effort to get to school, regardless of their tardiness, generally should not be subject to enforcement.

Although the majority of Daytime Curfew citations are issued well after the juvenile is required to be in school, officers are reminded that they **must** inquire whether the student has a valid excuse (outlined in the ordinance) for being in a public place during a time when they are required to be in school. Additionally, officers must fully articulate the proper justification in the narrative portion of the Traffic Notice to Appear, Form 04.50.00, to support the officer's determination that the subject is in violation of the ordinance.

Whenever feasible, officers who encounter juveniles during school hours should return the child to their school. Additionally, officers are required by ordinance to conduct an investigation. However, not all such contacts/investigations should result in the issuance of a citation. Section 45.04 (c) states:

*Before taking any action to enforce the provisions of this section, police officers shall ask the apparent offender's age and reason for being in the public place during curfew hours.*

*The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any responses and other circumstances, no exceptions to this section apply.*

Any student with a valid exception and/or a parental note authorizing their presence in a public place should be allowed to continue on their way.

If the student states that he/she is traveling to school or a destination covered by the exceptions to the ordinance, appears to be heading toward their school, but does not have a parental note authorizing their absence or tardiness, the issuance of a citation for Daytime Curfew may not be warranted. Prior to issuing Daytime Curfew citations to juveniles who are near their school campus (generally within a three-block radius), officers should return the student to the school's administrative office. After consultation with school staff, the officers may determine that the issuance of a citation for the violation of Daytime Curfew is appropriate.

Officers shall not enforce Daytime Curfew violations on school grounds; LAMC 45.04 is enforceable only at any place that is open to the public.

Prior to the implementation of a Daytime Curfew Task Force (DCTF) operation, the involved supervisor should consult with the Area commanding officer (C/O) regarding the purpose for the operation, the targeted boundaries, and the proper instructions to be provided to the involved officers. The Area C/O should verify the location, crime patterns, and crime time periods prior to granting approval for a DCTF. A review of this Notice should be conducted by all personnel involved in any DCTF. Daytime Curfew Task Force operations should generally not begin during the first hour that a school within the targeted boundaries is in session.

It is important to note that nothing in this Notice is intended to preclude an officer from enforcing LAMC Section 45.04; however, enforcement must be reasonable and fair, and the investigation must be clearly articulated in the narrative and should include a record of the **time** of the **initial encounter** in addition to all of the other pertinent information. When necessary, the use of the Continuation of Notice to Appear, Form 04.50.05, should be utilized to include any pertinent information that would assist the officer in recalling sufficient facts related to their investigation and their ability to testify in court.

**SUPERVISOR'S RESPONSIBILITIES.** Supervisors shall assess each Daytime Curfew citation to ensure strict compliance with approved procedures and the provisions of the law. A supervisor who identifies an error or omission on the citation shall:

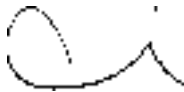
- \* Withhold the original citation and obtain a Notice of Correction and Proof of Service, Form 04.07.00, from the citing employee;
- \* Review and approve the completed Notice of Correction and Proof of Service form in accordance with Department Manual Section 4/320.80; and,

- \* Ensure that the Notice of Correction and Proof of Service is stapled to the lower left corner of the citation, above the original citation, and forwarded in accordance with Department Manual Section 3/202.70.

Juvenile Division has created a procedural guide on curfew enforcement to assist officers in daytime and nighttime curfew investigations. The Curfew Ordinance (Daytime and Nighttime) Guidelines is located on the Local Area Network (LAN) in the Guides link within the Reference Library link.

All concerned bureau commanding officers shall be responsible for monitoring compliance with this Notice in accordance with Department Manual Section 0/080.30. Additionally, Office of Operations will implement a monitoring plan for the first year of implementation to conduct a quarterly review of the data on citations for compliance with this Notice.

Any questions regarding this Notice may be directed to Lieutenant II Alfred Pasos, Officer in Charge, Evaluation and Administration Section, Office of Operations, at (213) 486-6055.



CHARLIE BECK  
Chief of Police  
Attachment

DISTRIBUTION "D"

## **DAYTIME CURFEW ORDINANCE EXCEPTIONS**

- \* The minor is accompanied by his/her parent, guardian, other adult person authorized by the parent or guardian having the care or custody of the minor; or,
- \* The minor is on an emergency errand directed by his/her parent, guardian or adult person having the care or custody of the minor; or,
- \* The minor is going directly to or coming directly from their place of gainful employment; or,
- \* The minor is going directly to or coming directly from a medical appointment; or,
- \* The minor has permission to leave campus for lunch and has in his/her possession a valid, school-issued off campus permit; or,
- \* The presence of the minor in one or more of the places identified in Subsection (a) is connected with or required with respect to a business, trade, profession or occupation in which the minor is lawfully engaged; or,
- \* The minor is involved in an emergency such as fire, natural disaster, automobile accident, a situation requiring immediate action to prevent serious bodily injury or loss of life, or any unforeseen combination of circumstances or the resulting state, which calls for immediate action; or,
- \* The minor is in a motor vehicle involved in interstate travel; or,
- \* The minor is authorized to be absent from his/her school pursuant to the provisions of California Education Code Section 48205, or any other applicable state or federal law.