

JUVENILE PROCEDURES

JUVENILE CURFEW PROCEDURES

Purpose: To establish procedures for the enforcement of the North Little Rock Juvenile curfew ordinance and the processing of curfew violators.

Policy Statement: It is the policy of the North Little Rock Police Department to enforce the City's juvenile curfew ordinance to ensure the protection and safety of the youth of this community and for other public safety purposes.

Summary of Changes:

Definitions:

Juvenile or Minor: Any person 17 years of age or less.

Parent: Any person having custody of a juvenile:

1. As a natural or adoptive parent;
2. As a legal guardian;
3. As a person who stands in loco parentis;
4. As a person to whom legal custody has been granted by order of a court of competent jurisdiction.

Street: A way or place, of whatever nature, open to the public as a matter of right for purposes of vehicular traffic, to include the legal right-of-way, or in the case of a sidewalk thereof for pedestrian travel.

Time of Night: Based upon the prevailing standard of time, whether Central Standard Time or Central Daylight Savings Time, generally observed at that hour by the public in the city, prima facie the time then observed in the city police station.

Procedures

1 General

- 1.1 In accordance with NLRMC 66-98, no person 17 years of age or younger may remain in or upon the streets within the city at night during the period ending at 0500 hours and beginning:
- 1.2 At 0000 hours on Friday and Saturday nights; and at 2200 hours on all other nights.
- 1.3 It shall be the responsibility of the Patrol Division to enforce the curfew during the designated times.

2 Procedure

When an officer encounters a juvenile thought to be in violation of this ordinance the officer shall:

- 2.1 Determine if the juvenile has authorization from Headquarters and has a copy of the authorization in their possession.
- 2.2 Should the juvenile claim to have authorization but cannot produce the form, the officer shall verify the claim by contacting the desk officer/ Community Service Assistant (CSA).
- 2.3 Once a violation has been determined the officer shall:
 - 2.3.1 Transport the juvenile to their place of residence or to the officer's respective substation;
 - 2.3.2 Make contact with a parent/legal guardian or other responsible party and verify such.
 - 2.3.3 Complete in duplicate, a *Curfew Violation Report*. (Attachment B)
 - 2.3.3.1 A copy of this report shall be provided to the parent/guardian.
 - 2.3.3.2 The original shall be turned in prior to the officer going off-shift.
 - 2.3.4 If the juvenile is arrested for other charges during curfew hours, they will also be reported for the curfew violation.
 - 2.3.5 If a parent/guardian or other responsible party cannot be located, an on-duty supervisor shall be contacted.
- 2.4 The officer will assign the juvenile the next available court date.

3 Administration

- 3.1 It shall be the responsibility of the desk officer or CSA to maintain a Juvenile Clearance /Authorization Log (Attachment C) and fill out and maintain Juvenile Clearance/Authorization Receipts.
 - 3.1.1 The desk officer/CSA will review written requests for exemption and will approve or deny such requests based upon the requests compliance with the city's ordinance.
 - 3.1.2 The desk officer/CSA will place the approved authorization form and the written request into a file under the juvenile's name. If more than one name is involved in a single request, copies of the request will be placed under each juvenile's name.
 - 3.1.3 The desk officer/CSA shall provide a copy of the approved *Juvenile Authorization Form* (Attachment A) to the requesting party to be given to the juvenile.

- 3.1.4 The desk officer/CSA shall periodically purge expired authorization forms.
- 3.2 Support Services shall receive all Curfew Violation Reports and enter them into the records management systems i.e. Imaging and Police Pak.
 - 3.2.1 Once reports are entered, the original reports will be forwarded to the Patrol Commander's Office.
- 3.3 The Patrol Division administrative officer will maintain a list of curfew violators in electronic or other format.
- 3.4 The patrol administrative officer shall be responsible for forwarding all Curfew Violation reports along with other necessary documentation to the court clerk's office for Teen Court.
- 3.5 The patrol administrative officer will send a Letter of Violation to the parent/guardian of a juvenile upon the juvenile's second or subsequent violation of this ordinance. This serves as a notification only, to the parent/guardian that the juvenile has committed a second violation. This shall be done either through personal service or certified mail.
- 3.6 A second or subsequent offense by a juvenile shall be deemed as an offense by the parent. In such cases the patrol administrative officer shall:
 - 3.6.1 Complete an incident report explaining the violation and forwarded to the Office of the City Attorney,
 - 3.6.2 Seek a summons to appear from the Office of the city Attorney, and
 - 3.6.3 Serve the summons in accordance with Department procedures.
- 3.7 The patrol administrative officer will prepare and submit a case file to the Prosecuting Attorney for any juvenile offender who violates this ordinance three (3) or more times.
- 3.8 The patrol administrative Officer will report any juvenile offender who violates this ordinance three (3) or more times to the juvenile authorities as a juvenile in need of supervision.

Patrick Thessing
Chief of Police

JUVENILE AUTHORIZATION/CLEARANCE FORM

In accordance with City Ordinance 8098 _____ has delivered proper written communication to the North Little Rock Police Department requesting authorization to be at _____ from _____ until _____. Juvenile's point of origin will be _____ and the point of destination will be _____.

JUVENILE'S PERSONAL INFORMATION

Last Name _____ First Name _____ DOB _____
Race/Sex _____ Height _____ Wgt _____ Eyes _____ Hair _____
Parent/Guardian Last Name _____ First Name _____
DOB _____ Drivers License/SSN _____ State _____
Address _____ State _____ Zip Code _____

Signature of Juvenile

Signature of Parent/Guardian

Signature of Approving Officer/ID #

Date Issued

CURFEW VIOLATION REPORT

STATE OF ARKANSAS
 COUNTY OF PULASKI
 CITY OF NORTH LITTLE ROCK

REPORT NUMBER _____

THE NAMED HEREIN, _____ IS HEREBY IN VIOLATION OF CITY
 ORDINANCE # 8098. DATE _____ TIME _____
 LOCATION _____.

City Ordinance # 8098 states. " It shall be unlawful for any person seventeen (17) years of age or less to be or remain in or upon the streets within the City of North Little Rock at night during the period ending at 5:00 AM and beginning:

- (a) at 12:00 midnight on Friday and Saturday nights, and
 (b) 10:00 pm on all other nights."

It also states that "It shall be unlawful for a parent of a juvenile to permit or allow the juvenile to be or remain upon any city street under circumstances not constituting an exception to or otherwise beyond the scope of the Curfew Ordinance."

In the case of a first violation of this division by a juvenile, the police shall deliver to the parent written notice of the violation with a warning that any subsequent violation will result in full enforcement of this division, including enforcement of parental responsibility and of applicable penalties. First violation of this division shall also subject the juvenile to a diversion program. **This Curfew Violation Report serves as your official notice.**

Any juvenile who shall violate any provision of this division shall be subject to the following penalties: for the first offense, the juvenile shall be issued a Curfew Violation Report and shall be required to complete a diversion program; for the second offense, the juvenile shall be given a fine of \$500.00 or the juvenile shall be required to complete a diversion program.

Any juvenile who shall violate any of the provisions of this division more than three times shall be reported to the juvenile authorities as a juvenile in need of supervision, and also be referred to the Prosecuting Attorney and/or the Arkansas Department of Human Services and/or other appropriate authorities.

You are hereby commanded to appear before the North Little Rock Municipal Court's 2nd Division, 200 W.

Pershing, NLR AR 72114 on: _____, at _____ am. Phone number (501) 791-8688.

Juveniles Information

Signature _____

Last Name	First Name	MI	Address			City, State, Zip
SSN/DL	Race/Sex	DOB	Height	Weight	Phone Number	

Parent/Guardian Information

Signature _____

Last Name	First Name	MI	Address			City, State, Zip
SSN/DL	Race/Sex	DOB	Height	Weight	Phone Number	

JUVENILE CLEARANCE/AUTHORIZATION LOG

JUVENILES NAME	ADDRESS	PHONE #	EVENT/PERSON/ORGANIZATION	TIME/DATE BEGINNING	TIME/DATE ENDING