

QUESTIONS &



Q: Where will the police officer take my child if he/she is picked up for a curfew violation?

A: A police officer, who has reasonable cause to believe that a minor is in violation of the curfew regulations, may release the minor to his or her parent or legal guardian either at the scene of the detention, at the minor's permanent or temporary home, at the police department, or elsewhere at the direction of the parent or legal guardian.

Q: Can I be fined?

A: After a first violation, the Police Department will send the parent or legal guardian a letter notifying them that they may be fined for a subsequent violation. For a second violation, the parent or legal guardian may be billed at a rate of \$85 per hour for the actual detention and transportation of the minor.



YOUTH PROTECTION CURFEW



Q: Are there other consequences?

A: The juvenile may also be cited into municipal court. Upon adjudication, the judge, referee, or hearing officer may do any of the following:

- Reprimand the minor and take no further action.
- Refer the matter to Juvenile Probation.
- Direct the Probation Department to place the minor on supervised probation.
- Order the minor to pay a fine not to exceed \$250.
- Any combination of the above.
- The minor may also be assigned to a work detail by the Police Department Youth Services Unit.

Q: Could my child be placed with other law violators?

A: No. The law prohibits status offenders, such as curfew violators or truants, from being mixed with adults or juveniles arrested for robbery, assault or other criminal offenses.

**OUR CHILDREN ARE OUR
MOST VALUABLE RESOURCE**

**LET'S WORK TOGETHER TO
PROTECT THEM**

For additional information, contact
the Concord Police Department at
(925) 671-3020

IT'S MIDNIGHT... WHERE ARE YOUR KIDS?

PURPOSE

The purpose of this ordinance is to protect the youth of our community, reduce juvenile crime, and reinforce parental authority.

Many citizens are unaware that Concord has enforced a curfew law for the past 26 years. In 1995, the Concord City Council revised the "Youth Protection Curfew," and this brochure outlines those changes.



One significant change in the curfew ordinance will hold parents accountable for their children's actions. A state law enacted in 1994 allows cities to recoup the law enforcement costs associated with the detention and transportation of juveniles who violate curfew laws. The City of Concord will bill at the rate of approximately \$85/hour.

A violation of the curfew regulations set forth in CMC Sections 4100 through 4102 constitutes a misdemeanor.

CONCORD MUNICIPAL CODE

SECTION 4101

CURFEW REGULATIONS

A. It shall be unlawful for any minor under the age of eighteen (18) years to be or remain in or upon any public street, highway, park, vacant lot or other public place between the hours of midnight and 5:00 a.m.

EXCEPTIONS

B. The provisions of this section shall not apply when:

- The minor is accompanied by his or her parents, legal guardian, or responsible person who is over the age of eighteen and approved by the minor's parent or legal guardian.
- The minor is engaged in an errand directed by his or her parents, legal guardian, or other person having the legal care or custody of the minor.
- The minor is exercising his/her First Amendment rights protected by the United States Constitution.

The minor is legally employed for the period from one-half hour before to one-half hour after work, while going directly between his or her home and place of employment. This exception shall also apply if the minor is in a public place during curfew hours in the course of his or her employment, provided the minor carries a written statement from the employer attesting to the place and hours of employment.

The minor is coming directly home from a public meeting or a place of public entertainment, such as a movie, play, or sporting event. This exception will apply for one-half hour after the completion of the event, but in no case beyond 1:00 a.m.

The minor is responding to or acting pursuant to an emergency.

The minor is in a motor vehicle involved in interstate travel.

The minor is on the sidewalk abutting the minor's residence or abutting the residence which is immediately adjacent to his/her residence.

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