



*Stephen R. Reed*  
Mayor

## HARRISBURG BUREAU OF POLICE



*Charles G. Kellar*  
Chief

Date of Issue: November 14, 2007	Effective Date: November 14, 2007	General Order #: <b>07-31</b>	Expiration Date: Until Amended/Rescinded
Subject: <b>ENFORCEMENT OF CURFEW ORDINANCE</b>		Distribution: All Personnel	Amends: 02-31
Reference: City Ordinance			Rescinds: 02-31

### I. POLICY

A. Juveniles under the age of 18 years found in or upon any public place or to remain in any motor vehicle operating or parked therein or thereon, or to remain in or upon an establishment in the City of Harrisburg after hours are subject to curfew regulations of the Codified City Ordinance 3-333, as follows:

1. "After Hours" shall mean the period of time between the hours of 10:00 p.m. and 6:00 a.m. on Sunday through Thursday nights and 12:00 midnight and 6:00 a.m., on Friday and Saturday.

B. Curfew regulations will not apply to any minor as follows:

1. The minor is accompanied by a parent.
2. The minor is involved in an emergency.
3. The minor is engaged in an activity, related to his/her employment, or is going to or returning home from such activity, without detour or stop.
4. The minor is on the sidewalk directly abutting a place where he/she resides with a parent.
5. The minor is attending an activity sponsored by a school, religious or civic organization, by a public organization or agency, or by another similar organization or entity, which activity is supervised by adults, and/or the minor is going to or returning from such activity without detour or stop.
6. The minor is on an errand at the direction of a parent, and the minor has in his/her possession a note signed by the parent containing the following information; the name, signature, address and telephone number of the parent authorizing the errand, the minor's destination and the hours the minor is authorized to be engaged in the errand: no minor or parent shall falsify the document described above.
7. The minor is involved in interstate travel through or beginning or terminating in the City of Harrisburg.

C. Juveniles violating the Curfew Ordinance will be processed in accordance with the Enforcement Guidelines established in this General Order.

## II. ENFORCEMENT GUIDELINES

- A. In accordance with the guidelines established below, juveniles violating the Curfew Ordinance will be:
1. taken home by police; or
  2. transported to Police Headquarters by police.
  3. released to parent or guardian at the scene.
- B. The police officer will instruct the juvenile to proceed home when no criminal charges are to be filed:
1. The juvenile has written identification which the officer believes to be accurate or
  2. The officer knows the juvenile and knows that the juvenile lives in the area.
- C. The police officer will take the juvenile home when criminal charges are being filed:
1. The juvenile resides in Harrisburg and:
    - a. does not have written identification and the only violation is curfew or
    - b. presents written identification which the officer has reason to believe is false; or
    - c. offers a reason for being out after curfew which the officer has reason to believe is false or
    - d. is going to be released to the parent as defined in the City Ordinance.
    - e. **UNDER NO CIRCUMSTANCES IS A JUVENILE TO BE RELEASED ON HIS/HER RECOGNIZANCE.**
- D. The police officer will take the juvenile into custody and have him/her transported to Headquarters when:
1. the juvenile is **NOT** a Harrisburg resident and does not have written identification or has presented written identification or a reason for being out which the officer has reason to believe is false; or
  2. the juvenile has been transported home and it is determined that he/she does not live at the address given or no one is at home; or
  3. the juvenile is involved in any criminal activity; or
  4. is going to be released to the parents as defined in the City Ordinance.

NOTE: If parent/guardian refuses to sign report,  
insert "REFUSED" in designated signature block.

III. GENERAL ENFORCEMENT PROCEDURE

A. The police officer will:

1. Question unaccompanied juveniles found in public on highways and in establishments during hours the curfew is in effect.
2. If curfew regulations do not apply permit the juvenile to proceed after recording his/her name and address on the CAD Call Screen.
3. If the juvenile is in violation of the Curfew Ordinance, prepare a Non-Traffic Citation and Juvenile Contact Report and determine which enforcement option to use in accordance with the Enforcement Guidelines.
4. If the officer instructs the juvenile to proceed home, such instruction will be given after required reports are prepared.

B. Submit completed reports to Supervisor.

IV. PROCEDURE FOR TRANSPORTING JUVENILE HOME

A. The police officer will:

1. After preparing required reports, notify police radio of the location of the violation; provide the dispatcher with vehicle (unit) number, current mileage, destination and sex of the juvenile being transported; await radio acknowledgement and request a time check.
2. Upon arrival at residence, provide the dispatcher with vehicle (unit) number, and current mileage; await radio acknowledgement and request a time check.
3. Ensure that the parent/guardian is at home and request that person to verify the identity, age, and that address as the juvenile's legal domicile. Correct any false information given by the juvenile on the reports.
4. Ensure that the parent/guardian signs the report/citation acknowledging custody of the juvenile.
5. If the juvenile does not live at the address, if no one is home, or if the parent/guardian refuses to accept custody, transport him/her to headquarters and notify the on-duty, or on-call Juvenile Offender Section investigator.

NOTE: If the parent/guardian refuses to sign report, insert "REFUSED" in designated signature block.

V. PROCEDURE FOR TRANSPORTING JUVENILE TO HEADQUARTERS

A. The police officer will:

1. Notify police radio of location of violation.
2. Provide the dispatcher with vehicle (unit) number, current mileage and sex of juvenile being transported; await radio acknowledgement and request a time check.
3. Upon arrival at headquarters, provide the dispatcher with vehicle (unit) number and current mileage; await radio acknowledgement and request a time check.
4. Submit completed Juvenile Contact Report to Patrol Supervisor.
5. Immediately notify the parent/guardian or other custodian that the juvenile has been placed in police custody.

NOTE: Other custodian is defined as a person other than a parent or legal guardian who stands in loco parentis to the juvenile, or a person to whom legal custody of the juvenile has been given by order of the court.

6. Ensure that the Juvenile Contact Report has the proper information for the booking officer to process the juvenile if needed.
7. Forward a copy of the Juvenile Contact Report to the Juvenile Offender Section.
8. When the juvenile is not in custody (e.g. was taken home by police), forward a copy of the Juvenile Contact Report to the Juvenile Offender Section.

B. The Juvenile Offender Section Supervisor will assign a detective when:

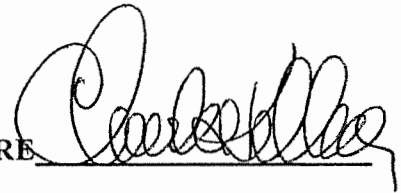
1. the arresting officer cannot determine the juvenile's identity; or
2. the juvenile's parent/guardian refuses to pick up the juvenile. or;
3. the parent/guardian has failed to pick up the juvenile and two hours have elapsed since notification.

C. The Juvenile Offender Section detective will:

1. Verify that the juvenile has been identified and that the parent/guardian has been notified of the juvenile's location.
2. If an arrest decision has been made, prepare the necessary reports.
3. When assigned to investigate a juvenile whose parent/guardian has failed to pick him/her up, attempt to re-contact the parent/guardian and advise him/her to pick up the juvenile as soon as possible.

- a. If contact cannot be made, the detective will transport the juvenile home, in Section V above, and have the parent/guardian, if at home, sign the necessary forms.
- 4. Notify the Juvenile Offender Section Supervisor of the results of the investigation.

**AUTHORIZED SIGNATURE**  
**CHARLES G. KELLAR**  
**CHIEF OF POLICE**

A handwritten signature in black ink, appearing to read 'Charles G. Kellar', written over a horizontal line.