



# SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



## 540.07 TRUANCY & CURFEW VIOLATIONS 04-13-17

### PURPOSE

The purpose of this order is to establish procedures for officers encountering minors involved in delinquent activity.

### POLICY

It shall be the policy of the Sacramento Police Department that juveniles involved in delinquent activity are handled in a positive and effective manner.

### PROCEUDRE

#### A. DEFINITION

1. **TRUANCY** – When a student is absent from school without a valid excuse three (3) full days in one school year or tardy/absent for more than a 30-minute period during the school day without a valid excuse.
2. **CURFEW VIOLATION** – When any minor under the age of 18 remains in a public place or on the premises of any establishment between the hours of 10 p.m. and 6 a.m.

#### B. TRUANCY

1. Officers observing a school age student not in school during regular school hours shall contact the student and contact the student's school administration office to determine if authorization for the absence has been granted (e.g., school pass, work, etc.).
2. If officers are unable to determine which school the student attends, they shall contact the student's parent/guardian. Officers shall transport the student home or to a police station to be released to a parent/guardian.
3. Officers shall transport the student to the Children's Receiving Home if they cannot locate a parent/guardian or if they cannot find an alternative placement for the student.
4. Officers should be familiar with normal school hours in their district, including but not limited to
  - a. Class hours.
  - b. Split sessions.
  - c. Lunch breaks.
  - d. Traditional schools and year-round school schedules.
5. If the student is truant from a traditional school, officers shall transport the student to his/her school.
6. When appropriate, officers shall notify the appropriate SPD School Resource Officer.

#### C. CURFEW VIOLATIONS (SACRAMENTO CITY CODE 9.40.020)

1. Officers may use their discretion in issuing citations for violations of Sacramento City Code (SSC) 9.40.020.
2. Parents or guardians who permit minors to violate SCC 9.40.020 are also in violation of 272 PC.
3. A minor is not in violation of SCC 9.40.020 if the minor is
  - a. Accompanied by a parent or guardian.
  - b. On an errand at the direction of his/her parent or guardian.
  - c. In a motor vehicle traveling on the road.
  - d. Engaged in an employment activity or going to or returning home from work.
  - e. Involved in an emergency.
  - f. On the sidewalk bordering his/her residence or bordering the residence of a next-door neighbor (if the neighbor did not complain to the Police Department about the minor's presence).
  - g. Attending or returning from an official school function, religious function, organized dance, sporting event, or other recreational or cultural activity supervised by adults and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor.



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- h. Exercising his/her First Amendment rights protected by the United States or California Constitution.
- i. Emancipated pursuant to law.
4. An Incident Report or Street Check shall be completed when any minor is taken into custody for violation of SCC 9.40.020
5. Minors taken into custody for SCC 9.40.020 shall be held at a location determined by the officer pending parental pickup. Officers may transport the minor to a police facility where a parent/guardian or other responsible adult can pick him/her up promptly (within no more than 45 minutes).
6. Minors not picked up promptly shall be transported home and released to a parent/guardian or adult having care and custody of the minor.
7. When large numbers of curfew violators are detained, minors shall be held at a location determined by the officer. Consideration may be given to using mass transportation to the police station(s).
8. The District Sergeant may elect to use one of the Department's patrol wagons to transport groups of violators.
9. When using mass transit to transport minors, officers shall separate adults from juveniles and males from females.
10. Runaway youth shall be processed in accordance with General Order 540.05  
Arresting/Booking/Releasing Juveniles.