

**CITY OF SAN ANTONIO
POLICE DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM**

**PUBLIC HEARING
THE CERTAIN
ITEM NO 3
9:30 AM**

TO: Mayor and City Council
FROM: Albert A. Ortiz, Chief of Police
SUBJECT: Review of Youth Curfew Ordinance No. 86567
DATE: August 25, 2005

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes the continuation of the youth curfew enacted under City Ordinance # 86567 and satisfies the requirement under Chapter 370 of the Local Government Code for the City to review the effects of the ordinance on juvenile crime and victimization as required every three years.

BACKGROUND INFORMATION

City Ordinance #86567 makes it unlawful for a child (age 10-16) to purposefully remain, walk, run, stand, drive or ride in any public place in the City of San Antonio between the hours of 9:00 a.m. and 2:30 p.m. Monday through Friday, while school is in session; between the hours of 10:30 p.m. and 6:00 a.m. Sunday through Thursday; and between the hours of 12:00 a.m. and 6:00 a.m. Friday and Saturday. The ordinance also makes it unlawful for a parent having legal custody of a minor to knowingly allow or permit the minor to be in violation of the curfew imposed.

Chapter 370.002 of the Texas Local Government code requires the governing body of the municipality to review the ordinance's effect on the community and on problems the ordinance was intended to remedy; conduct public hearings on the need to continue the ordinance; and to either abolish, continue, or modify the ordinance.

POLICY ANALYSIS

The Youth Curfew Ordinance was adopted to allow enforcement, intervention, adjudication, and prevention of victimization. It was designed to reduce juvenile victimization, reduce juvenile crimes, maximize juvenile safety by ensuring juveniles are at home at night, and provide a working tool to assist parents and guardians in the supervision of their children. During this report, staff will quantify the efforts made toward accomplishing the stated goals of the ordinance. Continuing the ordinance will allow for the required long-term commitment to prevention, education and enforcement efforts.

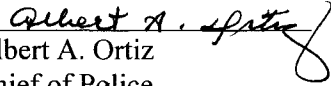
According to information provided by the Bexar County Juvenile Probation Department, referrals for felony crimes peaked in 1991, which is the year the curfew ordinance was enacted. Referrals then declined steadily until 1998, and have remained fairly constant to date. Additionally, from 1996 to 2004 the juvenile population increased by 4% while referrals for felony crimes declined by 20%. As a law-enforcement tool, officers issued a total of 3320 curfew citations in 2002; 2173 citations in 2003; and 2411 citations in 2004.

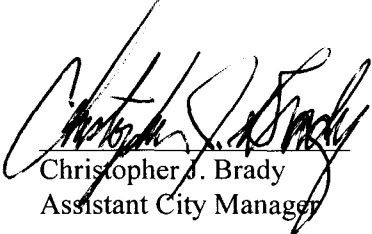
FISCAL IMPACT

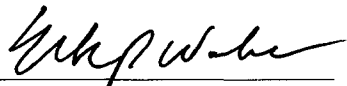
There is no anticipated impact to the general fund.

COORDINATION

This ordinance request has been coordinated the Police Department's Youth Crime Services Unit, the Municipal Court Department, the Department of Community Initiatives Youth Services Division, and the City Attorney's Office.


Albert A. Ortiz
Chief of Police


Christopher J. Brady
Assistant City Manager


J. Rolando Bono
City Manager