

---

NORTH OGDEN CITY  
STAFF REPORT

---

**TO:** MAYOR AND CITY COUNCIL  
**FROM:** KEVIN WARREN, CHIEF OF POLICE  
**SUBJECT:** Daytime Curfew Ordinance/Follow-Up  
**DATE:** 10/14/2014

---

The document submitted with this staff report contains a change in the draft proposal for a Daytime Curfew Ordinance involving minors who are subject to compulsory education, specifically Sections 6-3D-2 and 6-3D-5, changes highlighted in yellow. This staff report will also address items council members would like to see in the ordinance that were brought up in the September 23, 2014 City Council meeting.

**Classes for youth and parents to attend-** I researched this request and was informed by David Gladwell, a juvenile court prosecuting attorney, and he is not aware of any classes that available for the child and their parent to attend together upon conviction of daytime curfew. Mr. Gladwell indicates that juvenile court uses a “uniformed sentencing matrix” for daytime curfew violations and that community service hours is the most prevalent sentence used, with the stipulation that the minor be free of absenteeism and tardiness over a designated period of time.

**We need to make sure home school students are protected-** At the beginning of every school year, North Ogden Police will obtain a list of students currently attending in the Weber School District and same will be made available to the officer via MDT so the investigative process is timely. Home schooled/online students will be released immediately once the identification process is verified while investigating Utah State Statue 53A-11-105.

**More research on parental involvement-** All minors cited under the proposed daytime curfew ordinance will be required to appear in Youth Court or Juvenile Court, whichever jurisdiction has authority over the pending citation. Minors opting for Youth Court will need their parent’s written permission to participate.

The proposed Daytime Curfew ordinance targets truant minors and allows the option of using the Juvenile Court system, or the Youth Court system once implemented, in an attempt to redirect behavior through community service hour projects, or a monetary fine in Juvenile Court if absenteeism becomes habitual.