

Date: August 20, 2015

To: Honorable Chairman Jean Monestime
And Members, Board of County Commissioners

From: Carlos A. Gimenez 
Mayor

Subject: Miami-Dade Juvenile Curfew Ordinance – Directive 150772

The following information is provided in response to Resolution No. R-341-15 directing my administration to provide a written report identifying areas with high juvenile crime and high-crime areas with a significant juvenile presence, and to prioritize and dedicate additional resources towards enforcement of the Miami-Dade County Juvenile Curfew Ordinance in those areas. In addition, my administration is to create an outreach campaign to inform affected communities and coordinate with respective municipal law enforcement agencies, as well as to submit status reports on the enforcement efforts, outreach campaign, and any relevant funding needs.

The Miami-Dade County Juvenile Curfew Ordinance began in 1994 as a tool by the Miami-Dade Police Department (MDPD) to make Miami-Dade County a safer place to work and live, reduce juvenile violence, criminal and gang activities, and protect our youth from victimization. The goal of the ordinance is to prevent and decrease the amount of criminal activity engaged by juveniles and to enhance parental control on their children. Curfew hours have been established between 11:00 p.m. to 6:00 a.m. on Sunday through Thursday, and from 12:00 a.m. to 6:00 a.m. on Friday and Saturday. The curfew is for youth under 17 years of age.

In April 2015, prior to the commencement of the summer recess, MDPD initiated a comprehensive outreach campaign to educate juveniles, their families, and the community about the Juvenile Curfew Ordinance. MDPD incorporated a three-prong approach to this enforcement initiative which includes: education, warning and informing, and conducting proactive enforcement initiatives.

Education

Through various community outreach efforts, a flyer was disseminated to students, parents, and guardians before the end of the 2014-15 school year by Miami-Dade County Public Schools (MDCPS), outlining the parameters of the Juvenile Curfew Ordinance to include curfew hours, any exceptions to the Ordinance, and enforcement details to be conducted during the summer break. The information will be disseminated again at the beginning of the 2015-16 school year. In addition, MDCPS' Juvenile Division sent an informational flyer to the Juvenile Services Department, the Guardian Ad Litem Program, and the Clerk of Courts to post in the juvenile courtrooms, the Parent Teacher Association (PTA), and on the MDCPS' website. MDCPS will be able to reach approximately 800,000 people through their network.

MDPD will also initiate a media advisory and post the flyer via our social media platform, so parents, guardians and students who do not attend MDCPS can become familiar with the

Juvenile Curfew Ordinance, its exceptions, and penalties. The Juvenile Curfew Ordinance flyer has been translated into Spanish and Creole. In addition, information was provided to MDPD staff, via memorandum and a Legal Note, regarding the Juvenile Curfew Ordinance and enforcement applications. Prior to the commencement of this year's summer recess, MDPD's Neighborhood Resource initiated a campaign to educate residents of their impending curfew details.

MDPD also coordinated with MDCPS' Police Department, which will provide the information to their officers and inform them of the Ordinance during their in-service training. MDCPS' Police Department will also add training on the Ordinance to its "My Life/My Power" curriculum.

MDPD also participates in the activities at our local schools, such as Youth Crime Watch, DARE instruction, and Students Together Against Negative Decision (STAND) - formerly "Don't Let Alcohol Be Your Last Taste of Life." STAND is an educational component wherein the dangers of driving under the influence (DUI), as well as many other destructive decisions - including but not limited to drinking and driving, texting and driving, drugs, bullying, dating violence, and sexting - are conveyed. MDPD also participates in the community by providing a Police Explorer program.

The Police Athletic League (PAL) provides youth with an opportunity to positively interact with police officers through sports. Miami-Dade PAL is committed to reducing juvenile delinquency by providing structured recreational and educational activities, positive peer influence, and constructing interaction with police. The program provides an environment that fosters development and a positive attitude in its participants, ultimately making them productive, law-abiding members of the community. Over the summer, PAL partners with Miami-Dade Parks, Recreation and Open Spaces.

Warning and Informing

Details are conducted in areas where juveniles are known to frequent. Juveniles encountered are warned that they are in violation of the Juvenile Curfew Ordinance and informed of future enforcement details. MDPD officers make a concerted effort to not only warn and detain juveniles in violation of the ordinance, but also to inform their parents of their child's whereabouts in the hopes of correcting any detrimental behavior.

Proactive Enforcement Initiatives

In order to prevent juvenile crime in target areas where youth are known to frequent, proactive enforcement initiatives are conducted to include high visibility patrol in designated areas with the use of on-duty and off-duty MDPD officers, for both in and out-of-school activities, especially in areas of the community that have a high occurrence of violent crimes. Curfew sweeps are organized to prevent juvenile crime in target areas where youth are known to congregate. MDPD personnel provide a uniform presence at the summer Optimist football games and practice sessions. Also, a truancy sweep for middle and high school students will be conducted during the first week of the 2015-16 school year.

MDPD utilizes its COMPSTAT process and intelligence information to identify areas of high criminal activity occurring within each district. Information concerning the crime rate is updated on a weekly basis by each district, and, as the criminal activity moves between areas, deployment strategies are revised to address any spikes in crime.

During the last two (2) years, MDPD initiated 822 Juvenile Curfew Ordinance cases. From January 1 to June 29, 2015, North Operations identified 42 curfew violators. Since June 2015, South Operations has identified 28 curfew violators. This is an indication that the program has been effective. During this initiative, MDPD has received positive feedback from residents related to this initiative.

MDPD's current funding source for this initiative stems from the Law Enforcement Trust Fund (LETf) Youth Safety Initiative. For FY 2014-15, North and South Operations were awarded \$40,000.00 each. It is suggested that an additional \$80,000.00 be allocated to both North and South Operations' Youth Safety Initiative in an effort to expand its current efforts. For FY 2015-16, funding will be requested through LETf in order to sustain this initiative. For long-term sustainable funding, the costs associated for this initiative will be included in MDPD's FY 2016-17 General Fund budget submission.

Per Ordinance 14-65, this memorandum will be placed on the next available Board of County Commissioners meeting agenda.

Should you require additional information, please contact J.D. Patterson, Director, Miami-Dade Police Department, at 305-471-3272, or me directly.

Attachments

MDPD North Operations Division Juvenile Crime Information
MDPD South Operations Division Juvenile Crime Information
MDPD Legal Note 2015-07 – Juvenile Curfew Program

c: Robert A. Cuevas, Jr., County Attorney
Russell Benford, Deputy Mayor, Office of the Mayor
J.D. Patterson, Director, Miami-Dade Police Department
Charles Anderson, Commission Auditor
Christopher Agrippa, Clerk of the Board
Eugene Love, Agenda Coordinator

Northside District Juvenile Crimes

Listed below are crimes which involves Juvenile subjects. The crimes occurred between NW 62-79 street, between 10-32 Avenues, which include grids 0789, 0791, 0793, 0795, 0797, 0799, 0859, 0860, 0861, 0862, 0863, 6797, 6799, 8793, 8795, 8862 & 8863.

	01/01/15 thru 04/06/15	04/07/15 thru 06/29/15	UP / Down change	% Change
Auto Theft	0	2	+2	+100%
Burglaries	0	2	+2	+100%
Aggravated Assaults/Battery	4	1	-3	-75%
Sexual Battery	1	0	-1	-100%
Homicides	0	0	0	0%
Robberies	6	4	-2	-33%
Theft (Over)	1	2	+1	+100%
Drugs (52)	3	1	-2	-67%
Weapons Violation	2	2	0	0%
Vehicle Burg.	0	0	0	0%
Totals	17	14	-3	-18%

Northside District High Crime Area

From January 1, 2015 thru April 6, 2015, Area 2 was the highest area for targeted crimes with a total of 376 incidents. Area 2 was also the highest area for targeted crimes from April 7, 2015 thru June 29, 2015, with a total of 477 incidents.

	01/01/15 thru 04/06/15	04/07/15 thru 06/29/15	UP / Down change	% Change
Auto Theft	65	105	+40	+62
Burglaries	99	106	+7	+7%
Aggravated Assaults/Battery	56	57	+1	+2%
Sexual Battery	8	8	0	0%
Homicides	1	5	+4	100%
Robberies	65	80	+15	+23%
Theft (Over)	82	116	+34	+41%
Totals	376	477	+101	+27%

Northwest District Juvenile Crimes

Listed below are crimes which involve Juvenile subjects in the Northwest District. The Northwest District boundaries are from NW 103 – 215 Streets, between 47- 97 Avenues.

	01/01/15 thru 04/06/15	04/07/15 thru 06/29/15	UP / Down change	% Change
Auto Theft	2	2	0	0%
Burglaries	30	2	-1	-33%
Aggravated Assaults/Battery	1	4	+3	+100%
Sexual Battery	0	0	-1	0%
Homicides	0	0	0	0%
Robberies	4	5	+1	+25%
Theft (Over)	5	0	-5	+100%
Drugs (52)	5	2	-3	-60%
Weapons Violation	0	0	0	0%
Vehicle Burg.	5	7	2	+40%
Totals	25	22	-3	-12%

Northwest District High Crime Area

From January 1, 2015 thru April 6, 2015, Area 2 was the highest area for targeted crimes with a total of 376 incidents. Area 2 was also the highest area for targeted crimes from April 7, 2015 thru June 29, 2015, with a total of 477 incidents.

	01/01/15 thru 04/06/15	04/07/15 thru 06/29/15	UP / Down change	% Change
Auto Theft	18	23	+5	+28%
Burglaries	43	32	-11	+26%
Aggravated Assaults/Battery	11	10	-1	-9%
Sexual Battery	0	1	+1	+100%
Homicides	0	0	0	0%
Robberies	9	13	+4	+44%
Theft (Over)	54	47	-7	-13%
Totals	135	126	-9	-7%

Town of Miami Lakes Juvenile Crimes

Listed below are crimes which involves Juvenile subjects in the Town of Miami Lakes. The area affected is NW 154 – 167 Streets, between 67 Avenue – 77 Court.

	01/01/15 thru 04/06/15	04/07/15 thru 06/29/15	UP / Down change	% Change
Auto Theft	0	0	0	0%
Burglaries	0	0	0	0%
Aggravated Assaults/Battery	0	0	0	0%
Sexual Battery	0	0	0	0%
Homicides	0	0	0	0%
Robberies	1	0	+1	+100%
Theft (Over)	0	0	0	0%
Drugs (52)	0	0	0	0%
Weapons Violation	0	0	0	0%
Vehicle Burg.	0	0	0	0%
Totals	1	0	+1	+100%

Town of Miami Lakes High Crime Area

From January 1, 2015, thru April 6, 2015, there was no one area that stood out. The incidents were spuratic over the entire Town of Miami Lakes. On June 1, 2015, the Town of Miami Lakes began its summer "Crime Free Initiative," which will run until the end of August 2015. This is normally the peak time for criminal activity within the Town of Miami Lakes.

	01/01/15 thru 04/06/15	04/07/15 thru 06/29/15	UP / Down change	% Change
Auto Theft	17	12	-5	-29%
Burglaries	12	7	-5	-42%
Aggravated Assaults/Battery	1	1	+0	0%
Sexual Battery	0	0	0	0%
Homicides	0	0	0	0%
Robberies	1	2	+1	+100%
Theft (Over)	29	26	-3	-10%
Totals	60	48	-12	-20%

Intracoastal District Juvenile Crimes

Listed below are crimes which involve Juvenile subjects in the Intracoastal District.

	01/01/15 thru 04/06/15	04/07/15 thru 06/29/15	UP / Down change	% Change
Auto Theft	0	4	4	400%
Burglaries	6	12	+6	+100%
Aggravated Assaults/Battery	5	5	0	0%
Sexual Battery	2	1	-1	-50%
Homicides	0	0	0	0%
Robberies	25	26	1	4%
Theft (Over)	7	1	-6	-86%
Drugs (52)	10	1	-9	-90%
Weapons Violation	0	0	0	0%
Vehicle Burg.	3	1	-2	-67%
Totals	58	51	-9	-12%

Intracoastal District Highest Crime Area

From January 1, 2015 thru April 6, 2015, Area 2 was the highest area for targeted crimes with a total of 492 incidents. Area 2 was also the highest area for targeted crimes from April 7, 2015 thru June 29, 2015, with a total of 408 incidents.

<i>District</i>	<i>01/01/15 thru 04/06/15</i>	<i>04/07/15 thru 06/29/15</i>	<i>Up/Down % change</i>	<i>% Change</i>
<i>Northside</i>	1	4	+3	+300%
<i>NorthWest</i>	6	17	+11	+183%
<i>Intracoastal</i>	6	0	-6	-100%
<i>Town of Miami Lakes</i>	5	3	-2	-40%
<i>Total</i>	18	24	+6	+33%

MIAMI-DADE POLICE DEPARTMENT
SOUTH DISTRICT
High Juvenile Crime and High Crime Areas Statistical Report

Attachment #2

Listed below are crimes which involves Juvenile subjects in the South District.

The crimes occurred between SW 153-383 St / SW 96-219 Avenues. The Grids are: 2087, 2117, 2146, 2175, 2270

2271, 2292, 6537, 2535, 2558, 2578, 2590, 2484, 2382, 2320, 2322, 2323, 2353

<i>Crime Statistics</i>	01/01/15 - 04/06/15	04/07/15 - 06/29/15	(+/-) Difference	(+/-) %
Auto Theft	9	4	-5	-55.56%
Burglaries	29	7	-22	-75.86%
Theft (Over)	8	6	-2	-25.00%
Aggravated Assault/Battery/Dom.	6	8	2	33.33%
Sexual Battery	13	11	-2	-15.38%
Homicides	0	0	0	/0
Robberies	16	17	1	6.25%
Vehicle Burglaries	0	1	1	/0
Drugs	10	2	-8	-80.00%
Total	91	56	-35	-38.46%

From January 1, 2015 thru April 6, 2015, Area 1 was the highest area for targeted crimes with a total of 168.

From April 7, 2015 thru June 29, 2015, Area 1 also had the highest targeted crimes with a total of 159.

<i>Crime Statistics</i>	01/01/15 - 04/06/15	04/07/15 - 06/29/15	(+/-) Difference	(+/-) %
Auto Theft	45	52	7	15.56%
Burglaries	19	64	45	236.84%
Theft (Over)	62	42	-20	-32.26%
Aggravated Assault/Battery/Dom.	55	41	-14	-25.45%
Sexual Battery	37	34	-3	-8.11%
Homicides	5	5	0	0.00%
Robberies	53	55	2	3.77%
Vehicle Burglaries	80	58	-22	-27.50%
Drugs	212	59	-153	-72.17%
Total	568	410	-158	-27.82%

Source: CDW Hot Spot - 4

Date: July 16, 2015

Prepare By: PCAS1 M. Roque

Date: June 8, 2015

To: Distribution B+

From: *Erik Morales*
Erik Morales, Police Legal Advisor
Police Legal Bureau

Subject: Juvenile Curfew Program

Memorandum



Legal Note 2015-07 (Supersedes Legal Note 94-2)

The Juvenile Curfew Program Ordinance went into effect on February 17, 1994, and is enforceable throughout Miami-Dade County. Sections 21-201 – 21-219, Miami-Dade County Code of Ordinances ("MDCCO").

The Curfew Ordinance makes it unlawful "for any person under the age of seventeen (17) years to linger, stay, congregate, move about, wander, or stroll in any public or semi-public place in Miami-Dade County, either on foot or in or upon any conveyance or vehicle being driven or parked thereon, during curfew hours. Section 21-204, MDCCO. The curfew hours are 11:00 p.m. to 6:00 a.m., Sunday through Thursday, and 12:00 midnight until 6:00 a.m., Friday and Saturday. Section 21-203(i), MDCCO.

It is also unlawful for "any operator, owner or any employee managing or conducting any business or other establishment to knowingly permit a juvenile to linger, stay, congregate, move about, wander or stroll upon the premises of the establishment during curfew hours." Section 21-208, MDCCO.

There are, however, numerous exceptions to the Curfew Ordinance which lawfully allow a juvenile to be out during curfew hours. These exceptions are as follows:

- 1) A juvenile accompanied by a parent or legal guardian.
- 2) A juvenile who is with a person 21 years of age or older and that person has the permission of the juvenile's parent or legal guardian to be in charge of the juvenile.
- 3) A juvenile who is working or traveling directly to or from work.
- 4) A juvenile who is traveling interstate.
- 5) A juvenile who is running an errand for a parent or legal guardian and has written permission from that parent or legal guardian to do so.
- 6) A juvenile who is aiding or assisting in an emergency.
- 7) A juvenile attending or traveling directly to or from a school, religious, or recreational event sponsored by Dade County, the Dade County School Board, a municipality, or a civic organization.
- 8) A juvenile who has been emancipated either by marriage or by court order.
- 9) A juvenile who is homeless.

- 10) A juvenile who is exercising his or her First Amendment rights.
- 11) A juvenile who is on the swale or sidewalk in front of the juvenile's residence or a next door neighbor's residence if the neighbor does not object.
- 12) A juvenile with written permission from a parent or legal guardian who is attending or returning from a public event which is open to the general public and begins before 10:00 p.m.
- 13) A juvenile who is authorized by the County Commission to be out in public during curfew hours.

A juvenile who violates this curfew and does not fall under one of these exceptions, must be taken into custody and transported immediately to a district station. It is important to remember that this is not an arrest.

Upon encountering a juvenile that may be in violation of this ordinance, Miami-Dade Police Department ("MDPD") officers shall "ask the apparent offender's age and reason for being in a public or semi-public place during curfew hours. The law enforcement officer shall immediately attempt to verify the statements or other information provided by the juvenile through contact with the parent, legal guardian or others. The officer shall not issue a written warning to appear or take into custody any person pursuant to this article unless the officer reasonably believes that an offense has occurred and that, based on any response or circumstance, no defense . . . is present." Section 21-206, MDCCO.

At the station, MDPD officers must record all pertinent information about the juvenile on a Miami-Dade County Juvenile Curfew Violation form; completion of an Offense-Incident Report will not be necessary, unless the juvenile is arrested for a criminal charge. This curfew violation form will be used only as a warning to the juvenile and his or her parents or legal guardians.

Once the form has been completed, the juvenile's parents or legal guardians must be called and asked to come to the station to take the juvenile home. When the parent or legal guardian arrives, and after verifying the parental or guardian relationship, officers shall: (1) record all pertinent contact information; (2) have the parent or legal guardian sign the form; (3) give him or her the pink transmittal copy; and (4) release the juvenile to the parent or legal guardian. If after two hours, the parent or legal guardian refuses to retrieve the juvenile or cannot be contacted, the juvenile must be transported home. Such action should be documented on the violation form.

All curfew violation forms will be reviewed by each district's Crime Analysis Unit (CAU) and entered into the Crime Analysis System (CAS), which will track all violations of the Ordinance. When a juvenile commits a third or subsequent violation of the Curfew Ordinance, the Neighborhood Resource Unit for the district in whose boundaries the juvenile resides will confer with the State Attorney's Office to determine whether the juvenile's parents should be sent a Notice to Appear in County Court and/or the juvenile should have a petition for dependency filed on his or her behalf.

MDPD officers with questions about this Legal Note may refer to the MDPD Departmental Manual, Chapter 26, Part 1, or call the Police Legal Bureau at (305) 471-2550. Officers from other law enforcement agencies should contact their respective legal advisors prior to taking action based upon this Legal Note.

EM/