

Public Safety Task Force Survey Summary

On the 28th of August 2006, an online survey link was emailed to the members of the Major Cities Chiefs. The survey was created in response to the Charlotte-Mecklenburg Police Department (CMPD) encountering problems with cruising and juveniles/young adults that engage in very aggressive behavior and are confrontational toward the police. The CMPD used its Civil Emergency Unit on three occasions to disburse crowds. The purpose of the survey was to determine if other major cities have encountered similar trends and – beyond a strong police presence – what approaches have departments tried to address this problem.

The following police responded to the survey: Cincinnati PD, Columbus PD, Detroit PD, Edmonton Police Service, Fort Worth PD, Los Angeles County Sheriff's Department, Miami-Dade PD, Milwaukee PD, Memphis PD, Metropolitan Nashville PD, Oakland PD, Oklahoma City PD, Salt Lake City PD, Seattle PD, and Virginia Beach PD. With the exception of the Edmonton Police Service, all of the above police departments advised that they have encountered problems with disobedient and/or aggressive crowds in the center city or other location within the past three years. Below are the responses to the questions from the departments that replied to this survey.

(1) Within the past three years, has your city encountered any problems with disobedient and/or aggressive crowds in the center city or other locations? = Yes

Cincinnati PD, Columbus PD, Detroit PD, Fort Worth PD, Los Angeles County Sheriff's Department, Metropolitan Nashville PD, Miami-Dade PD, Milwaukee PD, Oakland PD, Oklahoma City PD, Salt Lake City PD, Seattle PD, Memphis PD, Virginia Beach PD.

(1) Within the past three years, has your city encountered any problems with disobedient and/or aggressive crowds in the center city or other locations? = No

Edmonton Police Service

(A) If yes, what type of problems have you encountered?

- *Cincinnati PD*
 - Large disorderly crowds of most juveniles and young adults after major events in the city (Riverfest, Black Family Reunion, etc.)
- *Columbus PD*
 - General unruly crowds, usually gang related, at large public events.

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- *Detroit PD*
 - The type of problems that the city of Detroit has encountered were large groups of individuals, not necessarily destructive, but not compliant.
- *Edmonton Police Service*
 - We have not experienced overtly disobedient or aggressive crowds in the city center in the past 3 years (Edmonton, Alberta, Canada). We have had some minor incidents involving "rave" participants, but nothing notable.
- *Fort Worth PD*
 - Immigration law protests.
- *Los Angeles County Sheriff's Department*
 - Local student walk out regarding Immigrations Laws.
 - We have had our fair share of crowds celebrating team victories. When the Los Angeles Lakers won their championships, people came to one of our main thoroughfares to party and cruise. We have the same problems during the qualifying rounds of soccer's World Cup and then the World Cup itself. Usually our problems occur when Mexico is playing and winning. Each one has a different crowd that shows up. Most of the time, it is just of cruisers waving flags, screaming and tying up the streets. But we have had some problems with people throwing bottles and vandalizing some businesses.
 - In late May we had student protests involving several hundred High School students who left school and marched through the city and into another jurisdiction. Over the course of a month, there were several such incidents, all of which concerned pending illegal alien legislation.
- *Miami-Dade PD*
 - In 2003, the City of Miami and Miami-Dade County hosted the Free Trade Area of the Americas Conference. This conference was similar to the WTO held in Seattle in 2000. Outside of this incident and several racially motivated riots in the 1980s and 1990s we have not encountered additional problems.
 - In November 2003, Miami-Dade County hosted the eighth meeting of the Free Trade Area of the Americas. The FTAA is a trade consortium

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that includes 34 countries in the Western Hemisphere. An estimated 30,000 demonstrators descended on Miami-Dade County. Included in these were a large number of anarchists and members of anti-FTAA organizations that attempted to disrupt the proceedings. Fortunately, the demonstrations were monitored and controlled by an organized police presence. Outside of this international incident, Miami-Dade County has not encountered anything similar on a local level.

- *Memphis PD*
 - The Memphis Police Department encounters on a regular basis large crowds in our downtown Entertainment District which encompasses the Fed-Ex Forum, Peabody Hotel, Redbirds Stadium, and Beale Street which is a major tourist attraction for our city.

- *Metropolitan Nashville PD*
 - We have had several "after hours clubs" and some other high occupancy clubs that would close and the occupants would continue to hang out on the streets in large numbers. The crowds on the streets would often become disorderly; fights and the like would break out. The crowds caused other law abiding visitors to the area worry about their safety and security.

- *Milwaukee PD*
 - Late night cruising.

- *Oakland PD*
 - We have encountered these crowds under the following Circumstances:
 - After public events where the "troublemakers" show up as the event is ending.
 - In the evenings on major holidays.
 - Spontaneous weekend gatherings in the early morning hours to participate in acts of reckless driving and exhibitions of speed called "Sideshows." The problems frequently involve assaults (including shootings) amongst members of the crowd; the reckless discharge of firearms and detonation of high powered fireworks; vandalism; on occasion looting; and assaults on the police (usually bottle and rock throwing). A recent phenomena has been "ghost riding" where a stolen

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car is sent driverless towards officers or an area with a brick on the accelerator. Over the last three years the problem has been fueled by the use of ecstasy by inner city youth.

- *Oklahoma City PD*
 - Disorderly crowds around clubs at closing time in the entertainment district. Most of the problems have been with younger crowds that can not get into the clubs and loiter in the areas around "hip-hop" type establishments and outdoor festivals.

- *Salt Lake City PD*
 - Very minor problems only.

- *Seattle PD*
 - Surrounding our annual Sea fair Torchlight parade, we have had large groups of juveniles causing problems in our central business district directly following the event. We are and have been staffed and structured appropriately to handle the during and after-parade issues since it's a large "City Special Event".

 - If a nightclub is allowed to have an "Under 21" night or "all ages" event, we have had problems with large groups during and after the event. The associated problems with the events at these venues are directly related to the promoter of the event (DJ, Production Co., Radio Station), whether it's hip-hop, electronic music, etc. in conjunction with the nightclub owner/operator not concerned about the security issues and more concerned about taking in as much compensation as possible for an otherwise slow night (Sundays for example). Three of our recent problem locations were located a mile or less outside of our downtown core.

- *Virginia Beach PD*
 - Our problems are with youths who congregate in the Oceanfront area late at night. These youths frequently engage in surly and abrasive behaviors. Occasionally, these behaviors become illegal. The illegal behaviors are disorderly conduct, fighting, drug and weapons violations.

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(2) Has your department and/or city enacted any strategies beyond police presence to deal with these problems? = Yes

Columbus PD, Los Angeles County Sheriff's Department, Memphis PD, Metropolitan Nashville PD, Milwaukee PD, Oakland PD, Oklahoma City PD, Salt Lake City PD, Seattle PD, and Virginia Beach PD.

(2) Has your department and/or city enacted any strategies beyond police presence to deal with these problems? = No

Cincinnati PD, Detroit PD, Edmonton Police Service, Fort Worth PD, Los Angeles County Sheriff's Department, Miami-Dade PD, and Salt Lake City PD.

(A) If yes, please describe these strategies.

- *Cincinnati PD*
 - There has been an expanded police presence in addition to the officers assigned to the detail. We have placed several arrest teams outside of the event area to deal with any potential problems as they leave/are thrown out of the event area.
- *Columbus PD*
 - Intelligence gathering has been important.
- *Los Angeles County Sheriff's Department*
 - Because these events are somewhat predictable, we have the ability to pre-plan. We normally shut down side streets and funnel traffic onto one of our freeways. We then shut down the first two off ramps sending them about 4 miles south of where they were cruising. It sends them out of the area and they don't come back.
 - We coordinated with school district officials for strategize how to keep the kids in school. By imposing both school administrative punishments, coupled with strict enforcement of truancy laws, we were able to minimize the amount of children cutting school to take part in protests.
- *Memphis PD*
 - The Memphis City Council passed and implemented a "No Cruising Ordinance" for teenagers and other drivers who cruise the Downtown area during peak crowd times and add to the already significant traffic

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that this area has. The Memphis Police Department created a unit called the Entertainment District whose primary function is to bolster a large police presence by utilizing foot patrols and other units such as Mounted Patrol to help curb possible problems.

- *Metropolitan Nashville PD*
 - The Metropolitan Nashville Police Department has worked with the Codes Department and other entities in the city's Environmental Task Force to enforce building and fire safety codes. Overt Surveillance Cameras have also been installed in the area with hopes of deterring unruly behavior. Officers have been encouraged to institute a no tolerance policing strategy. The curfew ordinance and public drunk strategies are rigorously enforced. On weekend nights, the time period in which most of the unruly behavior was occurring, police would make a number of bar checks at the problem venues. For more information about MNPD's strategies, you may wish to call Commander Andy Garrett. He is the Commander of the Central Precinct that includes our center city. His phone number is (615) 862-7611. His email address is andy.garrett@nashville.gov.

- *Milwaukee PD*
 - Public service announcements that "Cruising" is not a harmless activity. Obtained assistance from business owners which enabled us to enforce our No Loitering ordinance. Met with the residents in those areas impacted by cruising and as a result devised traffic control strategies to deal with this problem. Secured the assistance of legislators in order to draft legislation which increased penalties for repetitive cruising and allowed for us to tow the violator's vehicles.

- *Oakland PD*
 - Partnering with the community to discourage the activity.
 - The production and broadcast of public service announcements.
 - Local legislation to require the securing of off-street parking facilities when businesses are closed.
 - Local legislation to increase the release fees (\$250) for vehicles towed during these activities.
 - State Legislation to increase vehicle impound times.

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- *Oklahoma City PD*
 - Increased police presence with on-duty and overtime officers as well as partnering with the entertainment area merchants to improve their site security through use of off-duty officers, increased lighting and signage prohibiting loitering, trespassing. Additionally we implemented a traffic control plan to divert traffic. This limited cruisers from driving past the frontage of clubs and eased congestion in the area, providing greater access for emergency equipment. The partnership of police and merchants worked to lobby council for the immediate passage and emergency enactment of a curfew prohibiting juveniles under 18 in the entertainment district past 11pm, 7 nights a week.

- *Salt Lake City PD*
 - During our planned protest, demonstrations, and many gatherings, the petitioner is strongly encouraged to have "peace keepers" as part of the demonstration. The "peace keepers" are trained as to what they need to do. The petitioner is encouraged to dress the "peace keepers" in highly visible t-shirts or a hat that designates their task. They can be given whistles, etc.

- *Seattle PD*
 - Closer monitoring of the nightclubs in general (flyers, websites, etc.) to determine who is at what club and when, etc. Seattle's nightclub scene has increased dramatically in that what was once the only area in town with nightlife for many years, the historical Pioneer Square area has seen a decrease in nightlife activity due to many new clubs opening in our Bell town and Uptown areas of downtown.
 - Staffing emphasis patrols both in cars, on foot, and on bicycles as needed. Extra presence has helped tremendously.
 - A pilot project last year with full implementation beginning in the near future of what we call the Joint Assessment Team spearheaded by SPD and assisted by the other City Agencies with a piece of the monitoring of nightclubs and the sidewalks adjacent. The Police Department's Vice Section houses SPD's portion of "JAT".
 - If there are any known events we can anticipate, we will include our Gang detectives as part of any on-duty resources.

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- *Virginia Beach PD*
 - We have instituted restrictions in the public parking areas to moderate the size of the late night crowd. Parking is closed to new arrivals at 11:30 P. M. and all public lots must be clear of all vehicles by 2:30 A.M.
 - The city is installing enhanced lighting at the Oceanfront. This is a program to replace the older sodium lights with a brighter light. When the bars at the Oceanfront begin to close the lighting is brought up to daylight levels using stadium type lighting in selected blocks. The blocks are selected due to their high concentration of bars.
 - During the summer the department employees a number of college students as courtesy patrols. One purpose of the patrol is to have these young people interact with the crowds in an attempt to moderate undesirable behaviors. At around 2 A. M. Oceanfront loudspeakers begin to play a soothing music.
 - The police department has an aggressive weapons interdiction program.
 - The police department assists in moving the crowds to their cars to eliminate the amount of time that people are exposed to crowded conditions. Problem establishments are identified and programs put in place to alleviate these problems. Strategies include declaring the bar a common nuisance and to have the ABC Permit revoked.

(3) Does your department or city use any community engagement strategies prior to an event to deal with the problem of disobedient and aggressive crowds? = Yes

Cincinnati PD, Columbus PD, Detroit PD, Fort Worth PD, Los Angeles County Sheriff's Department, Memphis PD, Metropolitan Nashville PD, Milwaukee PD, Oakland PD, Oklahoma City PD, Salt Lake City PD, and Virginia Beach PD.

(3) Does your department or city use any community engagement strategies prior to an event to deal with the problem of disobedient and aggressive crowds? = No

Edmonton Police Service, Los Angeles County Sheriff's Department, and Seattle PD.

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(3) Does your department or city use any community engagement strategies prior to an event to deal with the problem of disobedient and aggressive crowds? = Not Applicable

Miami-Dade PD.

(A) If yes, please provide a description of the community engagement strategies.

- *Cincinnati PD*
 - Our Event Planning Unit regularly meets with representatives from the boards of the large events. Recently, one of the event organizers agreed to gate their event and hire private security to conduct random wandering after a shooting in their event two years prior.
- *Columbus PD*
 - There is always communication going on between the community leaders, gangs, and the police in an effort to head off problems. This would include a dedicated gang officer who keeps tabs on what the gangs are doing. He has contact with the leaders and has established good rapport with many of the gangs.
- *Detroit PD*
 - The City of Detroit Police Department uses the media to alert the television audience on what to expect at any large event that's happening in the city of Detroit. For example, the Super bowl, the media reached out to participate well in advance, about parking, what to or not to bring , roads that will be shut down, what type of citations that will be written and so on. The public is aware through the media what type of police presence will be in effect when the City of Detroit has special events or anticipating a large crowd.
- *Edmonton Police Service*
 - We did have a series of disorderly incidents outside of the city center this past year; however, they were related to the Stanley Cup Playoffs (Hockey Championship). During this series of incidents there were community strategies, public consultation and a media strategy.

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- *Fort Worth PD*
 - We attempt to meet with all groups involved and form partnerships. Most have provided internal security contacts that have been used to prevent police action.

- *Los Angeles County Sheriff's Department*
 - We currently meet with other government agencies regarding upcoming events in the community. See response for question #6.

- *Metropolitan Nashville PD*
 - Most of the community engagement strategies are with the owners of the clubs or the operators of the events that draw the large crowds. Efforts are made to hold them more accountable for the conduct of their patrons. Occupancy limits and other codes requirements are strictly enforced.

- *Milwaukee PD*
 - We engage the community on a regular basis to deal with a number of problems. For instance if there is an event scheduled and we anticipate that there might be problems we will work with the organizers and other interested parties well in advance of the event. During these meetings we will explain our responsibilities to ensure safety and order. We will emphasize that safety and order maintenance is a shared responsibility between us, the organizers and the attendees. We will devise specific strategies with the goal of insuring a successful event that is both safe and orderly. One of the strategies that have proven to be effective is to provide boundaries for legally permitted behavior to the public. Also to enlist the assistance of the organizers so that they will have representatives in the field on the day of the event to assist with problem solving before it rises to the level of a law violation.

- *Oakland PD*
 - We work closely with event planners on issues of entertainment and hours of operation. For example, a hip-hop artist would be discouraged or scheduled at a time during the event that would minimize disruption.
 - We use the media to "get out the word" regarding stepped up enforcement in an effort to dissuade unlawful activity.

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- *Oklahoma City PD*
 - With special events, we require permitting and work with the organizers to address concerns relating to security. We have worked with club operators to limit music on the sidewalks and to stage closing times in blocks where there is a concentration of clubs resulting in large crowds.
- *Salt Lake City PD*
 - See response to question #2.
- *Seattle PD*
 - This is not typical due to the types of instances where we may have anticipated disobedient or aggressive crowds. Other Precinct commanders or supervisors from SPD who may be responding to this survey might employ strategies locally within their own Precincts related to Precinct-specific festivals, etc.
- *Virginia Beach PD*
 - As previously mentioned we use college age students as courtesy patrol officers to assist in moderating surly crowds.

(4) Does your community have a curfew ordinance? = Yes

Cincinnati PD, Columbus PD, Detroit PD, Fort Worth PD, Los Angeles County Sheriff's Department, Memphis PD, Metropolitan Nashville PD, Miami-Dade PD, Milwaukee PD, Oakland PD, Oklahoma City PD, Salt Lake City PD, and Virginia Beach PD.

(4) Does your community have a curfew ordinance? = No

Edmonton Police Service, Los Angeles County Sheriff's Department, Seattle PD

(A) If yes, please provide a brief description of the curfew ordinance.

- *Cincinnati PD*
 - 15 and under must be off the streets or with a parent by 2200 hours. 16 and 17 year olds must be in by midnight.

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- *Columbus PD*
 - Under age 13-not allowed out unsupervised between the hours of one hour after sunset to 4:30am the following day. 13 or older-not allowed out unsupervised between midnight and 4:30am of the following day unless going to a school as a full time student or a member of the US military.

- *Detroit PD*
 - DST: Daylight saving time 2000 hours - 15 years and under 2100 hours - 17 and under STD: Standard time 2000 hours - 15 years and under 2100 hours - 17 and under 2300 hours - 17 (fri - sat).

- *Fort Worth PD*
 - Juvenile curfew. 11PM week nights. Midnight weekends.

- *Los Angeles County Sheriff's Department*
 - 13.56.010 Prohibited act.
 - A. It is unlawful for any minor under the age of 18 years to be present in a "public place," as defined in Section 13.56.010 B below, between the hours of 10:00 p.m. on any given day and sunrise of the immediately following day, unless the minor satisfies one of the exemptions specified in Section 13.56.020.
 - B. For purposes of this chapter, a "public place" means any place to which the public or a substantial group of the public has access, including, but not limited to, any public street, sidewalk, avenue, highway, road, curb area, alley, park, playground, or other public ground or public building, any common area of any school, hospital, apartment house, office building, transport facility, or shop, or any privately-owned place of business operated for a profit to which the public is invited, including any place of amusement, entertainment, or eating place.
 - (Ord. 99-0087 § 3 (part), 1999.) 9.24.010 loitering by persons under eighteen after ten p.m. unlawful—Exceptions:
 - A. It is unlawful for any minor under the age of eighteen years to loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, alleys, parks, playgrounds or

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other public grounds, public places and public buildings, places of amusement and eating places, vacant lots, or any unsupervised place between the hours of ten p.m. and daylight immediately following; provided, however, that the provisions of this section do not apply when the minor is accompanied by his or her parents, guardian or other adult person having the care and custody of the minor, or when the minor is upon an emergency errand directed by his or her parent or guardian or other adult person having the care and custody of the minor, or when the minor is returning directly home from a meeting, entertainment, recreational activity or dance.

- B. Each violation of the provisions of this section shall constitute a separate offense. (Ord. 749 § 1, 1988:prior code § 4242)

- *Miami-Dade PD*

- We have a juvenile curfew in place but it is rarely enforced. Juveniles under the age of 17 must be home by 11pm Sunday through Thursday and 12am Friday and Saturday. Miami-Dade County has a juvenile curfew ordinance. The ordinance states that it shall be unlawful for any person under the age of 17 to linger, stay, congregate, move about, wander, or stroll in any public or semipublic place in Miami-Dade County, either on foot or in or upon any conveyance or vehicle being driven or parked thereon, during curfew hours unless the juvenile is accompanied by his parents. It shall be unlawful and a violation for any person under the age of 17 years to linger, stay, congregate, move about, wander, 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 the curfew hours. The curfew hours are Sunday through Thursday evenings from 11:00 p.m. until 6:00 a.m. the following morning; and Friday and Saturday evenings from 12:00 midnight until 6:00 a.m. the following morning. There also numerous exception to this ordinance.

- *Memphis PD*

- If a person is under the age of 17 (has not yet reached his or her 17th birthday), then it is unlawful for that person to remain in any public place during the following hours: Monday thru Thursday between the hours of 10 p.m. - 6 a.m. Friday thru Sunday between the hours of 11 p.m. - 6 a.m. If a person has reached their 17th birthday, but has not reached their 18th birthday, then it is unlawful for that person to remain in any public place during the following hours: Monday thru Thursday

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between the hours of 11 p.m. - 6 a.m. Friday thru Sunday between the hours of 12 a.m. - 6 a.m.

- *Metropolitan Nashville PD*
 - Nashville's Curfew Law Article II. Juvenile Curfew 11.28.200
Definitions. For the purposes of this article the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular and words in the singular number include the plural. The word "shall" is always mandatory and not merely directory: "Chief of police" means the chief of police of the metropolitan government. "Emergency" means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, natural disaster, or automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life. "Juvenile" or "minor" means any unemancipated person under the age of eighteen or, in equivalent phrasing often herein employed, any person seventeen or less years of age. "Parent" means any person having legal or physical custody of a juvenile (1) as a natural or adoptive parent, (2) as a legal guardian, or (3) as a person to whom legal or physical custody has been given by court order. "Public place" means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, common areas of schools, shopping centers, parking lots, parks, playgrounds, transportation facilities, theaters, restaurants, shops, bowling alleys, taverns, cafes, arcades, and similar areas that are open to the use of the public. "Private place" means any place which is privately owned and includes, but is not limited to, buildings, motels, apartment complexes, trailer parks, railroad property, private schools, real property, and other similar areas that are not open to the public. "Street" as a type of public place, means a way or place, of whatever nature, open to the use of the public as a matter of right for purposes of vehicular travel or in the case of a sidewalk thereof for pedestrian travel. Street includes that legal right-of-way including but not limited to the cartway of traffic lanes, the curb, the sidewalks whether paved or unpaved, and any grass plots or other grounds found within the legal right-of-way of a street.
 - (Ord. BL99-1 § 1 (part), 1999) 11.28.210 Curfew for juveniles. It shall be unlawful for any person seventeen years of age or less [under eighteen] to be or remain in or upon a public place, or a private place without consent of the property owner, leasee or a person of apparent authority acting on behalf of the leasee or owner, in Davidson County during the period ending at five a.m. and beginning: A. At eleven p.m.

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Sunday through Thursday and twelve midnight Friday and Saturday between September first and May thirty-first, and B. At twelve midnight between June first and August thirty-first.

- (Ord. BL99-1 § 1 (part), 1999) 11.28.220 Defenses. The following shall constitute defenses to violations charged under this article: This article shall not apply: A. When a juvenile is accompanied by a parent of the juvenile; B. When a juvenile is accompanied by an adult authorized by a parent of the juvenile to take the parent's place in accompanying the juvenile for a designated period of time and purpose within a specified area; C. When the juvenile is on an errand as directed by the parent until the hour of twelve-thirty a.m.; D. When a juvenile is exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly. Such activity shall constitute an exception to this chapter when prior to such activity a written notice of the date, time, and place of the activity, signed by the juvenile and, if practicable, a parent of the juvenile, together with the name and address of the juvenile, has been received by the chief of police or a person designated by him to receive such information; E. Until the hour of twelve-thirty a.m. if the juvenile is on the property of or the sidewalk directly adjacent to the place where such juvenile resides or a place immediately adjacent to the juveniles' residence if the owner of the adjacent property has given consent; F. When a juvenile is attending, or traveling directly to or from home without detour or stop, from an official activity supervised by adults and sponsored by the metropolitan government, a religious or civic organization, or another similar adult supervised entity that takes responsibility for the juvenile; G. In the case of reasonable necessity, but only after the juvenile's parent has communicated to law enforcement personnel the facts establishing the reasonable necessity, as well as the origin, destination and route of travel, the time of travel, and the place of the activity. Proof of the communication, including a notation of the time it was received by law enforcement, names and addresses of the parent and juvenile, and the police personnel notified, constitute evidence of qualification under this exception. This may be handled by telephone or other effective communication; H. While the juvenile is engaged in legal employment and for the period from forty-five minutes before to forty-five minutes after work, while going directly between the juvenile's home and place of employment. The juvenile must be carrying written evidence of employment which is issued by the employer; I. When the juvenile is engaged in normal interstate travel with parental consent.

- (Ord. BL99-1 § 1 (part), 1999) 11.28.230 Parental responsibility. A. It is unlawful for a parent of a juvenile to permit, either knowingly or negligently, the juvenile to remain in or on any public place, or private

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place without consent of the property owner, in Davidson County under circumstances not constituting an exception listed in Section 11.28.220 of this article. The term "knowingly" includes knowledge that a parent should reasonable be expected to have concerning the whereabouts of a juvenile in that parent's legal custody. This requirement is intended to hold a neglectful or careless parent up to a reasonable community standard of parental responsibility through an objective test. It shall, therefore, be no defense that a parent was completely indifferent to the activities or conduct or whereabouts of such juvenile. B. If a juvenile satisfies an exception under Section 11.28.220, the juvenile's parent may not be prosecuted under this parental responsibility section.

- (Ord. BL99-1 § 1 (part), 1999) 11.28.240 Enforcement procedures. A. When any juvenile is in violation of this article the apprehending officer shall take action in one of the following ways: 1. In the case of a first violation and if in the opinion of the officer such action would be effective, take the juvenile to the juvenile's home and warn and counsel with the parent(s); 2. Issue a juvenile citation; 3. Bring the child into the custody of the juvenile court, which in addition to any other disposition provided by law, may assess a penalty; or 4. Issue a citation to the parent for violation of Section 11.28.230, Parental Responsibility. B. The juvenile court may, as part of the disposition of the case, assess a penalty against the juvenile for each violation of this article. In addition to or in lieu of a penalty the juvenile court may require the juvenile to perform community service. C. Pursuant to Chapter 191, Public Acts of 1995, the juvenile court may assess a penalty in an amount not to exceed fifty dollars against a parent violating the provisions of this article. Each violation of this article shall constitute a separate offense.
- (Ord. BL99-1 § 1 (part), 1999) 11.28.260 Curfew--Continuing evaluation. The office of the mayor shall periodically review statistics related to the enforcement of this article, including, but not limited to, the manner in which violations are handled under the provisions of Section 11.28.240 of this article. The chief of police shall maintain such information in a manner in which it may be produced within a reasonable time upon request.
- *Milwaukee PD*
 - It is unlawful for any person under the age of 17 years to congregate, loiter, etc. in or upon the public streets, highways ,roads alleys, parks public buildings, etc. between the hours of 10:00p.m. - 5:a.m., Sunday through Thursday and between 11:00p.m. and 5:00a.m. Friday and Saturday, from September 1 through May 31; and between 11:00p.m. and 5:00a.m. from June 1 through August 31.

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- *Oakland PD*
 - We have one for juveniles, but do not enforce it because of possible constitutional issues.

- *Oklahoma City PD*
 - The Citywide curfew is Midnight on Sunday through Thursday and 1 a.m. on Friday and Saturday nights. On August 29th, the City Council passed an emergency ordinance defining the boundaries of the entertainment district and setting an 11pm curfew. Both curfews apply to under 18 years of age and are in effect until 6am.

- *Salt Lake City PD*
 - 11.44.070 Curfew for minors. A. It is unlawful for any minor under sixteen years of age to remain or loiter on any of the sidewalks, streets, alleys or public places in the city between eleven p.m. and five a.m. the following morning. B. It is unlawful for any minor under eighteen years of age to remain or loiter on any of the sidewalks, streets, alleys or public places in the city between one a.m. and five a.m. the following morning. C. It is unlawful for any parent, guardian or other person having legal care and custody of any minor dealt with respectively in subsections A and B of this section to knowingly allow or permit any such minor to remain or loiter on any of the sidewalks, streets, alleys or public places in the city, within the times provided in subsections A and B, respectively, of this section, except as provided in subsection D of this section. D. The provisions of subsections A, B and C of this section shall not apply where the minors dealt with respectively in subsections A and B are: 1. Married; 2. Accompanied by a parent, guardian, or other adult person having the care and custody of such minor; 3. Have, in the minor's possession, a written authorization from the parent or guardian allowing the minor to be out beyond curfew hours. The authorization must be specifically drawn to describe the activity allowed and the time allowed. If the minor is engaged in activities and/or at times not allowed by the parental or guardian note this exemption shall not apply and the officer shall confiscate the note for evidence; 4. Returning home from, going to or being in attendance at any religious or school function, organized dance, theater, sports event or other such associational activity; provided, however, that going to or from such activity shall be by a direct route and within a reasonable time of the commencement or termination of such event; 5. Engaged in legitimate employment and can produce evidence of such employment; 6. In a motor vehicle engaged in normal travel, while traveling to, from or through the city on an interstate trip; or 7. Within the immediate vicinity of such minor's

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residence. Prior to charging a person for a violation of this section an officer shall give the person or persons an opportunity to give a reasonable credible account of their conduct and purposes so that the person may show that an exemption in subsection D exists. (Ord. 76-93 § 1, 1993: prior code § 32-7-4)

- *Virginia Beach PD*
 - Unless accompanied by a parent or guardian, traveling from work or school, or in an emergency all persons under the age of 18 must leave the streets by 11:00 P. M.

(5) Are there consequences for the parents of the juveniles that are arrested on curfew violations? = Yes

Cincinnati PD, Columbus PD, Detroit PD, Fort Worth PD, Los Angeles County Sheriff's Department, Memphis PD, Metropolitan Nashville PD, Milwaukee PD, and Salt Lake City PD.

(5) Are there consequences for the parents of the juveniles that are arrested on curfew violations? = No

Edmonton Police Service, Miami-Dade PD, Oakland PD, Oklahoma City PD, and Virginia Beach PD.

(5) Are there consequences for the parents of the juveniles that are arrested on curfew violations? = Not Applicable

Seattle PD

(A) If yes, please provide a description of the consequences and the ordinance used to cite parents.

- *Cincinnati PD*
 - First two instances of curfew violations, the parent receives a warning. Subsequent violations result in a criminal citation under a city municipal code.
- *Columbus PD*
 - Parent can be charged with Parental neglect (negligent offense) which is a misdemeanor 3.

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- *Detroit PD*
 - There are consequences for the parents during our Angel's Nite campaign. If any of our juveniles are picked up for violating the curfew laws, they receive a ticket as well as their guardian.

- *Fort Worth PD*
 - Class C fine.

- *Los Angeles County Sheriff's Department*
 - 13.56.060 Parental liability. Any parent(s), legal guardian(s), or other adult person(s) authorized by said parent(s) or guardian(s) to have the care and custody of a minor, who knowingly permits, or by insufficient control allows, a minor to violate the curfew restrictions of this chapter is guilty of a misdemeanor. (Ord. 99-0087 § 3 (part), 1999.) (Rarely enforced)

- *Miami-Dade PD*
 - Parents are given two chances with written warnings. Upon the third or any subsequent violation shall result in the issuance to appear and shall be punished by a fine of \$500.00

- *Memphis PD*
 - If a juvenile violates the curfew law, an officer can issue a summons to the child and/or parents or guardians to appear in juvenile court.

- *Metropolitan Nashville PD*
 - There are only minor consequences for the parents of juveniles arrested for curfew violations. C. Pursuant to Chapter 191, Public Acts of 1995, the juvenile court may assess a penalty in an amount not to exceed fifty dollars against a parent violating the provisions of this article. Each violation of this article shall constitute a separate offense. (Ord. BL99-1 § 1 (part), 1999)

- *Milwaukee PD*
 - There is a provision within our Curfew ordinance addressing parental responsibility. The fine for this violation is \$175

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- Salt Lake City PD
 - See ordinance listed in question #4.

(6) Does your department have a strategy that deals with the problem of cruising? = Yes

Cincinnati PD, Columbus PD, Fort Worth PD, Los Angeles County Sheriff's Department, Memphis PD, Virginia Beach PD, Metropolitan Nashville PD, Milwaukee PD, Oakland PD, Oklahoma City PD, Salt Lake City PD, and Seattle PD.

(6) Does your department have a strategy that deals with the problem of cruising? = No

Detroit PD, Edmonton Police Service, and Miami-Dade PD.

(A) If yes, please provide a description of this strategy.

- *Cincinnati PD*
 - Just pre-planned traffic patterns for pre-planned events.
- *Columbus PD*
 - There is no formal policy. However, officers are encouraged to break up any of this type of behavior at an early stage.
- *Detroit PD*
 - No strategy, but occasionally, "tactical remedies are utilized." For example, having officers in various parts of the highway, double lighting and keeping traffic moving, until the area is cleared. Also blocking off certain streets so there is no way of traveling back through.
- *Fort Worth PD*
 - We have had success using Zero Tolerance measures such as cash bonding for traffic violations and towing of vehicles.
- *Los Angeles County Sheriff's Department*
 - Currently overtime is used to combat the cruising issues. An Operation Plan is written for each event. Though the strategies to deal with a cruising problem vary from city to city there are some basic steps which can assist in curtailing the problem. The first is to get

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cooperation from the community knowing that any systematic approach to this problem requires both business and residential support. Enacting an anti-cruising ordinance which allows law enforcement to impound vehicles and cite drivers should they be caught violating a predetermined set of rules limiting the number of times they can be found driving on a particular street is the next step. And finally setting up a coordinated effort between law enforcement, City Hall, Public Works and any other entity which may be needed to assist in this problem is key to reaching a successful solution. In the past, successful operations included barricading roadways, directing traffic out of the city, public service information on the anti-cruising ordinance and a strong law enforcement presence with a maximum effort to issue citations, impound vehicles and arrest as many persons as possible. In one such operation in a city which had a major problem with cruising three nights a week a large group of officers were hired nightly to manage the problem. Their mission was to make as many vehicle stops as possible and to take as many vehicles and drivers as they could off the roadway. A checkpoint was set up where an officer handed out a copy of the anti-cruising ordinance while recording the vehicle's license number in a database. This vehicle should it be found to pass this same point more than twice would be automatically impounded and the driver cited for a violation of the ordinance. Public Works would set up barricades limiting access to the residential areas from the cruisers. This was found to be the best way to deal with the quality of life issues which result from a major and ongoing cruising problem. To help limit the inconvenience to the residents, stickers were issued through City Hall to identify to law enforcement those citizens who lived in the area. These stickers would then be placed on the windshields of their vehicles. Often in this particular city the cruising problem was precipitated by events which were scheduled at either the local park located in a neighboring city or a small sports area which was located in the city itself. Though the city did not have control over the events held in the park with appropriate and advanced warning those events which were deemed problematic would prompt law enforcement to limit access into the city to residents only turning all others away. Only those events which were determined not to have a major following of those likely to cruise were allowed in the sports arena on the three most popular nights for cruising. All cruising operations require flexibility to adjust to the changing parameters of the problem. When a hot spot is seen, flooding the area with law enforcement or redirecting traffic so as to minimize its' impact is necessary to the overall success of the operation. Cooperation among law enforcement agencies is also extremely important. Realizing often when traffic is redirected the problem is just shifted from your jurisdiction to another. It has been our experience that a city experiencing a cruising problem can solve the problem but it takes

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time, money and a concerted effort by many. The city contracts for officers to patrol the main street, where cruising has been a problem in past years. This is done generally on weekends and holidays. A fund is set aside and the station schedules when the patrols will be deployed. The number of officers involved and amount of time they spend is variable, depending on activity. Strict enforcement of applicable laws has had a significant effect in reducing what used to be a major problem.

- *Miami-Dade PD*
 - Our department does not, however the City of Miami Beach has implemented policies during peak and holiday times.
- *Memphis PD*
 - During peak crowd hours in and surrounding our Entertainment District, certain streets are closed and blocked off for pedestrian traffic only. Officers are also encouraged to enforce the "No Cruising Ordinance".
- *Metropolitan Nashville PD*
 - (Ord. BL 2002-1127 § 1 (part), 2002) 12.69.020 Definitions. For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section: "Congested traffic" means traffic on any public street which is delayed to the point that motor vehicles back up in any direction for more than one block restricting vehicular movement on any public streets, where the delay in forward movement is due to the position of other motor vehicles; or motor vehicles cannot readily move forward on portions of the public street between intersections with other public streets because the average traffic speed has dropped to less than five miles per hour, where the delay in forward movement is due to the position of other motor vehicles. "Designated street" means any public street or roadway designated a "no cruising area" pursuant to this chapter. Any street or roadway so designated shall be clearly marked with signs advising the public that the street or roadway is subject to such regulation. "Cruising" means the unnecessary repetitive driving of a motor vehicle on a designated street or roadway past the same traffic control point two or more times in any three hour period during the restricted hours, upon a designated street with posted signs informing the public that the street is subject to regulation under this ordinance and that said regulation is in effect. "Traffic control point" means a clearly identified reference point on a designated street, as determined and marked by an official traffic control device posted at the direction

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of the metropolitan traffic and parking commission. "Restricted hours" means the days and times that cruising is prohibited, specifically between the hours of 9:00 p.m. until 3:00 a.m. each day of the week. "Restricted area" means those streets or roadways designated by the traffic and parking commission as a "no cruising area" and that are within that area of the metropolitan government bounded on the north by Charlotte Avenue, on the south by Franklin Street, on the west by Eighth Avenue, and on the east by the Cumberland River.

- (Ord. BL 2002-1127 § 1 (part), 2002) 12.69.030 Cruising prohibited. No person shall engage in unnecessary repetitive driving, also known as "cruising" as defined herein, while operating a motor vehicle, and no owner of a motor vehicle shall permit another to engage in cruising while operating a motor vehicle under his or her care, custody and control, after notice as described in Section 12.69.040.
- (Ord. BL 2002-1127 § 1 (part), 2002) 12.69.040 Notice. Upon observation that a motor vehicle has been operated on a designated and posted street or roadway past the same traffic control point two or more times during the restricted hours, the vehicle shall be stopped after the second or subsequent observation for the purpose of giving notice to the operator and to each passenger in the vehicle. The notice, which may be verbal or in writing, shall inform the operator and passengers that this chapter is in effect, and that subsequent operation of the vehicle past any traffic control point during the restricted hours after the initial observation of the vehicle shall constitute a violation of this chapter. The notice shall include a brief and general description of the designated streets or the area containing the designated streets and a description of the penalty which may be imposed upon conviction.
- (Ord. BL 2002-1127 § 1 (part), 2002) 12.69.050 Enforcement. The operation of a motor vehicle past the same traffic control point where a posted official traffic control device prohibits cruising, after issuance of the notice described herein, constitutes a violation of Section 12.69.030. A uniform traffic citation for violation of Section 12.69.030, shall be issued to the actual operator of the motor vehicle at the time the offense occurs. It shall be immaterial whether the operator at the time the offense occurs actually operated the motor vehicle each time it passed the traffic control point.
- (Ord. BL 2002-1127 § 1 (part), 2002) 12.69.060 Exceptions. This chapter shall not apply to: A. An official public safety or emergency vehicle; B. A licensed public transportation vehicle; C. A vehicle being used for business purposes; D. Any special event as declared by the

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mayor's office of film and special events; E. Residents living within the designated "no cruising area".

- (Ord. BL 2002-1127 § 1 (part), 2002) 12.69.070 Penalties. Any person violating the provisions of this chapter shall be subject to a fine of fifty dollars per citation issued.
- *Milwaukee PD*
 - As described earlier.
- *Oakland PD*
 - We have been dealing with this problem for a number of years. Many of our strategies are mentioned above. In addition to those, we have a pretty aggressive tow policy that allows us to impound vehicles for vehicle code sections that don't typically result in a tow. Those include: driving left of center, unlawful riding; unlawful operation after citation; driving on the sidewalk; AND LOUD MUSIC audible 50' from the vehicle. Most of the towing and citation activity is done in advance of anticipated problems. This puts us in more of a prevention mode as opposed to reaction. We have also partnered with allied agencies such as our local Sheriff and the Highway Patrol who have assisted us in addressing some of the more significant problems.
- *Oklahoma City PD*
 - We have cruising issues in several areas of town and they are all addressed in a similar manner. We have recently enhanced our trespassing ordinance to give officers permission to enforce it after hours when the business is properly posted. Additionally, we use overtime officers to police areas where we have cruising problems. Combinations of traffic control devices are utilized to direct and restrict traffic in areas of cruising.
- *Salt Lake City PD*
 - 12.12.090 Cruising:
 - B. Definitions: 1. "Cruising" means the driving of a motor vehicle more than two (2) times between the hours of eleven o'clock (11:00) P.M. and four o'clock (4:00) A.M., in a particular direction, past a traffic-control point. 2. "Mobile traffic-control point" means at any point or points within the traffic congested area established by the Police Department for the purpose of monitoring violations of law. 3. "Traffic

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congestion area" shall mean any area designated and posted as a no-cruising area in Schedule 5, set out in Chapter 12.104 of this Title, or any area designated and posted as a temporary no-cruising area.

- C. Cruising Action Prohibited: No person shall drive or permit a motor vehicle under his/her care, custody, or control to be driven in an area posted as a traffic congested area past a traffic-control point in a particular direction more than two (2) times between the hours of eleven o'clock (11:00) P.M. and four o'clock (4:00) A.M.
 - D. Exemptions: This Chapter shall not apply to: 1. Any publicly owned vehicle of any City, County, political subdivision, State, or Federal agency while in the performance of public duties. 2. Any vehicle licensed for public transportation, including, but not limited to, buses and taxicabs. 3. Any in-service emergency vehicle. 4. Any vehicle being driven by a resident of the traffic congestion area, or any vehicle being driven within the traffic congestion area for necessary commercial or medical reasons.
 - E. Warning Signs Required: 1. Every no-cruising area shall be posted with sufficient signs to provide notice of the prohibition. 2. Signs shall be of such size and shape, as the Transportation Engineer shall deem appropriate in carrying out the Transportation Engineer's duties as set forth in Sections 12.08.080 and 12.08.090 of this Title.
 - F. Temporary No-Cruising Zones And Traffic-Control Points: Mobile traffic-control point or points may be established by an officer of the rank of sergeant or higher, creating a written plan describing: 1) the location of the traffic-control point; 2) the date, time and location of the traffic-control point; 3) any instructions given to the enforcement officers concerning the traffic-control point; 4) a brief statement outlining the problem(s) which resulted in the choosing of the date, time and location of the temporary traffic congestion area; and 5) the location of the warning signs. (Ord. 22-00 § 1, 2000: Ord. 40-99 §§ 1, 2, 1999)
- *Seattle PD*
 - What has been used in the past along an area of beach strip/access/residential in West Seattle (Alki Beach) is monitoring and enforcing Seattle Municipal Code 11.69.010-030 (Google search

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Seattle Municipal code for the language). The local Precinct and Traffic Section have assisted with the effort.

- Downtown does have some cruising issues after the closure of some nightclubs in the 0130-0200 hr. range, but the cruising ordinance has not been enforced in the area to my knowledge.
- *Virginia Beach PD*
 - It is illegal to cruise the Oceanfront. Atlantic Avenue at the Oceanfront also has designated trolley lanes next to the sidewalks. This means that the traffic lanes are located away from the pedestrians. While unintended, this traffic pattern has had an unanticipated benefit of discouraging cruising by having a distance barrier between drivers and pedestrians. The result has been to abate the cruising problem. Should traffic become too heavy then supervisors have the authority to close Atlantic Avenue in the interests of public safety until the problem abates.