



## AGENDA ITEM SUMMARY

### District Impacted

- ☐ 1 = Haberstroh
- ☐ 2 = Woolard
- ☐ 3 = Boyd
- ☐ 4 = Cisneros
- ☐ 5 = Bergmann
- ☒ All

### DESCRIPTION:

CONSIDER ON SECOND READING ORDINANCE NO. 2015-34; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, BY AMENDING CHAPTER 15, ARTICLE IV, YOUTH CURFEW; BY REPLACING SECTIONS 15.86 THRU 15.90; PROVIDING FOR DEFINITIONS; ESTABLISHING DEFENSES TO PROSECUTION; ESTABLISHING AN ENFORCEMENT PROCEDURE; PROVIDING FOR A MAXIMUM PENALTY OF \$500.00 FOR VIOLATION OF THIS ORDINANCE.

### STAFF'S RECOMMENDED ACTION (be specific)

Approve On Second Reading Ordinance No. 2015-34; An Ordinance Amending The Code Of Ordinances, City Of Boerne, Texas, By Amending Chapter 15, Article Iv, Youth Curfew; By Replacing Sections 15.86 Thru 15.90; Providing For Definitions; Establishing Defenses To Prosecution; Establishing An Enforcement Procedure; Providing For A Maximum Penalty Of \$500.00 For Violation Of This Ordinance.

### SUMMARY

The state law requires us to review and take action on our curfew ordinance every 3 years. If we deem the ordinance to be effective in dealing with juvenile crime, either as a suspect or a victim, we should continue the curfew ordinance. If we have determined the ordinance is not effective, we should rescind the ordinance.

The juvenile referrals have remained steady over the past 5 years; however, the curfew violations within the City of Boerne have declined. It is difficult to measure the effectiveness of the ordinance when it deals with crime prevention amongst our youth. After 25 years as a police officer with the City of Boerne I have seen juvenile crime remain constant and I believe the curfew ordinance needs to remain in place to achieve a proactive approach. It is my opinion that the curfew ordinance is a proactive approach in dealing with juveniles.

Over the past 5 years juvenile referrals have averaged 55 annually. This past year our referrals were 64. Within the past 5 years the average is 5 curfew violations annually.

A referral is criminal incident report that is forwarded to the juvenile probation department for dispositional purposes

	<p>involving juveniles. In the adult system this would be compared to sending crime incident reports for prosecution purposes to either the county or district attorney. Ultimately, if the crime incident report is forwarded to a prosecutor it is their decision to determine if charges are to be brought against someone for a criminal violation.</p> <p>There are no significant changes to the ordinance from the previous years other than some minor grammatical changes. The City Attorney reviewed and approved the changes.</p>
<b>COST</b>	
<b>SOURCE OF FUNDS</b>	
<b>ADDITIONAL INFORMATION</b>	

This summary is not meant to be all inclusive. Supporting documentation is attached.