



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



540.07 TRUANCY & CURFEW VIOLATIONS 03-19-2026

PURPOSE

The purpose of this order is to establish procedures for Sacramento Police Department (SPD) officers to follow when dealing with truants or curfew violators.

POLICY

It shall be the policy of the SPD that truants and curfew violators are handled in a positive and efficient manner in accordance with General Order 540.05 (Arresting/Booking/Releasing Juveniles).

PROCEDURE

A. DEFINITIONS

1. **COMPULSORY EDUCATION** - Each person between the ages of 6 and 18 years not exempted under the provisions of this chapter or Chapter 3 (commencing with Section 48400) is subject to compulsory full-time education. Each person subject to compulsory full-time education and each person subject to compulsory continuation education not exempted under the provisions of Chapter 3 (commencing with Section 48400) shall attend the public full-time day school or continuation school or classes and for the full time designated as the length of the school day by the governing board of the school district in which the residency of either the parent or legal guardian is located and each parent, guardian, or other person having control or charge of the pupil shall send the pupil to the public full-time day school or continuation school or classes and for the full time designated as the length of the school day by the governing board of the school district in which the residence of either the parent or legal guardian is located. (California Education Code [EDC] § 48200)
2. **CURFEW VIOLATION** – When any minor under the age of 18 remains in a public place or on the premises of any establishment between 2200 hours and 0600 hours.
3. **TRUANT** – A pupil, subject to compulsory full-time education or to compulsory continuation education, who is absent from school without a valid excuse three full days in one school year; or who is tardy or absent for more than a 30-minute period during the school day without a valid excuse on three occasions in one school year; or any combination thereof (California Education Code [EDC] § 48260). Valid excuses for absences are defined in EDC §§ 48260(c), 48205, and 48225.5.

B. TRUANCY

1. Officers observing a school age student not in school during regular school hours may contact the student and contact the student's school administration office to determine if authorization for the absence has been granted (e.g., school pass, work, etc.).
2. EDC § 48264 provides peace officers with the authority to arrest or assume temporary custody of any minor who is subject to compulsory full-time education or to compulsory continuation education, found away from their home and absent from school, during school hours, without a valid excuse.
3. EDC § 48265 requires officers who arrest or assume custody of a minor in accordance with EDC § 48264 to deliver the minor to a parent, guardian, or other person having control or charge of the minor, or to the school from which they are absent. If officers are unable to determine which school the student attends, they shall contact the student's parent or guardian. Officers shall transport the student home or to a police facility to be released to a parent or guardian, or responsible adult designated by the parent or guardian.
4. If an officer cannot find alternative placement for a student, the student shall be transported to the Children's Receiving Home.
5. Officers should be familiar with normal school hours in their district, including but not limited to:
 - a. Class hours.
 - b. Split sessions.
 - c. Lunch breaks.
 - d. Traditional and year-round school schedules.



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6. If an SPD School Resource Officer (SRO) is assigned to the school from which a truant is absent, the officers shall notify the SRO of the contact.
- C. CURFEW VIOLATIONS (SACRAMENTO CITY CODE § 9.40.020)
1. Officers may use their discretion in issuing citations for violations of Sacramento City Code (SCC) § 9.40.020.
 2. Parents or guardians who permit minors to violate SCC § 9.40.020 are in violation of Penal Code § 272 PC.
 3. A minor is not in violation of SCC § 9.40.020 if the minor is:
 - a. Accompanied by a parent or guardian.
 - b. On an errand at the direction of their parent or guardian.
 - c. In a motor vehicle traveling on the road.
 - d. Engaged in an employment activity, including traveling to or returning home from work without any detour or stop.
 - e. Involved in an emergency.
 - f. On the sidewalk bordering their residence or bordering the residence of a next-door neighbor (provided the neighbor did not complain to the SPD regarding the minor's presence).
 - g. Attending, or returning from an official school function, religious function, organized dance, sporting event, or other recreational or cultural activity supervised by adults and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor.
 - h. Exercising their First Amendment rights as protected by the United States or California Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly.
 - i. Emancipated pursuant to law.
 4. An incident report or street check shall be completed when any minor is taken into custody for a violation of SCC § 9.40.020.
 5. Minors taken into custody for SCC § 9.40.020 may be:
 - a. Held at a location determined by the officer pending prompt parental pickup (within and no more than 45 minutes).
 - b. May be transported to a police facility where a parent or guardian, or responsible adult designated by the parent or guardian, can pick them up promptly.
 6. Minors not picked up promptly, in accordance with this order, shall be transported home, and released to a parent, guardian, or an adult having care and custody of the minor.
 7. When large numbers of curfew violators are detained, minors shall be held at a location determined by the officer or transported to a police facility. Consideration may be given to using mass transportation to the police facility.
 8. When transporting violators, officers shall:
 - a. Separate adults and minors in accordance with General Order 523.02 (Prisoner Security).
 - b. Separate persons by gender in accordance with General Order 212.01 (Interactions with Transgender and Gender Diverse People).