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Security

INSTALLATION CURFEW

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OPR: 90 SFS/SFOSP (TSgt William E. Pacheco) Certified by: 90 SFG/CC (Col Michael H. Witt)

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This instruction establishes an installation curfew for 90th Space Wing, Francis E. Warren Air Force Base (FEW), for family members 17 years old and younger. Maintain and dispose of records created as a result of prescribed processes in accordance with AFMAN 37-139, *Records Disposition Schedule* (will become AFMAN 33-322 Vol. 4). Comply with AFI 33-332, *Privacy Act*, for documents containing Privacy Act Information. For Official Use Only information comply with DoDR 5400.7., *DOD Freedom of Information Act Program*, Air Force Supplement, AFSPC Supplement, Chap 4.

SUMMARY OF REVISIONS

Changed Installation Juvenile Board to Juvenile Advisory Council (JAC) (para. **9.1**). Added holiday mornings to paragraph **7.2**.

A bar (|) indicates changes from the previous edition.

1. General. This instruction is implemented to provide a strong and legitimate interest in the welfare and safety of our young citizens. This program protects both the installation and the juveniles from victimization and serves as a constructive intervention against developing patterns of delinquency.

2. Definitions:

2.1. **Emergency.** An emergency is an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident or any situation requiring immediate action to prevent serious bodily injury or loss of life.

2.2. **Parent.** A parent is either:

2.2.1. A natural parent, adoptive parent or stepparent of another person.

2.2.2. An individual at least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor (loco parentis).

2.3. Guardian. A guardian is:

2.3.1. Any person who, under court order, is the guardian of a minor.

2.3.2. Any public or private agency with whom a minor has been placed by a court.

2.4. Minor. A minor is any person under 18 years of age. However, if such person is serving on active duty in a military service of the United States, he or she will not be considered a minor for purposes of this instruction.

2.5. Family member. For purposes of this instruction, the term "family member" includes other persons, whether or not related to the military member, who may be residing with or visiting with a military member or his or her family members.

2.6. Remain: (a) To linger or stay at any public place, or the premises of any establishment, on FEW during curfew hours, unless otherwise accepted in this instruction. (b) Not leaving any public place, or the premises of any establishment, on FEW when requested to do so during curfew hours by a law enforcement officer, operator or other person in control of the premises.

2.7. Serious Bodily Injury. A bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

3. Offenses:

3.1. Minor. A minor commits an offense, if unaccompanied by a guardian or parent, by remaining in any public place or on the premises of any establishment within the confines of FEW during curfew hours.

3.2. Parent and/or Guardian. A parent or guardian of a minor commits an offense when they knowingly allow a minor to remain in any public place or on the premises of any establishment within the confines of FEW during curfew hours.

3.3. Other Personnel. A law enforcement officer, operator, or other person in control of a public area, or the premises of an establishment, on FEW, commits an offense by knowingly allowing a minor to remain at said premises or public place during curfew hours.

4. Exceptions. An offense, as described in paragraph 3., has not been committed if the minor was:

4.1. Supervised. Accompanied by the minor's parent or guardian.

4.2. Errand. On an errand at the direction of the minor's parent or guardian, without any detour or stop.

4.3. Employment Related. Engaged in employment activity, or travel to or from home without detour or stop, required for employment activity.

4.4. Emergency. Involved in an emergency.

4.5. Adjacent to Residence. On the sidewalk abutting the minor's residence or abutting the residence of a neighbor directly next door who did not complain about the minor's presence.

4.6. Attending Official Functions. Attending an official school, religious or other recreational activity supervised by adults and sponsored by the city of Cheyenne, a civic organization or another similar entity that takes responsibility for the minor, or going to or returning from, without detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the city of Cheyenne, a civic organization, or another similar entity that takes responsibility for the minor.

4.7. Other. Married or had disabilities of minority removed in accordance with the law. (The term "disabilities of minority" refers to the legal process whereby a minor is designated an adult by the court system).

5. Enforcement:

5.1. Identification of Violation/Violator. Before taking any enforcement action, security forces (SF) personnel shall ask the apparent offender's age and reason for being in the public place.

5.2. Enforcement Actions. A SF member shall not issue a citation or make an arrest in accordance with this instruction unless they reasonably believe that an offense has occurred and that, based on the circumstances, no exceptions in paragraphs 4.1. through 4.7. are present.

6. Responsibility:

6.1. Commanders. Commanders must ensure their personnel are aware of the requirements of this instruction.

6.2. Military Personnel. Service members (sponsors) must ensure their family members are made aware of and comply with this instruction.

7. Curfew Hours. Unless otherwise excepted under this instruction, family members 17 years of age and younger may not be in a public place, or on the premises of any establishment, on FEW during:

7.1. Sunday through Thursday. Curfew will begin at 2300 (11:00 p.m.) on Sunday, Monday, Tuesday, Wednesday and Thursday and last until 0600 (6:00 a.m.) on the following day.

7.2. Friday, Saturday and Holidays. Curfew will begin at 0100 (1:00 a.m.) and end at 0600 (6:00 a.m.) on Saturday, Sunday and holiday mornings.

8. Exemptions. Family members 17 years of age and younger will be allowed in public places or on the premises of establishments on FEW after curfew hours under the following conditions:

8.1. In the company of/or under the control of a legal parent/guardian.

8.2. Returning from/going to a place of gainful employment.

8.3. Within one hour after the termination of sanctioned school functions.

8.4. Bonafide travel between quarters on/off base as long as legal parent/guardian has knowledge thereof.

9. Violations:

9.1. Juvenile Advisory Council (JAC). The JAC will handle each violation of this instruction. A person violating this instruction is guilty of a separate offense each time the violation is committed, continued or permitted.

9.2. SF Documentation. Violations of this instruction, brought to the attention of or detected by security forces will be recorded in the police blotter, annotated on a AF Form 3545, *Incident Report*, and forwarded to the JAC and the sponsor's commander for action.

EVAN J. HOAPILI, Colonel, USAF
Commander, 90th Space Wing