

Direct Line:

September 3, 2020

Re: Curfew Violation Citation

Dear [INSERT NAME]:

On May 31, 2020, the City Council for City of San Jose enacted a citywide emergency curfew order. The curfew lasted from May 31st to June 4, 2020, and the curfew each night was from 8:30 p.m. to 5:00 a.m. the next morning. The San Jose Police Department enforced the curfew by issuing citations to individuals failing to follow the curfew pursuant to San Jose Municipal Code section 8.08.260(B), which reads as follows:

“It shall be a violation of this Code for any person, during an emergency, to do any act forbidden by any lawful rule or regulation issued pursuant to this chapter if such act is to give or be likely to give assistance to the enemy or to imperil the lives or property of inhabitants of this city, or to prevent, hinder or delay the defense or protection thereof.”

On May 31, 2020, you were issued a citation for violating San Jose’s emergency curfew order, pursuant to San Jose Municipal Code section 8.08.260(B). The San Jose City Attorney’s Office has made a determination not to pursue charges against you for that citation. Consequently, you are not required to appear in court on the date listed on your citation.

If you have any questions, please call our office at (408) 535-1900 and leave a message.

Very truly yours,

NORA FRIMANN, Acting City Attorney

By: _____

ANDREW MALEK, Associate Deputy City Attorney