

Business Publications

Topic: RSS Feed

Youth curfews gain support

Topeka Capital-Journal, The , Oct 4, 1999 by Mike Hall
Capital-Journal

- Email
- Print

Curfews

By MIKE HALL

The Capital-Journal

There is very little about youth curfews that everyone can agree on except that they are controversial.

But there is evidence they are becoming more common in cities all over the United States as governmental officials grapple to curb a rising tide of youth violence

A compilation by the League of Kansas Municipalities in July 1996 showed 94 cities in Kansas had curfews. A file in the league office in Topeka shows the number has grown each time the league has done a survey. The file also contained copies of ordinances from more cities that are thinking about adopting them.

Related Results

- Cloud Computing Also Hit by IT-Spending Cutbacks
- Short Term Energy Monitoring: A Road To Long Term Energy Savings?
- NCS-Omnicare: The New Landscape For M&A
- Ohio's Health House Provides Asthma-Free Indoor Living
- Agistix's On-Demand Solution Gives Maxim Centralized Logistics Control

A national survey done in the spring of 1995 showed 146 of the 200 largest cities in the country had curfew laws, according to an article in Public Management magazine. It was estimated then that 1,000 communities had adopted or revised curfew laws in the preceding five years.

The article, written by Anthony Crowell, a municipal law and policy analyst for the International City Management Association in Washington, D C , said, "Curfews are being cited as one of the fastest growing areas of law enforcement."

But there is disagreement over their constitutionality and how much good they do. Crowell cited a number of cities that showed decreases in juvenile crime rates after enactment of curfew

laws

San Antonio reported a 60 percent decrease. Other places, such as Cincinnati and San Jose, Calif., reported more modest improvements in the range of 13 percent to 18 percent.

On the other hand, the Justice Policy Institute of San Francisco did a study of curfew arrest rates and youth crime rates in California for the years 1978 through 1996. The study's conclusion: "Youth curfews don't reduce the rate of youth crime --- not for any race of youth, not for any region, not for any type of crime."

But some in Topeka will argue at least two, if not all three, of the recent shooting incidents involving teenagers here might have been prevented by a curfew, depending on how such a curfew law was written.

Angela Quintero, 15, was shot to death at 2 a.m. on May 15. Dion Ross Griffin was shot to death at his 17th birthday party at 12:25 a.m. on Sept. 12. At 1:15 a.m. on Sept. 26, a 15-year-old girl was shot and wounded in a parking lot outside a dance club.

A collection of curfew ordinances from cities all over Kansas, kept on file at the League of Kansas Municipalities office, shows a variety of details. Some set a single age range, typically covering young people up to either age 16 or 18. Some set a variety of curfew times, often 11 p.m. weekdays and midnight or 1 a.m. on weekends. Some have complex curfew times involving different times for different age groups on different nights of the week.

The idea of a youth curfew last was considered in Topeka in May 1996. The idea was proposed by Topeka City Council members Velerie Duette and Jim Kelley, neither of whom is on the council now.

After the curfew was defeated on a 5-4 vote by the council, public meetings by supporters of the curfew continued for a while, and Duette was quoted as saying she thought there might be a chance to get a council member to switch votes to provide the necessary five votes to approve it.

Then, discussion of the topic ceased.

"The public wanted it, but the fifth vote wasn't there," she recalled last week.

But not everyone agreed with Duette that the public wanted it. Council members who voted against it said they hadn't heard any great outcry from constituents in their districts urging them to vote for a curfew.

Duette also recalled a letter sent to council members from 15 family practice and emergency room physicians supporting the ordinance. The doctors said they were tired of treating young victims of late-night violence in Topeka.

"The doctors were behind it. They were the ones who see them," she said.

The Duette/Kelley ordinance was based on one in use in Denver. Duette, along with Lt. Chuck Chiles of the Topeka Police Department and Deputy City Attorney Beth Schafer, traveled to

Denver to see how the system worked there

The Denver system involved a special youth court and counseling for those picked up after curfew. The young people were picked up by special "curfew cars" operated by off-duty police officers. Most were paid, but some were volunteers

When an on-duty officer picked up a curfew violator, a curfew car was summoned to pick up the young person, freeing the on-duty officer to get back to street duty quickly.

Some of the resistance to the idea in Topeka was over the cost of setting up such a system. Kelley, a fiscally conservative member of the council, argued at the time that if a curfew worked to lessen youth crime and violence, it would be worth the money.

"I would much rather put money into youth services in this manner than by going out and picking up the pieces," he said.

Actually, a place to detain and evaluate curfew violators already is in place. Diane Bernheimer, intake and community outreach coordinator for the Juvenile Intake and Assessment Center, said a 24-hour operation is set up to deal with such young people. In fact, should police bring in young people for violating curfew, a state law mandates the assessment procedure.

- 1
- 2
- 3

TARGETING JUVENILES

Youths aren't the only ones opposing curfews

By SARAH VIREN Copyright 2007 Houston Chronicle

Sept 16, 2007 5:22PM



JOHNNY HANSON FOR THE CHRONICLE

HPD senior gang investigator Mike Flores talks to Madison High School student Walter Saguino on Friday. Because of his age, Saguino, 17, couldn't be ticketed for breaking Houston's daytime curfew law. He was given a ticket for driving without a license, though.

More than an hour after the first bell Friday morning, Mike Flores spotted a teenager climbing from his car and heading to class at Madison High School.

"Where you going, man?" hollered Flores, an officer with the Houston Police Department's Southwest Patrol. "You know you're in violation of

the curfew. You got to be here on time."

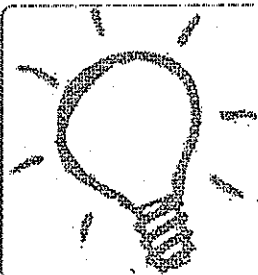
He was talking about the daytime curfew law, a Houston city regulation that, in essence, lets police stop any youngster on the street during a school day and ask: "What's up?"

Law enforcement and schools tend to like the law, which they believe cuts down on burglaries and petty crime, reduces truancy and helps protect teens from becoming victims themselves. But home-school and civil liberties groups have consistently lobbied against curfews, and some experts say there is no definitive proof they work. Last week, Harris County commissioners rejected a request from prosecutors to extend daytime curfews to unincorporated areas; County Judge Ed Emmett called the measure too intrusive.

In Houston, where being young and on the streets during school hours has long been a ticketable offense, curfews soldier on, reviewed and re-approved every three years. Police officers from certain neighborhoods say they've recorded drops in some crimes after cracking down on youths playing hooky. But an initial review of the curfew law after its adoption in 1991 showed that daytime crimes by juveniles actually increased after school-hour curfews took effect.

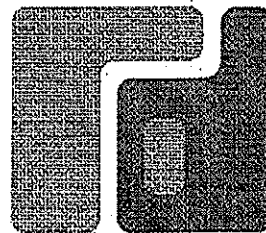
And, in what critics call a common problem with these laws, Houston's curfew appears to be enforced more frequently in certain areas of town — particularly the southwest side — meaning some youths may be more likely to be ticketed.

Advertisement



A bright idea in online advertising.

PrinterStitch[®] ads by Format Dynamics



FormatDynamics[®]

Print Powered By  FormatDynamics[®]



"(Police) tend to target a specific area because of crime and they go into that area to go after curfew violations," said Ken Adams, a professor of health and public affairs at the University of Central Florida, who has studied curfew laws.

In his 2003 review of major research on the issue, Adams found that curfews overall — both night and daytime — haven't been shown to reduce crime. And, in at least one study he reviewed, from Cincinnati, truancy actually went up, rather than down, when a daytime curfew took effect.

Texas law requires students younger than 18, with a few exceptions, to be in school. But enforcement is traditionally left to school districts, which hire truancy officers to track unexcused absences before taking a child to court. Curfew laws, however, get the police involved, allowing them to slap a misdemeanor charge on nearly any student caught on the street, without an excuse, during daytime hours.

Youths, parents dispute law

In 2006, Houston police issued more than 3,100 such tickets. They've written nearly 2,000 so far this year.

One of those was for Rigoberto Flores, 14, who got a ticket in May after stopping at Jack in the Box for breakfast before class at an alternative school on the city's southwest side. As Flores walked up to campus, he said he saw several police officers outside ticketing tardy students.

"They were issuing tickets to everybody," he said, after appearing in Municipal Court this week in a clean white shirt and pressed khakis. Judge David Fraga, who handles nearly all curfew tickets, allowed him to attend a class on the dangers of skipping school in lieu of paying the curfew fine, which can range from \$180 to \$225.

Most youths filing into that court last week said they found the laws unfair, and some parents complained about tickets handed out so close to campuses. But police working the streets call them a godsend.

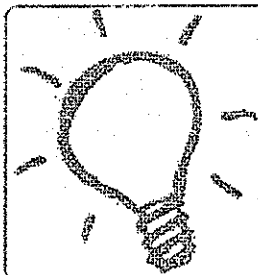
Last school year, after seeing a rise in burglaries and after the fatal drive-by shooting of a student just outside Westbury High School's fenced campus, the city's Southwest Patrol formed a unit dedicated to those cutting class, said Lt. Larry Crowson.

After the first 75 days of ticketing skippers, violent crimes and burglaries in the Westbury neighborhood declined about 16 percent from the previous 75-day period, said Crowson, who acknowledged limitations to the analysis, which didn't compare the same times of the year.

On the prowl

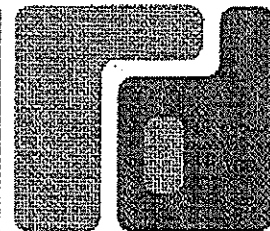
The program worked well enough, though, that it is continuing this year, with at least four officers on the streets each day ticketing those who skip. That was Flores' job on Friday when he circled each of this district's larger schools, looking for students sneaking off campus or arriving late to class. The boy he spotted outside Madison High

Advertisement



A bright idea in online advertising

PrinterStitial® ads by Format Dynamics.



FormatDynamics®

Print Powered By  FormatDynamics®



School was 17 — too old for a curfew ticket — but Flores gave him one for driving without a license instead

At the Eastside police station, near Chavez and Milby high schools, two officers are similarly dedicated to catching truants. These sections of town are apparent hot spots for daytime curfew citations. Although any officer can issue a ticket for skipping school, tickets seem to come predominantly from these areas, according to a Houston Chronicle analysis of citations from 2006 to date

Minorities often ticketed

Uneven enforcement is a big rallying cry for critics of curfew laws.

"What we've seen in most, if not all, cities that have curfew laws is that police will enforce the curfew in minority and poor neighborhoods," said Alex Koroknay-Palicz, executive director for the National Youth Rights Association, which fights curfews.

In Houston, more tickets are issued to blacks and Hispanics, but minorities are also an overwhelming majority on Houston Independent School District campuses. Last year, more than half of all curfew tickets went to blacks, who make up about 30 percent of HISD students; 36 percent went to Hispanics, who comprise 58 percent of HISD, and Anglos, who comprise nearly 9 percent of the district's students, were ticketed 6 percent of the time, according to state and police data.

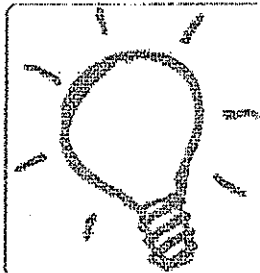
Still, Bellaire Assistant Police Chief Byron Holloway said uneven enforcement is one reason he's hesitant about curfew laws. His tiny city, tucked within the Houston metropolis, has no juvenile curfew restrictions. That means Bellaire High School students may freely walk the streets during the school day, although schools could still get them for truancy.

"This is the deal with curfew laws: They can be subject to selective enforcement," he said, "because you seldom have the resources to equally enforce it."

Chronicle reporters Chase Davis and Jared Novack contributed to this report.

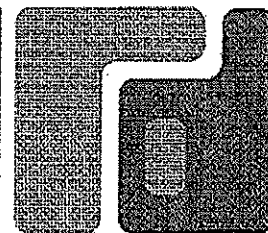
sarah.viren@chron.com

Advertisement



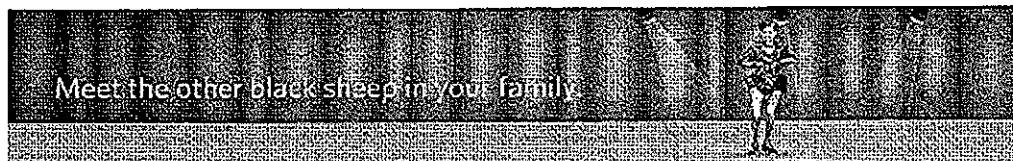
A bright idea in online advertising.

PrinterStitch[®] ads by Format Dynamics



FormatDynamics[®]

Print Powered By  FormatDynamics[®]

Ancestry.com
discover >**Los Angeles Times | California | Local**[Return to your last page](#)

Archive for Thursday, August 18, 2005

Violence Sparks Creative Thinking on Curfew

By Laurie Kaye

August 18, 2005 in print edition B-2

After 19 shootings in one week, Long Beach officials put some bite into their curfew law by opening up a center last month to detain youths found by police in public places between 10 p.m. and 6 a.m.

Since July 25, instead of being taken to the police station downtown, minors loitering on the streets have been placed by police into patrol cars or a van driven by two officers designated for picking up curfew violators. Each youth is given a citation and driven to a community recreation center in Silverado Park to wait in a classroom-like setting for a parent or guardian.

In the first week, 124 youths were taken to the center. About 85% were male, and most were ages 13 to 15, said Det. Stephen Stough of the Long Beach Police Department's Youth Services Division. He has volunteered to work overtime at the center.

"We had an extremely violent week.

"We need to think about getting kids off of the street," Johnson said.

In response, the city started a task force, assigning two officers to work overtime driving the van and three to staff the center. Most officers are drawn from youth detective services, Johnson said.

So far, Long Beach police say parents have been supportive of the curfew law. According to Stough, about 75% of the time parents are happy to see that their children are safe and off the streets, especially in light of the recent shootings.

But there are critics.

The American Civil Liberties Union has long argued that youth curfews violate the constitutional right to free movement and criminalize everyday and non-intrusive activities like standing on the street or walking the dog, unnecessarily turning law-abiding youths into criminals at 10 p.m.

"Curfews violate rights of young people who are citizens of this country," said Alex Koroknay-Palicz, executive director of the National Youth Rights Assn., a Maryland-based nonprofit organization. He says that curfews stereotype youth and that there is no conclusive evidence that curfews reduce crime rates.

In Long Beach, however, the early signs are good: Gang enforcement Lt. Gary Morrison says that shootings have dropped about 60% since the curfew center opened and that last week there were only five. He believes that increased enforcement efforts – along with the curfew crackdown – have led to the decrease.

"Curfew enforcement was part of the puzzle," Morrison said

Under the city's decade-old curfew law, police typically issue about 1,000 citations a year, Johnson said. In July, 300 citations were handed out, which he said was higher than usual, although the numbers always rise a bit when schools are out.

The city considered creating the shelter 10 years ago but didn't have enough officers to staff it, Johnson said. He said he was finally able to get money to open the facility by using the political pressure the shootings engendered and working in conjunction with the community center to cut costs.

The curfew center allows police to increase their efforts and keep youths separate from criminal offenders. According to Johnson, police previously faced enforcement challenges, because curfew violators could not be arrested or held behind bars with more serious suspects while waiting for someone to pick them up.

Youths would sometimes have to await parents for hours. Police occasionally were forced to contact the county Department of Children and Family Services to take custody of a minor until parents arrived.

The Police Department is working with crime prevention units, Neighborhood Watch and the city Community Relations Division to get the message out. The city is also posting signs in entertainment districts to notify youths and their parents that the curfew will be enforced.

"We are telling our officers to cite any juveniles that are out during those times" the curfew is in effect, said Officer Greg Schirmer, public information officer for the Police Department. Exceptions are made for minors who are accompanied by a parent, are running an errand under the direction of a parent, are involved in employment activities or emergencies, or are attending official school, religious or other recreational events.

Once a youth is charged, he or she must appear before a judge to determine the penalty, which may include a fine, community service or probation, police said.

Curfew laws have been around for decades and reached their height in the 1990s, according to the youth rights group. Many cities across the Southland have curfew laws.

The ordinances are generally enforced at the discretion of the police officer, and most cities use the laws to deal with minors loitering after dark. Few engage in any type of curfew sweeps.

Many cities focus on entertainment districts on weekend nights. In Lakewood, patrolled by the Los Angeles County Sheriff's Department, officials pay special attention to the mall and movie theaters, using film attendance projections to determine the number of deputies needed to enforce curfew and asking theaters to start shows before 10 p.m., Lakewood Lt. Mark Weldon said.

Minors are usually already subject to curfews by parents and are often aware of city curfews. In Huntington Beach, for example, the curfew is widely known and police issue only about five citations a month, Lt. Craig Junginger said.

Hermosa Beach primarily warns youths and rarely issues citations, police spokesman Paul Wolcott said. Redondo Beach stepped up enforcement a year ago after encountering fights and gang activity at a local mall, City Prosecutor Alan Honeycutt said. In Santa Ana, police strongly enforce curfews along Bristol Street, with its bars and restaurants.

Times staff writer Lomi Kriel in Costa Mesa contributed to this report.

*

(BEGIN TEXT OF INFOBOX)

Limits on youths

washingtonpost.com

D.C. Council Rejects Earlier Youth Curfew

Advertisement

By Ashlee Clark
Washington Post Staff Writer
Friday, June 22, 2007; B04

The D.C. Council yesterday narrowly rejected a plan to establish an earlier curfew for youths over the summer after several council members questioned the necessity of imposing a curfew at all.

The emergency legislation, submitted by council member Tommy Wells (D-Ward 6), would have established a 10 p.m. curfew Monday through Thursday and an 11 p.m. deadline the remaining days.

The youth curfew now in effect is 11 p.m. Sunday through Thursday and midnight Friday and Saturday. In July and August, the curfew is midnight daily. The city's restrictions apply to youths 16 and younger, and the proposal would have expanded the curfew to include 17-year-olds.

Council members voted 7 to 6 in favor of the bill, two votes short of the three-quarters majority required to enact emergency legislation.

Teens and young adults opposed to the curfew filled a few rows in the council's chambers at the John A. Wilson Building during the session. Some wore shirts that read: "Real crime fighting. Not abuse of power."

Council member Yvette M. Alexander (D-Ward 7) acknowledged them but said some young people might need more guidance than those in the audience do to stay out of trouble.

"If you are not of age, you have no business to be out," she said.

Council members said a similar emergency curfew had been necessary last year after a spike in homicides. However, some members said the same urgency doesn't exist this year.

"I want our law-abiding young people to have some freedom in this world," said council member Carol Schwartz (R-At Large).

Wells defended the legislation, citing exceptions that would have allowed young

"I don't think that the government should abdicate the role of protecting the health and safety of children," he said.

"It's meant to preserve the peace, order and quiet of neighborhoods," he said.

"It doesn't actually fix anything, though it feels good," said council member Phil Mendelson (D-At Large). After the meeting, he said he had heard complaints that some children have been harassed by police because of curfews.

"We need to stop targeting those who can't defend themselves," he said.

"Some kids don't listen," he said. "Some need some extra help, but that shouldn't be the government's job." Some audience members agreed.

[View all comments that have been posted about this article.](#)

Post a Comment

Join the discussion. Sponsored by Cisco
welcome to the human network. 

View all comments that have been posted about this article.

Your **washingtonpost.com** User ID **barry** will be displayed with your comment



Story URL: <http://news.medill.northwestern.edu/chicago/news.aspx?id=74927>
Story Retrieval Date: 2/16/2009 12:03:09 PM CST



Expert: Curfew laws don't target peak hours of youth violence

by ANTHONY PURA
Jan 17, 2008

It's 10 o' clock. Do you know where your children are?

That's the question Mayor Daley wants to ask Chicago parents under his recent proposal to move the city's curfew ahead a half-hour to 10 p.m. on weekdays and 11 p.m. on weekends for children under age 17. He hopes earlier curfews will help reduce youth violence.

But curfews for young people are ineffective tools for reducing youth violence, according to Melissa Sickmund, a senior research associate for the National Center for Juvenile Justice.

"We've looked at time-of-day patterns of when kids commit crimes or are victims of crimes," Sickmund said, "and the peak time is not at the late hours. It is right after school. So if you want to have a bigger impact in reducing juvenile violence, perhaps something targeting after-school hours would be more efficient."

Many assume that most violence involving young people is committed by strangers out on the street, said Sickmund. But more typically, she said, attacks involve acquaintances rather than strangers.

And they often occur after school when children are left unsupervised while their parents are at work, said Sickmund. Children may be drinking or using drugs at that time, behaviors that can lead to violence.

Sickmund also pointed out that many young people simply disregard curfew laws.

"The curfew will only make a difference for those kids who are a little bit border-line," she said, "or who are still within the moral framework of the community. The really bad kids aren't going to do this at all."

She says that although many U.S. cities have youth curfews and violent crime has decreased in those cities, she doesn't credit curfews for the decline. The drop in violent crimes is a national phenomenon that could be attributed to a number of factors, she said.

The mayor's proposal must first be approved by the City Council's Committee on Police and Fire before it can be voted upon by the full council. The committee has not yet set a date for the vote.

©2001 - 2009 Medill Reports - Chicago Northwestern University A publication of the Medill School

KCBS

[E-Mail Story](#) [Print Story](#) [Share This](#) Text Size: [A](#) [A](#) [A](#)

Posted: Wednesday, 11 February 2009 8:54AM

Oakland Curfew Proposal Fails



OAKLAND, Calif. (KCBS) -- Plans for a youth curfew in Oakland have been derailed. Among the concerns voiced by those opposed to a curfew, fears over police abuse and racial profiling.

[KCBS' Margie Shafer Reports](#)

The proposed curfew would have kept minors from being out past 10 p.m. on weeknights, in a city that tallied 124 homicides last year.

"I mean this city really does have a problem, and we have to stop making excuses," said Oakland Councilmember Larry Reid.

"It has proven in other cities that a curfew has helped reduce the level of crime, and it does hold parents accountable."

Still, many residents had reservations, like Oaklander Kelly Abraham.

"I feel like it criminalizes youth, but I'm extremely concerned about giving the Oakland Police Department more jurisdiction over young people," said Abraham.

A similar past proposal for a curfew in Oakland by mayor Elihu Harris also failed. Antioch, San Jose and Union City do have youth curfews.

(MGO)

Copyright 2009, KCBS All Rights Reserved

[Print Current Page](#)



Controversy over curfew: Police want safety; teens want freedom

By Kate Larsen
Sunday, April 8, 2007

Cathy Garcia wasn't surprised when the Lafayette police stopped to ask her questions.

After all, the 14-year-old was outside her apartment complex near U.S. 287 after curfew. It was 10:45 p.m. on a recent weeknight — 45 minutes past the city's curfew — and an officer stopped his car to chat, she recalled.

"I was just talking on the phone, right outside my house," said Garcia, a freshman at Centaurus High School. "He made me go inside."

She's one of many teens in Lafayette who support extending the city's youth curfew to 11 p.m. on weeknights and midnight on weekends. The city's Youth Advisory Committee is working on a proposal to push the curfew back, but the idea has yet to go before the City Council for a vote.

Lafayette's curfew is at least one hour earlier than those in Boulder, Louisville and Longmont — places many teens hang out with friends or go for their after-school jobs. The youth curfew in Lafayette is similar to the law in neighboring Erie, but Lafayette police appear to enforce the rule more heavily.

"We've had more of a focus on it lately," said Lafayette police Sgt. Fred Palmer.

The city issued 88 tickets for curfew violations in 2006, compared to four in Boulder, three in Louisville and 11 in Erie. In Lafayette, the typical punishment for a first-time curfew offender is 10 hours of community service.

Megan Buchanan, 16, said she was contacted by Lafayette police while taking out the trash one night in Boulder Ridge, a mobile home park on east South Boulder Road. She did not receive a ticket, but her younger sister has received a few for curfew violations.

Buchanan and Garcia said police are a common sight in their neighborhoods.

"It makes me feel like they're concentrating on us or something, like they have to watch us every minute," Garcia said.

Keeping kids safe

Police say their presence is an important part of keeping neighborhoods safe. The same goes for the city's youth curfew, they say.

"When you have kids out after curfew later at night, oftentimes they're involved in some other criminal activity," said Lafayette police Cmdr Rick Bashor. "Our focus is not on the youth coming and going from work or running an errand for their parents, but more on the kids who are out wandering the streets."

In Boulder, the 11 p.m. youth curfew exempts children and teens exercising their First Amendment right to assemble, express themselves or practice religion.

Ariel Calonne, Boulder's city attorney, said the clause was included because there's an assumption that young people exercising their First Amendment rights don't need to be controlled by the city. The same goes for youths commuting from a job, movie or running an errand for a parent, Calonne said.

"These laws — at least Boulder's — are often based on the idea of protecting young people from crimes against them, rather than the idea that they're going to misbehave," Calonne said.

Preventative policing

The recent grisly murder of Lafayette resident Linda Damm and the events leading up to it display the potential preventative effect of a youth curfew.

Damm's teenage daughter, Tess Damm, has been charged in connection with the murder. According to police reports, Tess' boyfriend, 17-year-old Bryan Grove, admitted he stabbed Linda Damm to death.

In the months leading up to the murder, Tess was contacted by Lafayette police several times. Police spotted her either on the street or in a car with other teens on three separate occasions around 3 and 4 a.m. Those contacts led police to discover a troubled household, but a request for social services to contact the family was lost in the bureaucratic shuffle.

Longmont police Cmdr Craig Earhart said that a youth curfew is an important tool for police that goes beyond simply getting kids off the street and stopping youth crime.

That city's curfew requires anyone under 18 to be home by 11 p.m. Sunday through Thursday and by midnight on Fridays and Saturdays. The department issued 34 curfew tickets in 2005, the highest amount in the county that year.

"It gives us the ability to hold juveniles accountable, and to contact their parents to ensure that proper parenting is going on," Earhart said.

Pushing for change

The Lafayette Youth Advisory Committee, responding to a request from a group of Centaurus High students, is asking the police department and City Council to extend the curfew an extra hour on weeknights and weekends. They'd also like it to apply to kids younger than 16 years old.

Current Lafayette law requires that anyone under 18 years old be home by 10 p.m. Sunday through Thursday and by 11 p.m. Friday and Saturday. Many say that's just too early.

"If you're coming home from the movies or something on the weekend, you're usually breaking curfew," said Julian Trujillo, 16, a member of Centaurus High's public achievement class, which came up with the idea to extend the curfew. The class is a collaboration between Naropa University and Centaurus.

High

"The parents should be the ones making the curfew, not police," Irujillo said.

Like other cities, Lafayette's curfew contains a clause that exempts kids who are heading home from work if they have a note from a supervisor or parent.

Members of the Youth Advisory Committee have a meeting scheduled with Lafayette Police Chief Paul Schultz on April 19 and are hoping the City Council will vote on their request soon.

City Councilwoman Chris Cameron said she's open to hearing what the youth have to say, but is unsure if she would favor a curfew extension.

The anti-curfew camp

While Lafayette teens are pushing for an extension of the curfew, the National Youth Rights Association supports total eradication of the rules.

"We feel that they're authoritarian; having someone arrested just because they're outside their home is inherently wrong," said Scott Davidson, president of the National Youth Rights Association.

The group argues that curfews of any kind are unconstitutional, because the Supreme Court has established that there is no minimum age requirement for constitutional rights.

National Youth Rights Association members successfully overturned the youth curfew in Columbia, Mo., and are now fighting one in Washington, D.C., where the group is based.

Research by the Center on Juvenile and Criminal Justice in San Francisco backs up anti-curfew claims.

Daniel Macallair, executive director of the center, said his major 1998 study on youth curfews has been updated in recent years, and that the conclusions still stand.

"A lot of claims were being made about curfews that didn't appear to be based on anything," Macallair said. "We were shocked by the complete absence of any real solid research on the effectiveness of curfews."

The center did extensive research on the issue, focusing on cities in Southern California with populations smaller than 100,000. Particularly, they looked at the city of Monrovia, which was being heralded as a model for the ability of a curfew to reduce youth crime rates.

"Virtually no variable showed any evidence that a curfew resulted in a reduced crime rate," Macallair said. "The irony of these policies is that they are at the very times when youth crime doesn't occur — the majority of it occurs between 3 and 6 when kids are walking home or riding the school bus."

Macallair said a more effective approach to keeping kids out of trouble would be to "invest in after-school activities."

Contact Camera Staff Writer Kate Larsen at (303) 473-1361 or larsenk@dailycamera.com



© 2006 Daily Camera and Boulder Publishing, LLC

MAYOR'S PLAN

Curfew fraught with issues

Saturday, March 15, 2008 3:20 AM

BY BARBARA CARMEN

THE COLUMBUS DISPATCH

Columbus' new curfew policy sounds simple enough: Starting June 5, kids need to be off the streets by midnight. But as with many government programs, it will take a committee to work out the details.

How will police, already stretched thin, handle the extra calls?

What about juveniles with a late-night summer job, or a teenager out with an older sibling?

And what will happen to kids picked up by police if parents can't be reached or if they don't have transportation to fetch their children?

"We'll figure it out," Mayor Michael B. Coleman said yesterday as he talked over his plans with 15 community and city leaders a day after announcing the curfew crackdown in his State of the City speech.

"The reason I'm announcing a day -- June 5 -- is to let every parent and every kid know we're going to enforce the curfew laws," Coleman said.

June 5 is also when most schools in the Columbus district start summer break.

The group brainstormed on how to get the word out.

Coleman favors public-service announcements on TV: "It's 10 p.m. Do you know where your child is?"

Others suggested sending children text messages on phones, posting notices at the courthouse where troublemakers could see



KIRK IRWIN | DISPATCH

Michael Gause, 11, plays basketball at the Thompson Recreation Center in Victorian Village. Michael said he sometimes shoots hoops with his friends until 9:30 p.m. in the summer. The city's curfew law requires him to be home by an hour after sunset.

Curfew

them, and working with Columbus schools to pass the word.

Columbus has had a curfew on the books for at least 30 years. But Coleman, who saw the problem of kids roaming at night while riding with police, said the problem is enforcement.

"Where do you take the kids?" Coleman said. Officers don't want to baby-sit 16-year-olds while they track down parents.

Coleman's plan would ratchet up consequences. First-time violators would be taken to a dropoff center at the Downtown YMCA and their parents summoned. Both parent and child would then be required to attend a three-hour workshop by the Safe and Drug Free Schools Consortium.

Second-time violators would be required to perform community service.

And those caught a third time, and their parents, could face misdemeanor charges that carry \$500 fines and 60 days in jail.

Columbus Public Safety Director Mitchell Brown said officers will "still be able to exercise their discretion" in deciding whether to pick up a teenager. He said the policy is meant to protect, not punish.

A committee that Coleman appointed to work out the details wants to help kids who get stopped by police, likely by finding them mentors, summer jobs or counseling.

The Columbus City Council pinched \$75,000 from a tight budget to pay the YMCA, which already works with truants, to pay folks to work overnight and supervise the curfew violators, said Councilman Andrew Ginther.

Barb Seckler, Columbus' assistant public safety director, said the city is still trying to figure out how to dispatch police on the curfew issue.

The answer, said Jim Gilbert, president of the local Fraternal Order of Police, is to bring officers in on overtime and dedicate a unit for the program. Police on patrol are scrambling to respond to calls for help and can't stop to haul in a curfew violator, he said.

For Ian MacConnell, president of the University Area Commission, a curfew crackdown can't come fast enough.

"When I work with graffiti offenders," MacConnell said, "all are under 17 years old and most say they

Under Columbus' curfew ordinance, children may not be on the streets unsupervised or in public places after certain hours:

Under age 13:

One hour after sunset to 4:30 a.m.

13 through 17:

Midnight to 4:30 a.m.

Exceptions:

- Those with a parent or legal guardian.
- Those in the military or enrolled full time in college or another institution of higher learning.
- Those out on an emergency errand or on "legitimate business directed by their parent or legal guardian."

Source: Columbus Division of Police

are doing it between midnight and 1 a m This will stop some of the graffiti in the neighborhood "

Other communities have a variety of curfew laws and programs.

Reynoldsburg police pick up children younger than 15 after 10 on school nights, and at 11 p m. on weekends. Older teenagers get an extra hour

Typically, the kids are released to parents; charges are filed if the problem persists.

Westerville's curfew law requires children 14 to 18 to be in by 11 p m , and those younger than 14 to be in by 9 p m Chief Joe Morbitzer said police filed only 15 reports for curfew violations in 2007

Though many adults praised Coleman's idea, teens were less enthusiastic

Desiree Green, 15, a student at Beechcroft High School, said she and her friends like to hang out all night sometimes

"We just stay out late and have fun," she said, adding she wouldn't like being hauled to the YMCA "I would be mad, or I know my mom would be mad "

Michael Gause, 11, of the Northwest Side, said he stays out as late as 9:30 on summer nights to play basketball

"I get to spend more time with friends and get a workout in," he said.

Cindy Gunn of Victorian Village, who said her twin daughters, Kyra and Felicity, 9, are always supervised, likes the policy.

"Our neighborhood should be safe for people to be out "

But Sue Phillips, development director for Directions for Youth and Families, said the city should push for more after-school and summer programs before cracking down on curfew.

"We don't want kids locked up," she said

Dispatch reporters Jim Woods and Dean Narciso contributed to this story.

bcarmen@dispatch.com

©2009, The Columbus Dispatch, Reproduction prohibited



June 05, 2008

Richard C Pfeiffer, Jr
Columbus City Attorney
90 West Broad Street
Columbus, Ohio 43215

SENT VIA U.S. MAIL & FAX TO 614/645-6969

RE: Enforcement of City of Columbus curfew ordinance

Dear Mr. Pfeiffer:

We write to you to express various concerns about renewed enforcement of the City's juvenile curfew ordinance and aspects of that enforcement for which we seek clarification.

To be sure, the ACLU of Ohio opposes all juvenile curfew ordinances as a violation of fundamental rights of innocent people. Curfews, at their core, essentially place all persons of a particular demographic under "house arrest" for the actions of a minority. As always, it remains the position of the ACLU that finite police resources should be utilized to pursue legitimate lawbreakers, not a whole category of people whose only offense is to be outdoors after an arbitrarily set time of night.

We are also concerned about the tendency of curfew laws to usurp the authority of parents who should rightly be the sole decision-makers regarding child-rearing decisions for otherwise law-abiding children.

That said, we seek answers to the questions below and request you provide us with timely answers so the ACLU of Ohio may obtain a better understanding of the City's plans for curfew enforcement.

First, recent news coverage indicated police officers will be taking most curfew offenders to the downtown YMCA, pursuant to a formal agreement with that organization, to be held until a parent or guardian can be contacted and then pick up the juvenile.

What legal authority does the City and/or police department have to demand that an offender stay at that location? In other words, what is the anticipated response of law enforcement and/or YMCA staff should an offender simply decide he or she does not want to remain at that location?

AMERICAN CIVIL
LIBERTIES UNION
OF OHIO FOUNDATION
4506 CHESTER AVENUE
CLEVELAND, OH 44103-3621
T/216 472-2220
F/216 472-2210
WWW.ACLUOHIO.ORG
contact@acluohio.org





Second, it's been reported that offenders can expect to have their cell phones and "other goods" confiscated upon arrival to the YMCA. Again, under what legal authority will these confiscations take place? Will the accused also be subject to searches for the presence of "other goods"? On what authority? What "other goods" do the police and/or YMCA envision seizing? How intrusive will those searches be? Will the juveniles in question be informed they have a right to refuse such searches?

Third, there's also been some media coverage suggesting YMCA staff will interview these juveniles to determine familial circumstances, potential health issues, and to solicit other personal information. Exactly what information will be solicited? What will be done with the information? Where and how will it be compiled? And, again, will juveniles be informed they have the right to refuse any and all such questions?

We would appreciate full answers to these questions within 10 business days of receipt of this correspondence so our organization can best determine how to proceed.

Thank you in advance and please do not hesitate to contact us with any questions.

Sincerely,

Jeffrey Gamso
Legal Director
(216)472-2220

Gary Daniels
Associate Director
(ACLU of Ohio Regional Office)

cc: Michael Coleman, Mayor, City of Columbus
James Jackson, Chief of Police, City of Columbus
Michael Mentel, President, Columbus City Council
Christine Link, Executive Director, ACLU of Ohio

AMERICAN CIVIL
LIBERTIES UNION
OF OHIO FOUNDATION
4506 CHESTER AVENUE
CLEVELAND, OH 44103-3621
T/216.472.2220
F/216.472.2210
WWW.ACLUOHIO.ORG
contact@acluohio.org

