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Juvenile Curfews: Is Society Protecting It's Youth

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## ABSTRACT

Juvenile curfew ordinances have become a popular tool for many law enforcement departments seeking to find an answer to juvenile delinquency and victimization. Many departments that established juvenile curfew ordinances are now questioning the effectiveness of such ordinances. If curfews alone are not effective where should law enforcement seek the answer to juvenile delinquency and victimization? A survey of 30 departments was conducted and it was found that 50% of those departments found no change in the number of juveniles being victimized or victimizing while 50% said that their departments had seen a decrease after the juvenile curfew ordinance took effect. The survey also compared agencies that had curfews along with after school and weekend programs and found that those agencies responded 100% as seeing a drop in juvenile delinquency and victimization.

It was concluded that a juvenile curfew ordinance by itself is not as productive as when it is supplemented with after school and weekend programs which are geared towards helping families. Juveniles stated that they felt safer when their parents were with them and they wanted their parents to spend more time with them. Law enforcement should incorporate these findings into programs geared to help the family thus empowering the juveniles to succeed.

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## INTRODUCTION

During the 1990s the federal government, as well as many state and local governments were concerned with juvenile crime and victimization in America. To provide for public safety, the 74<sup>th</sup> Texas Legislature passed 341.905 of the Local Government Code giving municipalities the authority to establish a juvenile curfew ordinance. Juvenile curfew ordinances soon became a popular strategy for preventing juvenile crime and victimization (McDowell, Loftin, & Wiersema, 2000). National leaders, including President Clinton, and California Governor Wilson, have endorsed implementation and enforcement of “status” laws including nighttime and school day curfews. Curfews have been cited by President Clinton and California Attorney General Lungren for their potential to reduce juvenile crime (Krikorian, 1996).

This project seeks to answer whether a curfew ordinance has a positive impact on juvenile crime and victimization or should society focus its efforts on other methods of protecting its youth. If curfews are ineffective in protecting its youth, then where should society focus its efforts? This project will review any statistics available in books, magazines, periodicals, and government documents and survey local departments and juveniles, to determine what impact curfews have on juveniles and what juveniles think would make them feel safer.

It is the author’s belief that many municipalities established juvenile curfews after the escalating violence seen among juveniles within the last ten years. It is hypothesized that statistics will show only a slight difference in the amount of crime and victimization

of pre-curfew and post-curfew. It is further hypothesized that communities that have implemented juvenile curfew ordinances along with programs designed to address family problems have more success in preventing juvenile delinquency and victimization. Some programs geared to help families include G.E.D., literacy, job placement, and domestic violence counseling. The latch-key program has also been very successful in providing the youth with a place where they can be safe until the parents can pick them up thus eliminating the opportunity for the youth to become victims or victimizing.

The effect of this project is far reaching. Law enforcement, which has generally been a reactive force, will have to become more pro-active and strive to educate its youth on the impact of crime and victimization. Along with enforcement of curfews, officers should make themselves accessible to those youth, or adults, that have been victimized and are left feeling afraid. Without help victims sometimes victimize others. Law enforcement must work with other agencies to stop the cycle of violence and open the doors towards a safer feeling in our communities. By lowering the amount of violence in its society municipalities can be more attractive to those wishing to relocate or start a family thus benefiting the community. Although many departments have developed some form of community policing, to many this concept of working hand in hand with other organizations to reduce crime is still foreign. This project will conclude with an opinion of how to better protect society's most precious commodity: its youth.

## REVIEW OF LITERATURE

In the course of research it has been noted that many communities have implemented or are considering implementing juvenile curfew ordinances. In a study

conducted of the 200 largest U.S. cities in 1992, Ruefle and Reynolds (1996) found 93 (47%) had curfew ordinances in effect on January 1, 1990 and by spring of 1995, 53 more cities, for a total of 146 (73%) had enacted juvenile curfew ordinances. Juvenile curfews however, are not merely for large cities, even small municipalities with a one-officer police force are known to have juvenile curfew ordinances. Where once the head of the household decided what time the children were to be home, now many cities and counties have taken that responsibility placing a cap on the latest time a juvenile may be out.

The legal issues with a juvenile curfew ordinance are several and include the First Amendment guarantee to peaceful assembly, the Fourth Amendment right to protection against unreasonable stopping or detaining of individuals, and the Fourteenth Amendment protection against the deprivation of liberty without due process of law including the right to travel. In order for juvenile curfew ordinances to stand up in court, there must first be a compelling state interest and a narrowly tailored means to achieve the laws objective.

The premise of juvenile curfew ordinances appears simple: Control the hours when juveniles may be in public and one limits their opportunities to victimize or be victimized. Statistics however, show that juvenile violence arrests peak in the afternoon, usually immediately after school and the lowest levels are in the periods when most curfew ordinances are in effect (Sickmund, Snyder, & Poe-Yamagata, 1997). While some studies claim a decline in juvenile crime and victimization more often they show little if any effect (Hunt & Weiner, 1997). Curfew ordinances sometimes lead to antagonism between law-abiding teenagers and the police force and often turn innocent

teenagers into status offenders. Curfews also create tension between all teens, lawful and unlawful alike, and adults, especially law enforcement officers (Macallair & Males,1998). Research also showed that compliance fluctuated with the amount of enforcement. With the inception of the ordinance came heavy enforcement and the juveniles complied. As soon as they saw a decline in enforcement, juveniles went back to their old ways, and violated the ordinances if there was something to do or they were having fun (Reynolds, Ruefle, Jenkins, & Seydlitz,1999).

In a study published in 1999, a group of juveniles were asked for their opinion on several issues dealing with the curfew in their Louisiana city, the results were surprising. In all seven of the groups polled, the juveniles stated that they felt safer with the curfew than without it (Reynolds, Ruefle, Jenkins, & Seydlitz,1999). Perception is a relevant friend for law enforcement. If society feels curfews are working and it is not costing it any more, then it is worth having or implementing. The same study also found that juveniles expressed a desire for parental responsibility and requested that parents be given parenting classes. It is interesting to note that many jurisdictions have taken this to heart and have implemented programs where parents are indeed being held accountable for the actions of their juveniles. Accountability sometimes has involved parents being ordered to take parenting classes. One juvenile even stated that he would make the curfew apply to parents so that they would be made to stay at home and take care of him. Although the courts have limited some rights of the juveniles that are effected by curfews they have done it for the protection of the youth. The courts have not found a need to offer adults the same kind of protection. One important finding was the juveniles expressed need for parental protection. It would be interesting for a court some day

order a parent to stay home because a juvenile has demonstrated a need for parental protection at nighttime.

Evidence shows some of the factors conducive to juvenile delinquency to be poor family relationships, communication, supervision, discipline, family violence and deviance (Anderson & Henry, 1994). In fact, Goldstein (1990) found that many juvenile delinquents were in favor of parent training and improved parent-youth communication as possible strategies to reduce juvenile delinquency. While studies show an expressed need of juveniles for more parental involvement in their lives, if that need is not met juveniles look elsewhere, sometimes finding gang relationships to be an answer. While gangs portray themselves as a family to juveniles they usually just use juveniles to get what they want and when the juvenile gets in trouble and goes to jail the relationship ends. Gang members generally do not visit other gang members in jail.

## METHODOLOGY

Juvenile curfew ordinances have become a popular law enforcement tool in recent years. Many departments throughout the nation have implemented juvenile curfew ordinances to prevent juveniles from becoming victims or from victimizing others. This research will attempt to answer whether a juvenile curfew ordinance is an effective tool to lower juvenile victimization or juvenile delinquency. It is hypothesized that a juvenile curfew ordinance by itself does very little to protect juveniles but it can alienate and harm the relationship between law enforcement and the juveniles we intend to protect. It is further hypothesized that a curfew along with after school and weekend programs, for juveniles and parents, is much more effective in helping juveniles learn not to become

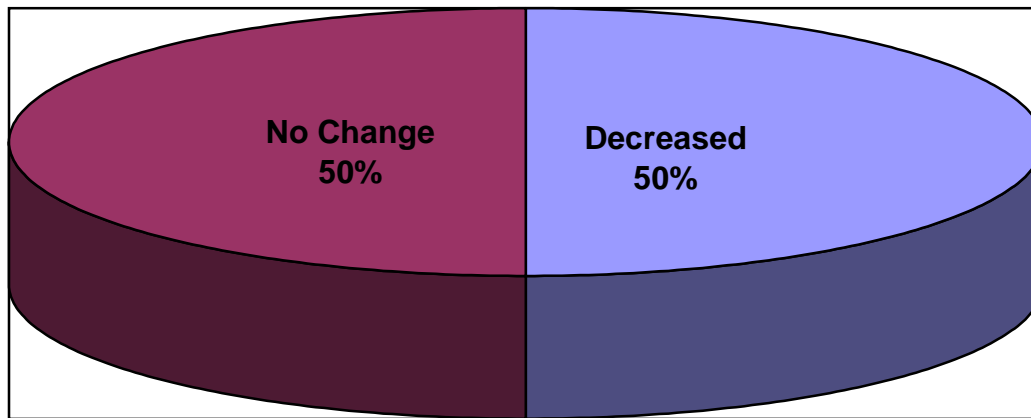


victims or victimize.

This project will review any statistics available in books, magazines, periodicals, and government documents, to determine what the national trend is in reference to the effectiveness of juvenile curfews. A survey of local law enforcement agencies will be taken to compare local and national trends and a survey of juveniles will also be taken to find what juveniles think about curfews and see what suggestions they might have for agencies to better protect them. The information obtained will be analyzed to determine the effectiveness of juvenile curfews alone and the effectiveness of curfews along with after school and weekend programs.

## FINDINGS

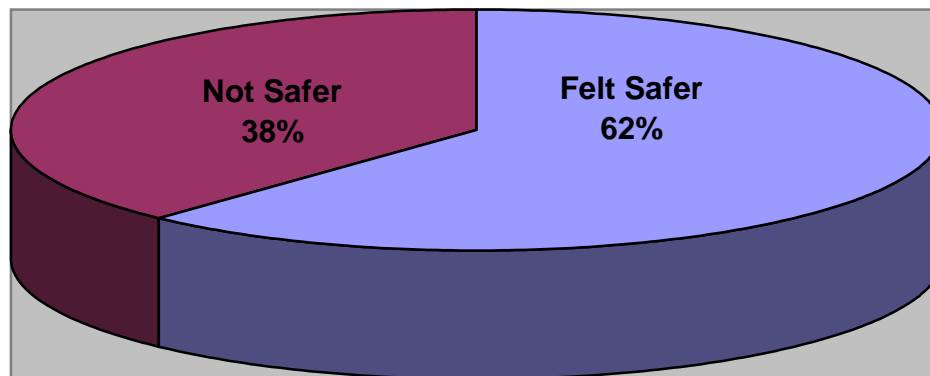
A survey was conducted to determine if local departments with a curfew ordinance alone had experienced a change in the number of juvenile victims and juveniles victimized. The findings were, 50% of those surveyed said that their departments had seen a drop in juvenile crime, while 50% said that they had not experienced any measurable change.



**Figure 1. Impacts of Juvenile Curfew**

The survey then looked at departments that had a juvenile curfew as well as after school and weekend programs and asked these departments if they had experienced a change in the number of juveniles that were reporting being victimized or had been victimizing. It was found that 100% of those departments that had a juvenile curfew along with after school and weekend programs reported a decrease in the number of juveniles becoming victims or victimizing.

In the study of the Gregory-Portland School District it was reported that 43 out of the 112 students that participated in the survey felt protected by the curfew while 69 students reported that they did not feel safer. It is noted that out of the 69 students that did not feel the curfew protected them 20 had been victims of juvenile offenders. If we were to subtract those surveyed that had been victims of juvenile offenders we would be at about a 50/50 split.



**Figure 2. Local Response to Juvenile Curfew**

While studies show juveniles wanting more parental involvement at a national level, locally students by a 95 to 16 majority responded that they did not want more parental involvement in their lives. In trying to explain the national verses the local trend one would have to consider the demographics of those surveyed. The city of Portland has a low-high to upper-middle income level while the city of Gregory is comprised of a majority of residents who live at or near the poverty level. A good number of juveniles in Portland have their own vehicles and therefore can come and go more freely then those who do not have their own transportation. It was found that the students from Gregory were more prone to want parental involvement and felt safer being with their parents then those students who live in Portland. The national study that was used in this research was conducted among government Housing Authority juveniles which would be more in line with the demographics of the juveniles in Gregory.

In trying to find whether juveniles would participate in after school study programs 49 juveniles stated they would not while 63 stated that they would participate. The survey then asked the juveniles if they would participate in after school sport programs and 88 stated that they would while only 24 stated that they would not.

The survey revived the controversy about whether or not a juvenile curfew ordinance by itself is an effective tool to combat juvenile delinquency and victimization. Those departments surveyed were split down the middle with 50% seeing no decrease in juvenile delinquency and 50% reporting they had seen a decrease. The findings though were very clear that a juvenile curfew along with after school and weekend programs were very effective in decreasing juvenile delinquency and victimization. It is important for juveniles to feel safe in their environment. Each municipality or county has to determine what their acceptable level is in trying to keep juveniles safe. For this author having one out of two juveniles feel safe with a curfew is an acceptable endeavor. It is this author's finding that a juvenile curfew does protect juveniles.

## CONCLUSIONS

Many law enforcement agencies have implemented juvenile curfews to prevent juveniles from becoming victims or victimizing others. This research attempted to answer whether a juvenile curfew ordinance is an effective tool to lower juvenile victimization or juvenile delinquency. With regard to hypothesis #1, research showed that a juvenile curfew by itself has little impact on juvenile crime and victimization. While law enforcement would like to believe that curfews help keep juveniles off the streets,

therefore cutting down on crime and victimization, in reality they target the wrong times and most departments do not have the necessary personnel to consistently enforce the curfews thereby rendering them mostly ineffective. Research further showed, supporting hypothesis #2, that approximately 50% of those departments surveyed saw a decrease in juvenile crime and victimization while 50% saw no measurable change. It was also noted that 100% of those departments surveyed that had after school and weekend juvenile programs along with a juvenile curfew ordinance saw a measurable decrease in juvenile crime and victimization thus supporting the hypothesis. In the local study done in the Gregory-Portland School District the survey went contrary to the study done in 1999 in Louisiana. In the Gregory-Portland study those students surveyed stated by a margin of 93 to 16 that they did not want more parental involvement in their lives. One would conclude that either the Gregory -Portland group has a very good relationship with their parents and is content with their supervision or they do not need as strong a parental role as their counterparts in Louisiana.

In trying to answer the question “where do we go from here?” It is this author’s belief that it is very important to protect our juveniles from themselves and those that would harm them. We along with other community departments and resources must find a way to let parents know the importance of spending quality time with their children. Juveniles say that they feel safe when they are with their parents and want to spend more time with them, parents should be made aware of this.

This research can be used by law enforcement agencies to create programs to help reach juveniles after school and on weekends when they are most vulnerable to becoming victims of crime or committing crimes. These programs should involve both the

juveniles and the parents. Should municipalities establish curfews along with after school and weekend programs it is believed that society will benefit from the results which would be a stronger family unit where juveniles spend quality time with their parents and are less likely to victimize or be victims. This author recognizes that society cannot protect all of its juveniles, but if its efforts help one single juvenile gain or regain a feeling of being secure and safe it is a worthwhile effort.

## REFERENCES

- Anderson, A.R. and C.S. Henry. (1994). "Family System Characteristics and Parental Behaviors as Predictors of Adolescent Substance Abuse." Adolescence 29:405-429.
- Curfew: An answer to juvenile delinquency and victimization? Juvenile Justice Bulletin. (1994). 1-11.
- Frerking, B. ( 1995). Curfews Today Try To Protect Innocent Kids. The Sacramento Bee.
- Grassroots Solutions To Youth Crime. P.4., Committee On The Judiciary House Of Representatives One Hundred Fifth Congress First Session May 7, 1997.  
U.S. Gov. Printing Office Washington: 1997.
- Goldstein, A. P. (1990). Delinquents on Delinquency. Champaign, IL: Research Press.
- Hamrick, J. (1996). Curfew: An answer to juvenile delinquency and victimization? Juvenile Justice Bulletin,24.
- Hogan, K. (1998). Evaluating Problems concerning juvenile curfew. Unpublished manuscript.
- Hunt, A. Lee and Ken Weiner. 1977.The Impact of a Juvenile Curfew:Suppression and Displacement in Patterns of Juvenile Offenses.Journal of Police Science and Administration 5:407-12.
- Images, Reality, And Solutions to The Violent Juvenile Crime Problem. Subcommittee On Youth Violence Of The Committee On The Judiciary United States Senate One Hundred Fourth Congress Second Session July 2, 1996 U.S. Gov. Printing Office Washington:1997.
- Juvenile Crime: Breaking The Cycle Of Violence P.2 Committee On The Judiciary United States Senate One Hundred Third Congress Second Session Chicago, Il. Nov. 29, 1994.
- Krikorian, G.(1996,). Violent Youth Crime Arrests Decline. Los Angeles Times, A15.
- Macallair, Dan and Mike Males. "The Impact of Juvenile Curfew Laws in California." Juvenile Policy Institute. Online. <http://milpitas.miningeo.com/library/weekly/aa057397.htm.14> Oct.1998.
- McDowell, D., Loftin, C., Wiersema, B. The Impact of youth curfew laws on juvenile crime rates. Crime and Delinquency. Vol.46 No 1 Jan. 2000 76-91 2000

McDuffie, J.(1997). Juvenile Curfew. Unpublished manuscript.

Municipal Court Recorder. December 2000 Vol.10 No.1.

Texas Local Government Code, 341.905 Page. (Publishing Co. Year)

Reynolds, K.M., W. Ruefle, P. Jenkins, and R. Seydlitz. (1999). "Contradictions and Consensus: Youths Speak Out About Juvenile Curfews." Journal of Crime and Justice 22:171-187.

Ruefle, W. J. and K. M. Reynolds.(1996)."Keep Them at Home: Juvenile Curfew Ordinances in 200 American Cities." The American Journal of Police 15:63-84.



## APPENDIX

### Research Survey

This Survey will greatly aid me, Robert Garza, with my research paper, please fill it out and return it to me. Thank you for your help.

- 1) Does your department have a juvenile curfew?
- 2) Does your department have after school programs for juveniles?
- 3) Does your department have weekend programs for juveniles?
- 4) Has your department seen a decrease in juvenile violence and victimization since the curfew took effect?
- 5) Do you attribute a decrease in violence and victimization to: (Check all that apply)
  - A) Curfews
  - B) After School Programs
  - C) Week-end Programs
- 6) What department are you with?