

## Are Juvenile Curfew Laws Effective Crime Stoppers?

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By **Daniel Pollack and Kristan N. Russell** | April 16, 2021 at 10:34 AM



In many legal spheres minors have identical constitutional protections as adults. There are times when, due to “their unique vulnerability, immaturity, and need for parental guidance,” (*Hutchins v. District of Columbia*, 188 F.3d 531, 541 (D.C.

Cir. 1999)), the state is permitted to regulate control over a minor's movements and activities. Juvenile curfew laws and ordinances are examples of such regulations. Their purpose is to help deter criminal behavior and protect minors. Categorized as "status offences", a curfew violation is an act that would not be deemed criminal if it was committed by an adult.

Cities around the country have weathered large-scale legal and illegal citizen reactions following the death of George Floyd in Minneapolis. In response, many communities have imposed curfews. While such laws frequently allow for common sense exemptions (e.g., when the minor is accompanied by an adult, or in an emergency), these laws may still not pass constitutional muster. Curfews, in general, can be attacked from many angles. For instance, plaintiffs in Florida recently argued that "the County's curfew is unconstitutional as it is a content-based restriction which cannot withstand constitutionally required strict scrutiny. The County, in response, argues that its curfew is a content-neutral time, place, and manner restriction and should be upheld under intermediate scrutiny." (7020 Entm't, LLC v. Miami-Dade Cty., 2021 U.S. Dist. LEXIS 25929, February 11, 2021).

From a social policy perspective, is a juvenile curfew law a common sense public safety tool or an example of undue and unnecessary interference from the government? Aside from the all-important enforcement and civil liberties questions regarding the constitutionality and parameters of such laws, do juvenile curfew laws, in fact, provide an added measure of safety to communities and the specific targeted youth of the law's focus?

Research on the effectiveness of juvenile curfew laws has been largely inconclusive. In 2015, researchers engaged in a [systematic assessment](#) of the current literature on juvenile curfew laws. They found that half of the existing research studies found positive impacts of curfew laws on juvenile crime. They expressed a need for more high-quality, empirical research to be done before more firm conclusions could be made. However, few studies have gone on to examine in depth, the effectiveness of curfew laws. A review of the most recent available literature reveals the following:

- Curfew laws [did not significantly reduce underage drinking](#) (2016).
- Curfew laws were [ineffective in reducing juvenile criminal behavior and victimization](#) (2016).
- Curfews were related to an [increase in gun violence](#) (2018).
- Baltimore's juvenile curfew laws were associated with an [increase in juvenile arrests rates](#) during a time when overall arrest rates were declining (2020). The researchers suggest that these findings may be due to increased pressure on law enforcement officers to enforce the curfew regulations, or that criminal behavior which normally would have gone unnoticed was discovered as a result of law enforcement investigating curfew violators.

Researchers should consider other potential outcomes (e.g, truancy, drug and alcohol use, domestic violence) that may be affected by juvenile curfew laws. It is possible that reduction in juvenile arrests does not capture other potential positive outcomes. Possible covariates (e.g., socioeconomic status, family stability, neighborhood crime) that may mitigate or exacerbate these effects also should be taken into account. For instance, a 2020 [study](#) investigated parenting reactions

regarding curfew ordinances pertaining to their children. The author identified them as indignant, irresponsible, ignorant, ineffectual or invisible.

Researchers should also use quasi-experimental methods and be inclusive of a variety of community-types and regions to determine if effectiveness is determined by the curfew laws, individual and regional characteristics, enforcement of the laws, parent and juvenile perceptions of the laws, or a combination of these factors.

Hopefully, more definitive findings will provide new perspectives.

**Daniel Pollack, MSSA (MSW), Esq.** is Professor at Yeshiva University's School of Social Work, New York City. Contact: [dpollack@yu.edu](mailto:dpollack@yu.edu); 646-592-6836.

**Kristan N. Russell, Ph.D.** is Assistant Professor of Justice Studies at Prairie View A&M University, Texas. Contact: [knrussell@pvamu.edu](mailto:knrussell@pvamu.edu); 724-841-3737.