

AN ANALYSIS OF JUVENILE CURFEW  
ENFORCEMENT IN HOUSTON, TEXAS

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An evaluation submitted in partial fulfillment of the  
requirements for the degree of

Master of Science in Criminal Justice

Sam Houston State University

2000

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Chairperson of Directed Project Committee

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## *A b s t r a c t*

On November 9, 1991, the City of Houston, Texas joined a growing number of cities across the country in establishing a curfew for its city's youth. This was done with the expectation of impacting an expanding juvenile crime rate and to reduce the amount of juvenile victimization, both of which were experiencing an increase during this time period. The stratagem was that a reduction in the risk factors associated with youth crime would be seen by the enactment of a new curfew law, which would prohibit the city's youth from being on the streets between midnight and 6 a.m. and 9a.m. and 2:30p.m.on school days.

In the interim time since the passage of the curfew law in Houston there has been no formal attempt to analyze the effects of the law on the city's youth crime and victimization rates. This study analyzes arrest data from Houston's Municipal Courts and reports the results of a survey of patrol officers within four of the Houston Police Department's patrol divisions. The results of this data indicate that the curfew law has not been fully implemented, at least at the enforcement level, and as such is having little or no deterrent effects on Houston's youth. The high rate of citations being ignored and dismissed by defendants, both adult and juvenile, also calls into question the resolve of the City of Houston when it ignores enforcing the citations given by its police officers.

The study also contrasts national and local crime data compiled by the Houston Police Department and the FBI, both of which illustrate crime trends and victimization in general are down for both youth and adult offenders. With both adult and juvenile crime rates down locally and nationally at a relatively uniform rate, this casts some doubts on claims of curfew singularly having caused a reduction of crime and victimization among the city's youth. Since the curfew law has not been fully implemented in Houston, there is little or no support for the hypothesis that Houston's curfew law has caused a decrease in crime levels or reduced juvenile victimization rates in an of itself.

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### *Statement of the Problem/Issue*

This Directed Management Project intends to examine the curfew enforcement process undertaken by the Houston Police Department ex post (after the fact) of a curfew law being passed by the Mayor and City Council in November of 1991. The new curfew law was adopted by the city in response to several juvenile issues:

- An increase in the violence rate among juvenile offenders.
- To help reduce juvenile gang activity within the city.
- Reduce the amount of juvenile victims of older perpetrators of crime.
- To increase the amount of parental control and responsibility by parents over their children.
- To reduce the overall incidence of juvenile crime activities.

To this date there has not been a comprehensive analysis of curfew to determine if the City of Houston and the Houston Police Department have accomplished any or all of these stated objectives. This will be the primary focus of this Directed Management Project. To determine if curfew has been properly implemented, and if so, has it resulted in a reduction of juvenile crime and offending as well as lowered the juvenile victimization rate. If neither one of these objectives has been met I wanted to know why, and determine if there was anything the Houston Police Department could do to make the law more effective. Due to my past personal experiences within the Juvenile Division of the Houston Police Department I suspected that the law was not meeting any of the City of Houston's objectives. Instead, any suspected rates of decrease realized by curfew had

actually occurred not because of the curfew law, but rather resulted from an overall decrease both locally and nationally in the rates of juvenile offending and victimization.

Hence, this Directed Management Project will hypothesize that:

- Juvenile curfew law has not been fully/properly implemented in Houston, Texas.
- Juvenile curfew is not, by itself, solely responsible for a reduction of juvenile crime and victimization in Houston, Texas.
- Houston Police Officers have not enforced the laws for specific reasons, which will be listed in the study.

The information sources that will be used to validate my hypothesis will be as follows:

- Crime and victimization rates for the City of Houston/Harris County area and national crime and victimization rates will be analyzed and compared. This is expected to show that the overall crime and victimization rates for both juveniles and adults are down measurably, both locally and nationally. If so, this should cast doubts on the claims of many jurisdictions, including Houston, that the curfew law has solely or primarily been responsible for a reducing in crime and victimization rates.
- Data collected from a survey of Houston Police Department patrol officers which offers evidence that the curfew law is not being enforced uniformly and may give some indications as to why. It is also anticipated this information will lead to a better understanding of the way policies (or laws) such as these are implemented within the department (Organizational Work Group Theory).

- Data collected from the City of Houston's Municipal Court (citations data) will be analyzed and it will be revealed that 66% of the tickets issued by officers are ignored by offenders and their parents, more than 27% are dismissed and about 7% are actually paid. This information indicates that the curfew law (based on incapacitation theory and deterrence theory) is not operating as expected, and may give reason to further explore the theory behind the law.
- Data from arrest records of past juvenile offenders that will show the primary reason juveniles are being arrested and taken into custody is for curfew only. This data indicated that approximately three fourths of the juvenile offenders booked into the Juvenile Division of the Houston Police Department with a curfew charge have a history of being arrested for minor offenses.

Key stakeholders that could be interested in the results of this Directed Management Project are as follows:

- The Juvenile Division of the Houston Police Department. Since the division is responsible for the enforcement of juvenile laws and is interested in reducing both the rates of crime among juveniles and victimization rates any information that would help them accomplish their goals in a more efficient manner would be advantageous. The division is often polled regarding their opinion on any new laws or enforcement efforts relating to juveniles by the department and its leadership.
- Command level executives within the Houston Police Department, which include the Chief of Police and Assistant Chief's of Police. These persons are responsible

to the city elected officials and the public alike when new laws are enforced or new programs are initiated. If the elected officials and the public see that these programs or laws are not effective then these are the individuals the public will be looking to for explanations and leadership to help either revise such laws or programs or to simply do away with them.

- The Mayor and City Council for Houston, Texas are also stakeholders as the public also holds them responsible for the implementation of any laws and programs. If the justification is not there for their continuance then this group will also have to initiate action to see that the laws and programs are accomplishing the goals and objectives set out by themselves and the police department.
- The citizens of the City of Houston and its youth are stakeholders in that the program and laws enacted and enforced by the Mayor and City Council and its Police Department impact them and their families. These are the people that the law effects most directly, in that it is the average citizens children that are arrested for curfew offenses and it is there children that would suffer as a result of enforcement or non-enforcement of the curfew law. They also have a keen interest in the victimization of their children by other juveniles and adults and will be expected to react negatively if the laws of programs that have been enacted are not accomplishing the goals and objectives that they were set out or promised to achieve.
- Also the officers of the City of Houston Police Department are affected by any findings, positive or negative, that relates directly to their duties and responsibilities within the department and for the people that they work for, the

citizens of Houston. In this case if curfew were to be reexamined and found not to be effective as designed the program should be revised, which would then affect the way officers deal with juvenile offenders. If the curfew law were simply discarded this would also affect the police officers job by reducing the amount of work they are expected to accomplish and effect how they get their job done.



## *Literature Review*

### *History of curfews*

Although curfew laws have re-emerged recently as a popular control mechanism for our nations “wayward youth” the fact is that curfews have been revisited on several occasions throughout American, and world, history. Early curfew laws differed from contemporary laws, however, in that they were aimed at all the inhabitants of a town, and not just its juvenile population as it is today. For example, we find some of the first curfews in America were in the antebellum South, where the law was used to control when slaves and free Blacks could be on the streets (Federle 1995). More recently curfews were used during times of local or national emergency, such as the period of World War II, when juvenile delinquency became a national concern. After the war, America experienced a population boom, leading to a tremendous increase in the number of teenagers by the late 1950’s. Cities responded to the increasing crime rate again by enacting juvenile curfews. As of 1957, a little more than half of the 109 cities with populations in excess of 100,000 had juvenile curfew ordinances (Hemmens and Bennett 1999).

The first curfew law on record aimed directly at juveniles was enacted in Omaha, Nebraska, in 1880 (Schwartz 1985). Four years later in 1884 President Harrison endorsed juvenile curfews as a panacea, and by the early 1900’s there were more than 3,000 juvenile curfew ordinances in this country (Mooney 1977). According to Professor William Reufle of the University of South Alabama, as of spring 1995, 146 of the largest 200 cities, all with minimum populations of 100,000, had enacted juvenile curfews. Additionally it is estimated that more than 1,000 jurisdictions nationwide have adopted or revised curfews in

the past five years, consequently making curfew one of the fastest-growing areas of law enforcement (Public Management 1996).

*The Logic of Curfews*

Curfew is essentially a social control mechanism, with the common assumptions underlying it and other such mechanisms are: (a) human beings must be controlled if society is to be orderly and safe, (b) society has a consensus on a set of appropriate values and behaviors, and (c) absent internally motivated voluntary compliance, people can be forced to comply through external control mechanisms (Holman and Quinn 1992). Most police officials and City officials who espouse this theory feel like they have a compelling interest to reduce juvenile crime and victimization while at the same time promoting juvenile safety and well-being.

Proponents of curfews argue that they serve as a tool for both the police and parents. In high crime community's curfews are seen as a means of protecting non-delinquent youth from crime and to deny delinquent youth the opportunity to engage in crime. In low crime communities, they provide the police with the means to disperse late-night crowds of juveniles, to keep youth off the streets (Rufle and Reynolds 1995). In regards to parents curfews provide needed support for the restrictions they place on the late night activity of their children.

We would probably find that many of the proponents, both historically and more recently, support juvenile curfew and endorse Incapacitation Theory, which has its roots in Rational

Choice and Deterrence Theory. These concepts are rooted in the analysis of human behavior developed by the early classical theorists Cesare Beccaria and Jeremy Bentham. The central points of Rational Choice Theory are: (1) The human being is a rational actor, (2) Rationality involves an ends/means calculation, (3) People freely choose all behavior, both conforming and deviant, based upon rational calculations, (4) The central element of calculation involves a cost benefit analysis: pleasure versus pain, (5) Choice can be controlled through the perception and understanding of the potential pain or punishment that will follow an act judged to be in violation of the social good through a system of laws, (8) The swiftness, severity and certainty of punishment are the key elements in understanding a laws ability to control human behavior. Owing to the perceived failure of rehabilitation technologies and the increase in the officially recorded crime rates during the 1970's and 1980's attention returned to an analysis of the criminal decision making process and Rational Choice Theory (Keel, Robert 1997). In conclusion, the Incapacitation Theorist can be said to believe that in order to incapacitate we must incarcerate, thereby reducing, or deterring, the chances an individual has for engaging in any other crime or deviance.

Primary Goals of Curfew:

The stated primary goals of curfew law are:

- To prevent juvenile crime.
- To protect youth from victimization

According to Ruefle and Reynolds analysis, those who support juvenile curfews indicate that neighborhoods afflicted with high rates of crime may use curfews as a “means to protect non-delinquent youth from crime and deny delinquent youth the opportunity to

engage in criminal behavior”. By keeping youth off the streets curfews are expected to reduce the incidence of crime among the cohort most likely to offend, according to the Federal Bureau of Investigation’s 1994 Uniform Crime Report (UCR).

However, to date there has been no systematic study of the effects of curfew to determine if it is in fact having an impact on juvenile crime and victimization. Instead of presenting controlled data, proponents and opponents of curfews have made anecdotal statements to the media, such as “Monrovia, California’s curfew adoption was followed by a 32 percent decline in residential burglaries” (Ricardi 1997). Most of the data gathered as a result of this study indicated that most jurisdictions felt like curfew was effective, but when surveyed could provide little or no comprehensive data to allow one to make a rational judgment on whether the curfew laws were having their desired effects.

*Curfew Effectiveness: Mixed Reviews:*

The question of curfew’s overall effectiveness in reducing crime and victimization among juveniles seems to fluctuate, with most inside evaluations claiming great inroads in solving juvenile crime and victimization problems while most outside evaluations claiming that curfew has done little if anything to solve the curfew problem. Both side in the debate seem to have their own statistics to back up their claim, such as:

- Three months after the enactment of the Dallas curfew ordinance, the Dallas Police Department found that the juvenile victimization rate during curfew hours declined by 17 percent and juvenile arrests during curfew hours dropped by 14.6 percent.

- New Orleans, which has one of the strictest curfew ordinances in the country, also reported a significant decrease in juvenile crime since their ordinance went into effect in May 1994. The dusk to dawn curfew was influential in decreasing the incidence of youth crime arrests by 27 percent and at the same time armed robbery arrests decreased by 33 percent and auto theft by 42 percent.
- A curfew ordinance in Long beach, California amended in January 1994 has enjoyed similar success. The ordinance led to a 14 percent decrease in the average number of crimes committed per hour in 1994, compared to 1993. Gang related shootings decreased in that time period as well, down nearly 23 percent (Crowell 1996).
- Austin, Texas Police Department reported in August of 1998 that its juvenile curfew had resulted in a 14 percent decline in juvenile arrests since the ordinance was enacted in 1990. According to police figures officers issued an annual average of 2,134 citations for violations of the curfew from 1995 to present. They also noted Non-residence burglaries declined by 83 percent when school was in session, as did thefts by 9 percent, robberies by 50 percent, assaults 3 percent and sexual assault 91 percent.

Outside evaluations, on the other hand, have pointed out discrepancies in the ways that the data has been collected and analyzed in evaluations that have been concluded up to this point, primarily by law enforcement agencies. It appears to these outside evaluators that these agencies may have manipulated the arrest numbers in order to take advantage of a lowering crime rate in general among adults and juveniles since about 1995. In one of the

most comprehensive studies done to date on the effectiveness of curfew Mike Males and Dan Macallair looked at enforcement data in California, including such information as reported crime and mortality data from jurisdictions throughout California along with analyzing arrest data. They found that when both adult and juvenile crime was analyzed for that time period that crime in general among both adults and juveniles seemed to follow a gradual pattern of decreases. They assert that claims to date that curfews affect crime and youth behavior represent little more than unsupported assertions (Males and Macallair 1999). For example, the City of Los Angeles issued three semiannual reports on its Enhanced Curfew Enforcement Effort during the period of July 1997 to July 1998. The reports reached contradictory conclusions, with one report finding that stronger enforcement “has impacted” and another that curfew enforcement “has not greatly impacted” violent crime, youth arrests, and youth victimization. The six-month period of the most intensive and stepped up enforcement (4810 arrests from May to October 1997) produced no effect on crime or victimization (Males and Macallair 1999).

There is also some indication from both sides of the issue that juvenile crime may have been displaced rather than reduced by curfew enforcement. Chief William Ellis of the Long Beach Police Department acknowledged that Long Beach had experienced a displacement of youth delinquency since the curfew enactment in January of 1994. Approximately twice as many crimes per hour were found to have been committed during non-curfew hours as during curfew hours. In one outcome evaluation uncovered by Ruefle and Reynolds of the Detroit, Michigan curfew ordinance, the before and after comparison of youth gangs indicated that the presence of a curfew seemed to reduce or suppress crime levels

effectively during curfew hours, but that the incidence of crime between 2 and 4 p.m. saw an increase in criminal activity. Most curfew laws are during school periods or late night after 12:00am and would have no effect on crimes occurring during this time period of 2 and 4 p.m.

It is also interesting to note that despite the assertion of curfews success a result of a survey from a U.S. Conference of Mayors revealed mixed feelings among local elected leaders about the effectiveness of curfew in their communities. Of the 387 survey respondents, 36 percent said that their curfews were “very effective”; 20 percent labeled them “somewhat effective”; and 14 percent labeled them “not effective at all”. The survey discovered that curfew ineffectiveness in some cities resulted from inadequate funding for the personnel, detention facilities, and courts needed for curfew enforcement. Respondents indicated that juvenile offenders knew that the system was unable to process violators, thus viewing curfew enforcement as a “revolving door” and curfews as “empty threats” (Crowell 1996).

### *Criticism of Curfew*

Criticism of curfew laws seem to be evenly split among those who feel that curfew is a violation of the rights of juveniles and those who oppose it on the assumption that it targets a large group of our society’s youth when the problems are caused by a minority of the youth. Legal challenges to the constitutionality of curfew laws are most often based on the

1<sup>st</sup>, 4<sup>th</sup>, 9<sup>th</sup>, and 14<sup>th</sup> Amendments to the U.S. Constitution according to a recent report by the OJJDP. Opponents here are concerned with the restrictive nature of these laws and the limitations on a youth's first amendment right to free speech and association. Others claim that a curfew give law enforcement excessive powers to detain children without probable cause and subjects them to police questioning in violation of the fourth amendment's guarantees against unreasonable searches and seizures. Yet other make the claim that curfew violates the equal protection clause of the fourteenth amendment.

There have been several cases that have been heard in courts around the U.S. brought by groups such as the American Civil Liberty's Union to individual and groups of parents looking to overturn the curfew laws in their city's. One of the most often quoted in the literature seems to be the Dallas, Texas law, which was challenged by a group of parents who were attempting to get the city to drop its curfew law. The results of this case was the U.S. Circuit Court of Appeals for the Fifth Circuit upheld the Dallas curfew law based on its findings that the ordinance did not violate the Fourteenth Amendment's equal protection clause. This ruling caused many other jurisdictions to review their curfew laws in order to ensure that their respective laws fit the strict scrutiny test. Before drafting an ordinance a local government must consider a number of factors. They need to have a clear purpose in order to establish a compelling interest to enforce them. It is suggested that local governments consider drafting detailed reports highlighting juvenile offender and victim statistics to track crime during the proposed curfew hours (Crowell 1996).



Even in 1896 there were critics who claim that juvenile crime occurs mainly during the day rather than the night when curfew is in force, and that there are legitimate reasons for juveniles to be afoot at odd hours (Buck 1896). Data collected from the FBI's National Incident Based Reporting System during 1991, 1992 and 1993 indicated that even today we see the same types of behavior among violators, with most violent crime occurring between 3pm and 9pm on school days and dropping off even more on non-school days. It is also interesting to note:

- About half of the days in a year are school days. The other days fall in summer months, on weekends, and on holidays. Even though school days are half of all days, 57 percent of violent crimes committed by juveniles occur on school days. In fact, 1 of every 5 violent crimes committed by juveniles occurs in the four hours following the end of the school day (between 2p.m. and 6 p.m.).
- On non-school days the incidence of juvenile violence increases through the afternoon and early evening hours, peaking between 8p.m. and 10p.m. Temporal patterns of adult violence do not vary between school and non-school days. Adult violence increases through the afternoon and evening hours, peaking around 11p.m. (Snyder 1997).

This group is represented primarily by people who are in the business of law enforcement education or are employed in positions within the government where there is access to data other than that what is generally reported in local newspapers and magazines. The general public, who are enlisted to support curfew programs, are not often made aware of the facts

with which they would be able to make an intelligent choice regarding curfew because of the possible political fallout that could occur as a result.

*Enforcement Efforts:*

In almost every major city with a curfew across the U.S. it is primarily the responsibility of the patrol officer to enforce the curfew law. This they have to do in addition to duties of answering calls, making reports, etc., the everyday routine work required by their departments and demanded by their citizens. It is no secret that in many organizations patrol sees curfew as a low priority task. The police departments in 42 (71%) of the 59 cities with curfews use regular enforcement policies: that is, regular patrol officers enforce the curfew as they would any other ordinance, and special units--usually anti-gang teams or drug task forces--use the curfew as simply one more tool to carry out their assignments. In these cities, no special resources are dedicated specifically to curfew enforcement (Ruefle, Reynolds 1995). It is no wonder that patrol officers often see curfew as “just another added responsibility” and more often than not, do not enforce the curfew law unless placed in a position of necessity.

*Community Focus For Success:*

Effective curfew programs share several of the same components. Two of the keys to the success of any curfew ordinance are:

- Sustained enforcement
- Community involvement

Curfew laws are less successful when they are enforced rigorously immediately after the adoption, but become more loosely enforced as limited law enforcement resources and personnel are pushed into other policing efforts. City officials can ensure a long term commitment to a programs success by making a long term commitment to enforcement and by enlisting volunteers to fill out paperwork, wait for parents to pick up their kids, or give on-the-spot counseling to parents and children (source, OJJDP Juvenile Justice Bulletin).

Other factors that contribute to the implementation of successful curfew polices include:

- Establishing a curfew center or using recreational, religious, or educational facilities to hold violators while they await their parents.
- Staffing centers with community social service providers and volunteers: providing intervention services for juveniles and their families.
- Creating specific procedures for repeat offenders: recreational, educational, and job opportunities for offenders: and anti-drug programs.
- Providing a hotline for community questions or problems related to curfews and juvenile delinquency in general (source, OJJDP Juvenile Justice Bulletin).

In the development of the Dallas, Texas curfew law government officials and the police department worked closely to create an effective curfew program. Prior to the effective date the Dallas Police Department engaged in a multimedia campaign to promote curfew awareness. When Dallas police apprehend a violator they have several alternatives to

handle the violation, such as verbal warnings, take them home, issue a ticket or take them into custody. In addition to these enforcement initiatives the program featured comprehensive youth programs that address juvenile crime and victimization, including Law Enforcement Explorers, a School Liaison Unit, Law Enforcement Teaching Students, supervised midnight basketball and a police athletic league (PAL).

Another example of a successful curfew is the Phoenix Police Department's program, which uses the city's recreation centers as a reception facility for curfew violators. Once the officer does their paperwork recreation specialists supervise the juveniles until their parents arrive. When a curfew violation is charged, the juvenile and the parents have the option of attending a diversion class that includes classes in parenting, interpersonal communication, conflict resolution training, and community service. PRL personnel conduct post diversion follow-up contacts with curfew violators and their families to determine if additional referrals to other agencies are needed (Bilchik, 1996).

Clearly curfews have become an important front line prevention measure in most major city's in the U.S. America's police departments and politicians have demanded that something be done to quell the rising tide of juvenile crime, violence and victimization. However, it is clear that the adoption of a curfew is, in a sense, a step into the unknown. There is little existing research on the effects of curfews that policymakers have to guide themselves concerning the benefits and costs of a curfew program. Important questions that still need to be answered are:

- Do curfews really reduce delinquency?
- Do they simply shift it to other times of the day and other parts of the community?
- What is the best way to enforce a curfew ordinance?
- What sanctions should accompany a curfew?
- What is the impact of a curfew on law enforcement and the juvenile court?
- What ancillary youth programs are needed?
- How many youths do curfew unnecessarily drag into the net of juvenile justice?
- How much of a burden is a curfew for non-delinquent teenagers and their families?  
Is it possible that the enactment of a municipal curfew can be positive event for the parents of a teenager?
- What about curfews in smaller cities and suburban communities? (Bilchik 1996).

Without answering such questions as these it is likely that curfew programs will become a focus of future political and legal action or relegated the same fate as other failed law enforcement programs.

### *Proposed Methodology*

This Directed Management Project will most closely follow a program-monitoring format to determine if curfew has been properly implemented in Houston, Texas. In the Rossi, Freeman and Lipsey book titled “Evaluation: A Systematic Approach” the authors describe program monitoring as directed toward one or more of the following key question:

- Whether its service delivery and support functions are consistent with program design specifications or other appropriate standards.
- Whether a program is reaching the appropriate target population
- Whether positive changes appear among the program participants and social conditions the program addresses.

This evaluation will present evidence through the use of a survey of Houston Police Officers and collected local and national data that indicate the curfew law and its enforcement plan has not been fully implemented. This is due to several factors, such as curfew program design (hours of enforcement, impact on offending and victimization by juveniles, etc.) and officer attitudes on enforcing the curfew laws. In effect, the project will focus on all three of the key questions listed in the Rossi, Freeman and Lipsey book.

Since evaluators often further distinguish between process evaluations and outcome evaluations this project can more finitely be described as being a process evaluation. The City of Houston’s Curfew enforcement strategy is an established program (law) and the evaluation will look at past data (ex post) to assist in the analysis to determine if the program has been successful. The study will also compare juvenile and adult arrest pattern

data primarily for Part I crimes as is defined by the FBI in its Uniform Crime Reports (UCR). Claims to this date that curfews affect crime and youth behavior represent little more than unsupported assumptions. Admittedly, a review of the literature shows previous studies using a comprehensive analysis of the effectiveness of curfew laws to reduce juvenile crime and victimization have been few, with most departments and jurisdictions using anecdotal statements when referring to the laws effectiveness when reaching its stated goals or objectives. This lack of past comprehensive analysis is a cause of concern to the study's generalizability and reproducibility.

This project will follow a similar format that is described in an evaluation completed by Mike Males and Dan Macallair titled "An Analysis of Curfew Enforcement and Juvenile Crime in California" that appeared in *Western Criminology Review* in 1999. This study amassed information from California's Department of Justice and other statewide arrest data and indicated a correlation between the overall juvenile and adult arrest and victimization rates. The study I am completing will take local Houston/Harris county arrest and victimization rates along with national arrest information (UCR) and victimization data to describe this trend of a general reduction of the overall crime rate. This would call into question past studies that claim curfew in and of itself has caused the reduction in crime and victimization rates among juveniles. The definition of juveniles for the sake of this study will be all of the youth between the ages of 10 and 17, since this is the age group affected by curfew laws. The adult age group will be from 18 to 69 years of age.

To demonstrate the program impact on the intended target (youth) we must attempt to distinguish the effects of the program from the effects of other influences on the conditions. Whether enforcement of curfews is related to a higher or lower level of youth crime will be examined by a means of a standard correlation analysis. This will be done to try and eliminate such things as natural trends we would expect to see among the youth population affected by the curfew law and its enforcement. The type of correlation test of annual changes in arrest rates and victimization rates used in this project is known as differencing. Correlation by this method factor out the artificial trending patterns natural to time series, which hamper standard correlations. Instead of comparing the entire time series A with time series B, differencing compares the year to year changes in the rates of curfew enforcement (variable A) with corresponding year to year changes in rates of other crime or violent death (variable B) (Males and Macallair 1999).

This Directed Management Project also intends to take the analysis done by Males and Macallair one step further by attempting to look at the attitudes of the persons actually enforcing the curfew laws in Houston, specifically the patrol officer. While Males and Macallair show that curfew has not been effective one of the shortcomings of their evaluation is that they do not attempt to offer explanations as to why the law is not effective, nor do they make any attempts to suggest what can be done to make the law more effective. Instead they choose to call curfew a “panacea” for crime problems and a “simplistic solution” that has not demonstrable effect. Why describe a problem without offering up solutions for fixing the problems inherent in programs such as these? What are the purposes of such an evaluation? Could it be that the information was compiled for



educational purposes only and not intended to make a positive impact on current curfew enforcement processes?

This project could also be completed as an impact evaluation to determine the impact of curfew to see if curfew has had its intended effects. Often impact evaluations and process/implementation evaluations are carried out in conjunction with each other. A precondition for impact on the social conditions a program addresses is that the program actually be implemented in a manner that could plausibly affect those conditions (Rossi, Freeman and Lipsey 1999). Continuous monitoring is valuable regardless of what type of program one may be referring to as regular feedback about how well a program is performing can provide valuable information on improving the program being initiated.

What is difficult in these types of programs (enforcement) to determine, however, is if the program has caused a reduction in juvenile offending and victimization, specifically. We can gather crime data to show probable arrest effects, but victimization data is much harder to determine. How do we know when someone has or has not been the victim of a crime? We certainly cannot perform randomized experiments to determine if curfew has reduced victimization, for example. Even if this were possible we would have a significant ethical problem. Whom do we allow to be victimized and whom do we protect from being a victim? As law enforcement officers we have an obligation to protect the public and stop crime before it happens, not let it happen.

Two prerequisites for assessing the impact of an intervention are:

- The programs objectives must be sufficiently well articulated.
- The intervention should be sufficiently well implemented so that there is no question that its critical elements have been delivered to appropriate targets.

This would be another problem in making this project just an impact assessment alone. First, I do not feel like the programs objectives have been articulated well up to this point in Houston. While the objectives have been publicly stated there is little evidence that the objectives are being met. Also there is question on whether the program has been sufficiently implemented within the Houston Police Department's patrol divisions. Data collected provides information that shows patrol is not only uninterested in enforcing the program, but that they adamantly think it is not a law enforcement problem to begin with. While it is difficult to prove that the crime and victimization rates would have had the same drop over the last few years without the intervention, some would (and have) been inclined to take the data showing the reduction in crime and make invalid assumptions that curfew enforcement had caused the effects singularly. Of course, any such claims would not most likely be a valid evaluation. The possibility remains that such a study could be completed and the results publicized to support a non-functioning program. This provides another ethical problem for the evaluator. Should he give the customer what they want (such as, for example, if City Council proposed such a study and indicated what results they wanted) or should he make the attempt to truthfully evaluate the program and possibly tell them what they do not want to hear?

The impact assessment design would most likely take the form (style) of a meta- analysis if the data were large and consistent enough across the spectrum of past studies to make a proper analysis. There is a large amount of literature available on curfew to date, but much of the analysis on its effects appears to be mere speculation instead of being based on cold hard facts. However, there is currently little existing data from any past comprehensive analysis on curfew effects (or non-effects) that have been completed that would present enough information to make the analysis generalizable, and would certainly make reproduction of the studies results very questionable. The information that I will be using (data), however, does come from reliable sources, such as the FBI Uniform Crime Reports and the City Of Houston's arrest data. This data will be compiled and analyzed for patterns and trends that may develop in crime rates and victimization among juveniles compared to adult data. The results of this data will be compared to the results of the study completed by Males and Macallair, which even though it is only one comprehensive study if my results are similar the results can be compared to the data collected from outside sources such as theirs to make my analysis at least generalizable.

*Dissemination of the Results/Discussion of Policy  
Implications*

The Houston Police Department's Police Chief C.O. Bradford must first review the result of this study before the study can be disseminated to any other parties for review and consideration. When the project was first conceived a letter was sent to the Chief's office to garner his support and approval for the project and for a pending questionnaire that was to be given to patrol officers located at various substations within the department. In his return correspondence Chief Bradford asked to be informed of the results of the study before the results were released to anyone else. I fully intend to honor that request as I see it as an obligation.

If in fact the Chief approves then I would like the results to be released first to the captains of the police substations that were surveyed for their officer's responses to the questionnaire I posed during the study. Although any change in policy must come from above I believe the insight into why their officers are not enforcing the curfew law could provide valuable information that could be used to better manage their officers. I believe they will see that any new law or program that is to be enforced by patrol officers would be best received if the officers themselves had a greater stakeholder position in the programs conception and inception. Perhaps in hindsight the responsible parties for curfews inception will see that simply passing a law without input from the people expected to enforce such laws was one of the greatest causes of curfews failure to live up to its anticipated results.

The other parties that would benefit from the results of the study would be the Assistant Chiefs of the Houston Police Department. It is often at the assistant chief's level that the tone is set for their respective divisions, and information from the study could provide valuable information to them when dealing with juvenile offender and victim related enforcement and victim's assistance issues. Also, perhaps the most important party to release the information to would be the Mayor and City Council for the City of Houston, Texas. The little information that they have received from the Houston Police Department in the past has indicated that the curfew law has been largely responsible for the reduction in crime in general by and against juveniles in Houston. This study will show that while there is a slight possibility of curfew having some role to play in the reduction of crime and victimization largely the crime and victimization rates are down nationwide, perhaps for other reasons (social, political, etc).

If the results of the study were to be released to the general public I would want that decision to be made by the Police Chief and the Mayor and City Council. This report could cause some embarrassment to all of the above parties if not handled correctly and if released in a negative manner. However, I do believe that one of the greatest benefits of this study could be in its providing information to the public in the form of suggestions that could be used to improve on not just the enforceability of the curfew law but may result in less offending and victimization as a whole in the City of Houston. Everyday citizens seeing that the city has taken the responsibility and initiative can be rewarding if handled correctly. It could also be a disaster if handled incorrectly, and I do not have the

connections in my position to release such information nor the right to make a decision to go public with the study results.

The answer to curfews failings in Houston can be tied to several things. Primarily it is due to lack of input from police officers and the shortcomings of any enforcement plan offered to the officers by the upper command. “Here is the written law, now go out and enforce it” just will not work when you are dealing with a much larger problem such as curfew. Most officers feel like the problem with curfew should be placed squarely on the shoulders of parents. Parents feel like the problem is one that the police should help solve. The Mayor and City Council react to pressures from the outside and respond by passing a law to control the problem. The schools see it as everyone else’s problem but theirs, which is to just educate the children.

The problem of juvenile crime and victimization is much larger than any of the above listed individuals want to admit. Instead of working together to solve the problem it appears that they want to place the responsibility and blame for the juvenile problem on each other. The solution I want to offer is much more inclusive and gets everyone involved, from the police, to the parents, to the city council. While admittedly the solution I offer has been tried in Houston before on a small scale and was a failure (my study will show this was an implementation failure also) the solution seems to reside in getting all of the above listed parties working together as a team. I intend to offer the below listed solutions in my study, which closely parallel a solution that was offered in Phoenix, Arizona:

- Establish a curfew center using recreational, religious or educational facilities to hold violators while they await their parents.
- Staffing the centers with community social service providers and volunteers, providing intervention services for juveniles and their families.
- Creating specific procedures for repeat offenders, recreational, educational, and job opportunities for offenders, and anti drug and anti gang programs.
- Establish a task force of police, parents, schools and social service providers working together to offer solutions and suggestions to assist in reducing both crime and victimization by juvenile offenders.

In short, the answer is a community problem that should be worked out within and with the input from the community in which the problem takes place. I believe I can submit with relative confidence that we have, as a nation, not arrested ourselves out of a crime-related problem since this country's inception. Curfew is no exception to that statement.

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