

DONNA LADD

The 'Ayes' Have Curfews All Wrong

Last night, I listened to the Jackson City Council spend nearly an hour-and-a-half recognizing impressive local residents for being outstanding citizens. All three were indeed impressive -- two musicians and an architect, all African-American, who are giving back to the city of Jackson. The council members waxed eloquently and loquaciously about the three men to the TV cameras that would broadcast their civic ebullience and perfect posturing to voters at home in their living rooms watching on public-access TV. The Council then took about five minutes to renew a curfew ordinance against the only Jacksonians not eligible to vote for any of them.

Councilman Kenneth Stokes, who had honored two of three adults, introduced the curfew vote. "We want to make sure it's justified," he said of the curfew. "We have to dot our 'I's and cross our 'T's." To attest that the curfew was indeed in order, new Police Chief Robert Moore spoke for a lukewarm minute, saying that the statistics on the curfew, since it was first enacted in 1991, had "not been that impressive." But he hoped that the curfew would reach its full potential under his stewardship: "We want to get an opportunity to work with it." He didn't share any statistics, and no one on Council asked for proof that the curfew was worth keeping around. The council members voted unanimously to renew, and moved down the agenda.

The vote was no surprise: Two days before, the local daily newspaper had predicted the curfew would be kept, but without including any analysis of whether it actually deterred youth crime. And yesterday morning, the Clarion-Ledger then editorialized in its favor, after listing off a number of "tricky problems," but no specific benefits. "The problem is that this curfew can only be selectively enforced" -- probably meaning against youth of color down South and out West and not the white youth of North Jackson -- "for not only does the city lack enough police officers or jail space to arrest and hold all violators, but there aren't enough school attendance officers to enforce it."

True, the curfew -- like most around the country -- is puff legislation designed back in 1991 during the crack era to make adults think the city is getting tough against all those young "super-predators," as scared white folk liked to call them before that myth was debunked. The puff part, of course, is really apparent if you pay attention to who perpetrates what crimes and when. Adults commit most violent crime, including by gangs -- and youth crime is at its apex in the three hours after school lets out, which is not included in the curfew. Jackson's curfew is typical: It covers school hours and after 10 p.m., weeknights and midnight on the weekends.

"Nevertheless," the Clarion-Ledger continued, "without a curfew on the books, it would be difficult for the city to maintain order if youth infractions get out of hand. If parents are not going to keep up with their kids, the city has in (sic) interest in doing so." Just in case. In all this commotion over maintaining order, no one -- from the city council to the daily paper -- offered any evidence that under-18 residents are wreaking havoc in Jackson. They're simply guilty until proven guilty, as usual.

Truth is, curfews are a bad idea, violate young people's rights and don't work. A study by the Justice

Policy Institute of the Center on Juvenile and Criminal Justice found no evidence that strict curfew enforcement -- when that actually happens; it often more haphazard than "strict" -- reduces youth crime, regardless of location, city or type of crime. "Curfew enforcement generally had no discernible effect on youth crime," the 1999 study found. In fact, when a significant effect was shown, it was that cities with the highest curfew enforcement also showed the highest youth crime. Oops.

To their credit, a handful of US cities have rejected curfews, or at least publicly admit their weaknesses. The 1997 "Status Report on Youth Curfews in America's Cities," by the US Conference of Mayors, showed that at least 276 cities (four out of five) have a nighttime curfew, and 26% had a daytime curfew. San Francisco said they don't work because offenses occur before curfew hours, which is true throughout the country. "Therefore, the curfew is ineffective." Billings, Mont., said police have nothing to do with the kids once the police have them; their parents often aren't home. Kauai, Hawaii, said the restrictions just cause more crime during non-curfew hours. Memphis, Tenn., said adults commit most evening crime. Richmond, Calif., bless its heart, put it best: "Curfews treat all youth as violators. It turns off good kids and is unfair to them."

Exactly. Curfews, like other "status" violations, are just another way that American adults cast a wide net against our non-voting young people, hoping to sweep up the "bad kids" along the way. Still, many police chiefs, like Moore, support curfews, probably because it gives their officers greater latitude to pull over potential troublemakers, whom they don't have enough evidence to nab for something else. Just in case. In a country where racial profiling against adults is rampant, we should especially be worried about giving police the ability to selectively pull over young people simply based on hands on a clock. No, all police won't abuse the privilege, but even one is too many.

Regardless of police intentions, the evidence simply does not support curfews. The Los Angeles Times, for instance, reported that the US Mayors' survey, cited above, "did not include a statistical analysis of the effect curfews have had on crime." The Justice Policy Institute pointed to a recent Los Angeles Police Department report that strict curfew enforcement, which included 101 task forces of 3,600 officers who wrote 4,800 curfew citations to minors in six months, had no effect on reported crime or juvenile violent crime.

Elected officials, for their part -- which includes politicians of all stripes; President Clinton was a big proponent of "status" offenses against children, including curfews -- get to say they are tackling the dreaded youth-crime problem, which is itself completely overblown. The real problem is adult-on-child violence, especially in the home: The Justice Policy Institute reports that 11 American children die every two days at the hands of a parent or guardian. But all the scientific data showing that this generation of kids is one of the safest in decades don't really matter to our politicians. Young people can't vote. Yet.

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