



Youth Curfews—Lesson Plan

Student Objectives

- Understand the importance of youth participation in democratic societies.
- Understand the context and reasons why some democratic countries have created youth curfews.
- Evaluate reasons for supporting and opposing youth curfews.
- Identify areas of agreement and disagreement with other students.
- Decide, individually and as a group, whether governments should impose curfews on people under age 18; support decisions based on evidence and sound reasoning.
- Reflect on the value of deliberation when deciding issues in a democracy.

Question for Deliberation

Should our democracy impose curfews on people under age 18?

Materials

- Lesson Procedures
- Handout 1—Deliberation Guide
- Handout 2—Deliberation Worksheet
- Handout 3—Student Reflection on Deliberation
- Reading
- Selected Resources
- Deliberation Question with Arguments
(optional—use if students have difficulty extracting the arguments or time is limited)



Youth Curfews—Reading

1 At the heart of democracy is the idea that citizens are equal before the law. In elections, every
2 citizen gets only one vote. When citizens are charged with crimes or believe their rights have been
3 violated, they expect equal treatment in the courts whether they are rich or poor, religious or
4 atheist, politicians or political activists.

5 Every democratic society must strive to grant equal protection to its citizens. Yet one
6 significant community of citizens is the focus of many laws but has no formal way to shape those
7 laws: youth. Children and adolescents are a vital part of every nation. They are subject to society's
8 rules, but they are treated differently under the law precisely because of their age. They cannot
9 vote, nor do they have many of the privileges and responsibilities of older citizens. Instead, laws
10 are passed to help and protect them or to protect the larger society. One of these laws is the youth
11 curfew.

12 **Youth Curfews: Protection or Punishment?**

13 Youth curfew laws make it illegal for young people, usually under age 16 or 17, to be on the
14 streets during certain times, typically from 11:00 p.m. to 4:00 a.m. These laws are part of a larger
15 group of "status offenses." A status offense is something that is illegal when a young person does
16 it but legal when done by an adult. Depending on the country, other examples can be smoking or
17 drinking in public, running away from home, or not being in school during a normal school day.

18 The United States is the current leader in legislating and enforcing curfew laws. These laws
19 are usually passed and enforced by state or local governments. During the 1990s, thousands of
20 American cities and towns, including nearly three-fourths of all cities with more than 100,000

21 inhabitants, enacted youth curfew laws. These laws were part of a response to the increase in
22 juvenile crime that occurred in the United States between 1988 and 1992. During those four years,
23 juvenile homicide increased 55 percent. Forcible rape increased 27 percent, and aggravated assault
24 jumped 80 percent. Young people under 16 were responsible for 62 percent of violent juvenile
25 offenses, but statistics also showed that teenagers were the most frequent targets of juvenile
26 violence. Curfew laws enacted in the 1990s were aimed at reducing juvenile crime and preventing
27 youth victimization.

28 Several European democracies have imposed different versions of youth curfews. In Britain, a
29 1998 law allowed local councils to impose curfews for all children under ten. A Scottish program
30 mandates police officers to stop young people on the streets at night and divert them towards
31 youth activities available at clubs set up by the local council. Serbia has debated extending
32 wartime curfew policies for young people only. Curfews also have been introduced in Australia. In
33 the city of Perth, Australian lawmakers recently imposed a curfew for a year; they report that the
34 curfew has reduced crime and antisocial behavior.

35 Curfew laws in the United States have been challenged by the American Civil Liberties Union
36 (ACLU). ACLU lawyers argue that the curfew law violates young people's rights under the U.S.
37 Constitution, including freedom of speech and peaceful assembly, freedom from unreasonable
38 detainment, fair treatment under the law, and the right to travel.

39 Not surprisingly, different challenges to local curfew laws in the United States have yielded
40 different results. A federal court declared that the curfew law in the city of Dallas, Texas, was
41 unconstitutional. The city appealed this decision to a higher court, and *that* court ruled that the
42 Dallas curfew was constitutional because it had the potential to reduce juvenile crime and
43 victimization. The higher court also ruled that certain exceptions in the curfew law provided young

44 people and their parents with enough freedom to move about after curfew hours. Many other
45 communities followed Dallas's example and established curfew laws. In 2001, however, curfew
46 laws were successfully challenged in the states of Alaska, New Jersey, New York, and elsewhere.
47 In those cases, curfew laws were found to violate the constitutional rights of young people and
48 their parents.

49 **Balancing Rights and Safety**

50 Most arguments about youth curfews address two main ideas: (1) the safety of youth and
51 society and (2) the rights of youth and adults.

52 **1. The Safety of Young People and Society.** Advocates claim that youth curfews can help
53 protect vulnerable children. Most parents, they say, are responsible, but many cannot supervise
54 their children, who may then fall victim to street crime and accidents. Curfews, they say, can
55 protect undersupervised children and help parents face up to their responsibilities. Supporters also
56 claim that youth curfews can challenge negative youth attitudes in areas where defying the law is
57 considered desirable and gang membership is a status symbol. Curfews encourage young people to
58 spend more time with their families and in more positive activities, such as sports and youth clubs.

59 People opposed to curfews argue that curfews limit the rights of parents to bring up their
60 children as they choose. Requiring adults to accompany their children to outside activities is
61 unreasonable and prejudicial because many adults don't believe they need to—or are unable to—
62 transport their children around the community.

63 Advocates of youth curfews also believe that these laws provide communities with fair and
64 positive means to reduce juvenile violence. Juvenile crime is a serious problem that often involves
65 drugs and violence. Gangs can terrorize communities and create a social climate in which criminal

66 activity becomes the norm. Youth curfews deal with these problems by keeping young people off
67 the street and preventing them from congregating in the hours of darkness.

68 Opponents of youth curfews are not convinced that such programs actually work. They point
69 to studies that show no direct link exists between juvenile crime rates and the enforcement of
70 youth curfews. Instead, these studies show other factors (for example, population shifts and
71 economic changes) have more impact on youth crime than do curfews. Additionally, these studies
72 found that most juvenile crime takes place between 3 p.m. and 8 p.m.—after students are released
73 from school and before working parents return home—rather than during curfew hours.

74 Youth curfews, say their advocates, can support zero-tolerance policing. This strategy is based
75 on the theory that low-level crimes such as graffiti-tagging, window breaking, and drug-dealing
76 (all common juvenile offenses) can encourage development of a lawless environment where more
77 serious crimes can flourish.

78 Opponents suggest that imposing youth curfews has great potential for abuse and may turn
79 generally law-abiding young people into criminals. They note that more American children are
80 charged with curfew offenses than with any other crime. They also point out that statistics from
81 U.S. communities suggest that the police arrest more non-white than white youth for curfew
82 violations. They also say that curfews affect the poor more harshly: because youth in poor
83 neighborhoods have fewer places to play or “hang out” safely, their only option is staying on the
84 streets. Once burdened by a criminal record, many of these young people cross a psychological
85 boundary, perceiving themselves as outlaws. A criminal record reduces the employment
86 opportunities for youth and scars their futures. Enforcement of youth curfews can lead to a
87 deterioration in police-youth relations.

88 **2. The Rights of Young and Older Citizens.** Opponents of youth curfews say that these

89 policies infringe upon the individual rights and liberties of young people. Children, they say, have
90 the right to freedom of movement and assembly. Curfews hurt these rights. Young people,
91 particularly teenagers, have legitimate reasons to be out at night without adults. Many hold after-
92 school jobs. Others participate in group activities at churches, youth clubs, or sports arenas. Young
93 citizens cannot learn how to be responsible unless they have opportunities to act responsibly.

94 Opponents of curfews also note that this kind of law treats all young people as potential law-
95 breakers. While only 0.2 percent of youth in the United States commit serious offenses, youth
96 curfews limit the remaining 99.8 percent of young people who seek to engage in legitimate
97 activities during nighttime hours. Moreover, curfew laws tend to discriminate by age, despite the
98 fact that young people commit fewer crimes than adults.

99 Supporters of youth curfew agree that such programs take the law-abiding majority of young
100 people off the streets. They see this restriction, however, as a protection and an advantage: it
101 protects the law-abiding youth from the law-breakers, and it gives the police the advantage of
102 focusing their resources on only those few young people actively breaking the law.

103 Balancing the rights and safety needs of youth and adults remains a challenge.



Youth Curfews—Selected Resources

- Bilchik, Shay, "Curfew: An Answer to Juvenile Delinquency and Victimization," *Juvenile Justice Bulletin* (Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, April 1996).
- Budd, Jordan C., "Juvenile Curfews: The Rights of Minors vs. the Rhetoric of Public Safety," *Human Rights* (Washington, DC: American Bar Association, 2004), <http://www.abanet.org/irr/hr/fall99humanrights/budd.html>.
- "Child Curfews," *Deatabase: The Online Debate Topic Database* (New York: International Debate Education Association, 2001), <http://www.deatabase.org/details.asp?topicID=114>.
- "Coming of Age in America," *Bill of Rights in Action* (Los Angeles: Constitutional Rights Foundation, May 1982), Vol.16:2.
- "Curfews and Local Government," *The Challenge of Violence* (Los Angeles: Constitutional Rights Foundation, 1997).
- "Curfews: A National Debate" (Portland, OR: American Civil Liberties Union of Oregon, 2001), <http://www.aclu-or.org/issues/curfews/studentcurfew1.html>.
- "Local Child Curfews Guidance Document" (London: British Home Office, 2003), <http://www.crimereduction.gov.uk/youth18.htm>.
- Ruefle, W., and K.M. Reynolds, "Keep Them at Home: Juvenile Curfew Ordinances in 200 American Cities," *American Journal of Police* (1996).
- Shepherd, Robert E., Jr., "The Proliferation of Juvenile Curfews," *Juvenile Justice Articles* (Washington, DC: American Bar Association, 2004), <http://www.abanet.org/crimjust/juvjus/cjcurfew.html>.
- "A Status Report on Youth Curfews in America's Cities" (Washington, DC: The United States Conference of Mayors, 1997), <http://www.usmayors.org/USCM/news/publications/curfew.htm>.



Youth Curfews—Deliberation Question with Arguments

Deliberation Question

Should our democracy impose curfews on people under age 18?

YES—Arguments to Support the Deliberation Question

1. Youth curfews can help solve major juvenile crime problems such as drug abuse, violence, and gang activity by keeping young people off the streets.
2. Youth curfews can help parents accept child-rearing responsibilities and help protect vulnerable children who might otherwise fall prey to youth—or adult—predators.
3. Youth curfews can help create a safer community by stopping minor crimes and criminals from progressing to more serious—and destructive—law-breaking. Curfews support zero-tolerance policing.
4. Youth curfews can discourage the growth of negative youth attitudes and behaviors about defying the law and gang membership while they contribute to more positive, supervised activities.
5. Youth curfews, by keeping the law-abiding majority of young people off the streets, allow police to focus on serious lawbreakers.



Youth Curfews—Deliberation Question with Arguments

Deliberation Question

Should our democracy impose curfews on people under age 18?

NO—Arguments to Oppose the Deliberation Question

1. Studies suggest there is no direct link between youth curfews and reduced juvenile crime. In fact, most juvenile lawbreaking happens just after school, before typical curfew hours begin.
2. Youth curfews violate individual rights and liberties such as freedom of assembly and the right to travel. They also violate parents' rights to raise their children as they wish.
3. Many young people have legitimate reasons for being on the streets at night—they hold part-time jobs and participate in supervised social activities or arts and sports programs. Besides, it is unreasonable to expect that all parents can take their children to evening activities.
4. Youth curfews have great potential for abuses such as racial profiling and lack of consideration for young people who live in neighborhoods with fewer recreational resources. This abuse can lead to a further breakdown of police-youth relations.
5. Youth curfews assume that all young people are criminals. Excessive curfew arrests add to the number of juveniles who are hampered by criminal records.



Lesson Procedures

Step One: Introduction

Introduce the lesson and the Student Objectives on the **Lesson Plan**. Distribute and discuss **Handout 1—Deliberation Guide**. Review the Rules of Deliberation and post them in a prominent position in the classroom. Emphasize that the class will deliberate and then debrief the experience.

Step Two: Reading

Distribute a copy of the **Reading** to each student. Have students read the article carefully and underline facts and ideas they think are important and/or interesting (**ideally for homework**).

Step Three: Grouping and Reading Discussion

Divide the class into groups of four or five students. Group members should share important facts and interesting ideas with each other to develop a common understanding of the article. They can record these facts and ideas on **Handout 2—Deliberation Activities** (Review the Reading).

Step Four: Introducing the Deliberation Question

Each **Reading** addresses a Deliberation Question. Read aloud and/or post the Deliberation Question and ask students to write the Deliberation Question in the space provided on **Handout 2**. Remind students of the Rules for Deliberation on **Handout 1**.

Step Five: Learning the Reasons

Divide each group into two teams, Team A and Team B. Explain that each team is responsible for selecting the most compelling reasons for its position, which you will assign. Both teams should reread the **Reading**. Team A will find the most compelling reasons to **support** the Deliberation Question. Team B will find the most compelling reasons to **oppose** the Deliberation Question. To ensure maximum participation, ask everyone on the team to prepare to present at least one reason.

Note: Team A and Team B do not communicate while learning the reasons. If students need help identifying the arguments or time is limited, use the **Deliberation Question with Arguments** handouts. Ask students to identify the most compelling arguments and add any additional ones they may remember from the reading.

Step Six: Presenting the Most Compelling Reasons

Tell students that each team will present the most compelling reasons to **support** or **oppose** the Deliberation Question. In preparation for the next step, Reversing Positions, have each team listen carefully for the most compelling reasons.

- Team A will explain their reasons for **supporting** the Deliberation Question. If Team B does not understand something, they should ask questions but NOT argue.
- Team B will explain their reasons for **opposing** the Deliberation Question. If Team A does not understand something, they should ask questions, but NOT argue.

Note: The teams may not believe in or agree with their reasons but should be as convincing as possible when presenting them to others.

Step Seven: Reversing Positions

Explain that, to demonstrate that each side understands the opposing arguments, each team will select the other team's most compelling reasons.

- Team B will explain to Team A what Team A's **most compelling** reasons were for **supporting** the Deliberation Question.
- Team A will explain to Team B what Team B's **most compelling** reasons were for **opposing** the Deliberation Question.

Step Eight: Deliberating the Question

Explain that students will now drop their roles and deliberate the question as a group. Remind the class of the question. In deliberating, students can (1) use what they have learned about the issue and (2) offer their personal experiences as they formulate opinions regarding the issue.

After deliberating, have students find areas of agreement in their group. Then ask students, as individuals, to express to the group their personal position on the issue and write it down (see My Personal Position on **Handout 2**).

Note: Individual students do **NOT** have to agree with the group.

Step Nine: Debriefing the Deliberation

Reconvene the entire class. Distribute **Handout 3—Student Reflection on Deliberation** as a guide. Ask students to discuss the following questions:

- What were the most compelling reasons for each side?
- What were the areas of agreement?
- What questions do you still have? Where can you get more information?
- What are some reasons why deliberating this issue is important in a democracy?
- What might you or your class do to address this problem? Options include teaching others about what they have learned; writing to elected officials, NGOs, or businesses; and conducting additional research.

Consider having students prepare personal reflections on the Deliberation Question through written, visual, or audio essays. Personal opinions can be posted on the web.

Step Ten: Student Poll/Student Reflection

Ask students: "Do you agree, disagree, or are you still undecided about the Deliberation Question?" Record the responses and have a student post the results on www.deliberating.org under the partnerships and/or the polls. Have students complete **Handout 3**.



Handout 1—Deliberation Guide

What Is Deliberation?

Deliberation (meaningful discussion) is the focused exchange of ideas and the analysis of arguments with the aim of making a decision.

Why Are We Deliberating?

Citizens must be able and willing to express and exchange ideas among themselves, with community leaders, and with their representatives in government. Citizens and public officials in a democracy need skills and opportunities to engage in civil public discussion of controversial issues in order to make informed policy decisions. Deliberation requires keeping an open mind, as this skill enables citizens to reconsider a decision based on new information or changing circumstances.

What Are the Rules for Deliberation?

- Read the material carefully.
- Focus on the deliberation question.
- Listen carefully to what others are saying.
- Check for understanding.
- Analyze what others say.
- Speak and encourage others to speak.
- Refer to the reading to support your ideas.
- Use relevant background knowledge, including life experiences, in a logical way.
- Use your heart and mind to express ideas and opinions.
- Remain engaged and respectful when controversy arises.
- Focus on ideas, not personalities.



Handout 2—Deliberation Activities

Review the Reading

Determine the most important facts and/or interesting ideas and write them below.

- 1) _____
- 2) _____
- 3) _____

Deliberation Question

Learning the Reasons

Reasons to Support the Deliberation Question (Team A)	Reasons to Oppose the Deliberation Question (Team B)

My Personal Position

On a separate sheet of paper, write down reasons to support your opinion. You may suggest another course of action than the policy proposed in the question or add your own ideas to address the underlying problem.



Name: _____

Date: _____

Teacher: _____

Handout 3—Student Reflection on Deliberation

Large Group Discussion: What We Learned

What were the most compelling reasons for each side?

Side A:

Side B:

What were the areas of agreement?

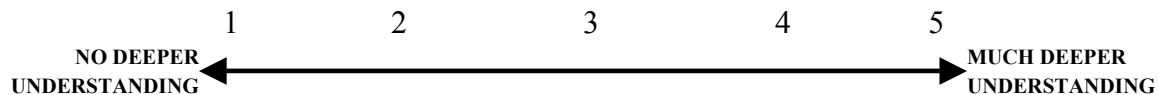
What questions do you still have? Where can you get more information?

What are some reasons why deliberating this issue is important in a democracy?

What might you and/or your class do to address this problem?

Individual Reflection: What I Learned

Which number best describes your understanding of the focus issue? [circle one]



What new insights did you gain?

What did you do well in the deliberation? What do you need to work on to improve your personal deliberation skills?

What did someone else in your group do or say that was particularly helpful? Is there anything the group should work on to improve the group deliberation?