

**Juvenile Curfew Practices
in Washington State**

*Sharon Silas
with
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November 1997

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WASHINGTON STATE INSTITUTE FOR PUBLIC POLICY

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WASHINGTON STATE INSTITUTE FOR PUBLIC POLICY

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Introduction

The Washington State Institute for Public Policy was directed by the 1994 and 1995 Legislatures to study juvenile violence and other at-risk behaviors of youth.¹ In 1996, a survey and review of juvenile curfew/parental responsibility ordinances in the cities of Washington State was conducted as part of the Institute's research efforts concerning juvenile violence and prevention. In order to update information regarding juvenile curfew/parental responsibility ordinances in Washington State the Institute conducted another survey in 1997.

The following report reviews the structure and purpose of the juvenile curfew and provides a brief overview of legal questions regarding juvenile curfews. It also describes juvenile curfews currently in effect in Washington State and summarizes findings from the Institute's 1997 survey. The report is divided into three sections:

- **Section I: Overview of Juvenile Curfews.** Presents the general structure of a juvenile curfew/parental responsibility ordinance; the rationale behind adopting curfews and the effectiveness of juvenile violence prevention; and a brief discussion of constitutional questions facing curfews and an overview of specific court challenges.
- **Section II: Survey of Washington Cities.** Summarizes results of the survey of juvenile curfew/parental responsibility ordinances in Washington State.
- **Section III: Appendices.** *Appendix A* contains a listing of Washington cities with juvenile curfews that participated in the survey. *Appendix B* includes two tables—Table 1 provides a brief description of each city's curfew or parental responsibility ordinance and Table 2 lists survey responses regarding the number of citations, impact on juvenile violence, public support, and constitutional challenges. *Appendix C* contains the survey instrument.

¹ RCW 70.190.050.

Executive Summary

The increase in juvenile violent crime in Washington prompted the 1994 Washington State Legislature to pass a law enabling local jurisdictions to adopt juvenile curfews. The Washington State Institute for Public Policy was directed by the legislature to study juvenile violence and other at-risk behaviors of youth.² As part of this research, the Institute conducted a survey of cities in Washington State with juvenile curfew/parental responsibility ordinances in 1996. The Institute's approach was to review the city ordinances and survey city officials regarding their experiences.

In May 1997, the Institute conducted a second survey to update the information. At the time of the survey, the Washington State Court of Appeals declared the city of Bellingham's juvenile curfew ordinance unconstitutional. In light of this decision, the Institute issued a supplemental survey question concerning the impact of this decision on juvenile curfews in each city's jurisdiction.

As of September 1997, 55 cities have juvenile curfew/parental responsibility ordinances—28 more cities than in 1996.³ Collectively, these cities represent about *20 percent* of Washington's total population. Of the total, twenty-eight have *parental responsibility ordinances* in which the parent is in violation of the ordinance and charged. Six cities have *juvenile curfew ordinances*—the juvenile is in violation and charged. The remaining cities have a combination of juvenile curfew and parental responsibility ordinance.

This report provides a brief overview of juvenile curfews and summarizes findings from a survey conducted from May to September 1997. Descriptions of curfew ordinances and responses from survey participants regarding the number of citations issued for curfew violations, the impact on juvenile violence and runaways, the level of community support and participation, and the effect of legal challenges on the city's juvenile curfew ordinance are also provided.

² RCW 70.190.050.

³ Some of this increase is due to the inclusion of cities that had curfews in 1996, but were not included in the original survey.

Section I: Overview of Juvenile Curfews

The increase in juvenile violent crime in Washington prompted the 1994 Washington State Legislature to pass legislation enabling local jurisdictions to adopt juvenile curfews.⁴ The law is as follows: “Any city or town has the authority to enact an ordinance, for the purpose of preserving the public safety or reducing acts of violence by or against juveniles that are occurring at such rates as to be beyond the capacity of the police to assure public safety, establishing times and conditions under which juveniles may be present on the public streets, in the public parks, or in any other public place during specified hours.”

Subsequently, many municipalities have enacted juvenile curfew or parental responsibility ordinances or a combination of the two. A juvenile curfew ordinance assigns responsibility, and possible fines, to the juvenile if he or she is charged with a violation. A parental responsibility ordinance, on the other hand, shifts the burden and penalties to the juvenile’s parent or guardian.⁵

Curfews vary among jurisdictions, but the basic structure of a curfew ordinance includes:⁶

- **Statement of purpose.** This section includes the rationale for a curfew (e.g. reducing juvenile crime or protecting youth at night).
- **Definition of terms.** This detailed list of terms such as parent, minor, and public place can be important in determining whether the statute meets tests for clarity.
- **Curfew hours.** This section describes the days and times of the curfew. Curfew times may vary from week to weekend or school year to summer.
- **Restricted activities.** This is usually a list of public places in which the minor is not allowed during curfew hours.
- **Enforcement of the ordinance.** Fines and liable parties (parents, minor, etc.) are described, along with requirements for court appearances or reporting violators to Child Protective Services.
- **Exemptions or defenses.** This element of a curfew ordinance lists activities that excuse a minor from the curfew.

Curfews and Juvenile Violence Prevention

Many cities in the nation have adopted or amended youth curfews in an effort to curb juvenile violence. In 1995, the United States Conference of Mayors surveyed 387 cities and found that 7 out of 10 had a curfew ordinance in effect. Of these surveyed cities, 21 percent had the curfews for one year or less.⁷ National data reported by the FBI found arrests for violation of

⁴ RCW 35.21.635.

⁵ For this report all variations of juvenile curfew and/or parental responsibility ordinances will be referred to as juvenile curfews.

⁶ Alexander Marketos, “The Constitutionality of Juvenile Curfews,” *Juvenile and Family Court Journal* (June 1995) p. 18.

⁷ John Pionke, “Many Cities Adopt Curfews During Past Year,” *The United States Conference of Mayors* (Washington D.C.: The United States Conference of Mayors, December 1995).

curfew and loitering laws had increased 14 percent from 1994 to 1995, to a total of 111,715.⁸ Washington State reported 199 arrests for violation of curfew and loitering laws in 1995.⁹

Jurisdictions have various intents associated with juvenile curfew ordinances, including:¹⁰

- Enhancing parental control and supervision including supporting parents in the legitimization of restrictions on late night activities.
- Protecting non-delinquent minors from crime.
- Dispersing late-night crowds of juveniles.
- Allowing police to stop and question youth.

Although many cities pass curfew ordinances as a means of decreasing juvenile violence, to date little empirical evidence is available regarding the effectiveness of these efforts.¹¹ The 1995 report from the National Conference of Mayors noted the following:

“Thirty-six percent of the survey cities said their curfew was very effective and another 20 percent said it was somewhat effective, but 14 percent said it was not effective at all. These differences of opinion appear to relate to the way the curfew is enforced: officials believe that where there is less parental involvement, there is less curfew effectiveness.”¹²

As a means of enhancing curfew ordinances, some cities have initiated special programs and procedures, including the following:¹³

- Drop-off recreation centers where police can process curfew violators and parents can pick them up.
- Special counseling for gang members.
- Diversion programs that include classes for parents and juveniles on parenting, conflict resolution, and communication.
- Penalty options that include counseling and/or community service.
- Follow-up procedures with curfew violators.

⁸ U.S. Department of Justice, Federal Bureau of Investigation, “Crime in the United States—1995,” (Washington D.C.: USGPU, 1996) p. 216.

⁹ Washington Association of Sheriffs and Police Chiefs, “Crime in Washington State: Annual Report,” (1996) p. 32.

¹⁰ William Ruefle and Kenneth Mike Reynolds, “Curfews and Delinquency in Major American Cities,” *Crime and Delinquency* Volume 41 Number 3 (July 1995) p. 349.

¹¹ In 1995, two empirical studies were funded by the National Institute of Justice to study the effectiveness of juvenile curfews: “An Analysis of Juvenile Curfews in New Orleans as a Crime Prevention Measure for America,” awarded to Sam Houston University; and “The Effects of Juvenile Curfews on Violent Crime,” awarded to the University of New Orleans. The results of these studies are pending.

¹² Pionke, p. 18-19.

¹³ Gordon Martin, Jr., “Municipal or Area Curfews? Maybe; Individual Curfews? Sure: But What About After School?” *Juvenile Justice Update* Volume 2 Number 5 (October/November 1995) p. 2.

Legal Issues

Increasingly, curfew ordinances are being challenged on constitutional grounds, including violation of the following amendments:¹⁴

- First Amendment—free speech, religion, and peaceful assembly including the right of free movement and free association.
- Fourth Amendment—protection against unreasonable search and seizure.
- Fifth Amendment—due process of the law.
- Ninth Amendment—interpreted to include the right to privacy as in the right to family autonomy.
- Fourteenth Amendment—equal protection¹⁵, protection against deprivation of liberty without due process, the right to interstate travel.

Court challenges have also questioned the vagueness, overbreadth, and overreach of juvenile curfew ordinances.¹⁶

In order to resolve the question of constitutionality, a court in review will apply what is termed a “strict scrutiny” test. This is achieved by answering a two-pronged question:¹⁷

1. Does the law demonstrate that there is a compelling state interest? And if so,
2. Is the law narrowly tailored to achieve its objective?

A Question of Constitutionality: Dallas, Texas and Bellingham, Washington

Two court cases concerning juvenile curfews provide insight into the constitutional questions debated in court, and demonstrate the variation in case law patterns. The Federal Court of Appeals’ decision in *Qutb v. Strauss*¹⁸ was a landmark decision nationally and established the city of Dallas’ curfew as a model to withstand constitutional challenge. The State Court of Appeals’ decision in *State of Washington v. J.D.*¹⁹ effectively abolished Bellingham’s juvenile curfew ordinance and provided an opportunity for other curfew ordinances in Washington State to be challenged.

Dallas, Texas

In 1991, Dallas enacted a curfew ordinance that was quickly challenged. The district court ruled the law unconstitutional on grounds that it violated the Equal Protection Clause and the right to free association.²⁰ The case was appealed to the United States 5th Circuit Court of Appeals. The court found that the Dallas curfew ordinance provided a compelling state interest and that it was narrowly tailored to achieve its goal, thus, reversing the ruling of the

¹⁴ Office of Juvenile Justice and Delinquency Prevention, “Curfews: An Answer to Juvenile Delinquency and Victimization?” *Juvenile Justice Bulletin* (April 1996) p. 1-2.

¹⁵ In particular, unequal treatment of a class based on age and/or selective enforcement of minority youths.

¹⁶ Ruefle and Reynolds, p. 349.

¹⁷ Office of Juvenile Justice and Delinquency Prevention, p. 2.

¹⁸ *Qutb v. Strauss*, 11F.3d (5th Circ. 1993).

¹⁹ *State of Washington v. J.D.*, DOB 5-22-79, No.36797-8-1. (Division One Public Opinion, June 2, 1997).

²⁰ The curfew ordinance was initially challenged based on violations of the First, Fourth, Fifth, and Fourteenth amendments; vagueness and overbreadth (*Qutb v. Strauss*).

lower court. The court brief stated that Dallas' compelling state interest was to "increase juvenile safety and decrease juvenile crime."²¹ The city attorney provided statistical data regarding juvenile crime in Dallas and although the data was not specific to juvenile crime during curfew hours, the court agreed that the data was sufficient to support a compelling state interest.

The Dallas ordinance also provided a number of circumstances that exempted individuals from the curfew.²² The court found that the ordinance provided enough defenses that the curfew law was indeed narrow enough to meet its objective—reducing juvenile crime and increasing juvenile safety. The court also determined that these exemptions voided other issues of concern such as a violation of the fundamental right to privacy.

Bellingham, Washington

On June 2, 1997, the Washington State Court of Appeals found Bellingham's curfew ordinance unconstitutional (*Washington State v. J.D.*) on three grounds: it violated minors' First and Fifth Amendment rights (fundamental freedom of movement and expression); it was not narrowly tailored to address the problem of juvenile crime; and it was unconstitutionally vague.

Bellingham's city council hearings to establish a juvenile curfew were referenced in the court decision as they helped determine the compelling state interest. Testimony regarding rising crime rates and crime problems in the central business district was presented as the rationale to establish a curfew. In addition, the city hoped the curfew would protect youth from becoming victims of violence and reduce juvenile crime. Although the council relied on anecdotal rather than statistical evidence of rising crime rates, the court was satisfied that crime prevention and protecting minors served a compelling state interest.

The court, however, did not find sufficient evidence supporting a relationship between the curfew and juvenile victimization or crime rates. The Bellingham ordinance included some defenses, but the court found the law too broad and determined that it infringed on the freedom of movement for many juveniles who could be on the streets during curfew hours for legitimate reasons. Concern was expressed especially for those juveniles conducting activities which fall under the First Amendment, such as participation in a vigil or protest.

The court ruled that the ordinance was not clear as to what was, and was not, an exempted activity and therefore did not provide explicit standards for police enforcement.

²¹ *Qutb v. Strauss*.

²² The exemptions include: being accompanied by a parent or guardian, or a person of age who is authorized by a parent or guardian to have custody of the minor; traveling interstate; returning from a school-sponsored function, a civic organization-sponsored function, or a religious function; going home after work; involvement in a emergency; the juvenile is on a sidewalk in front of his or her home or the home of a neighbor; and if the juvenile is exercising his or her First Amendment rights (*Qutb v. Strauss*).

Section II: Survey of Washington Cities With Curfews

From May to September 1997, the Institute conducted a survey of cities in Washington with juvenile curfew/parental responsibility ordinances. This report updates a previous publication.²³ Information for the report was obtained by examining the ordinances and also surveying public officials. Most of the surveys were completed by either police or municipal representatives.²⁴

Survey Findings

As of September 1997, the Institute identified 55 cities with curfew ordinances. The survey generated a 95 percent response rate; three cities chose not to participate.²⁵ Nine cities partially responded with a description of their ordinance, but did not answer survey questions.²⁶ The findings are organized in two sections: the first section describes key features of the juvenile curfews. The second section summarizes responses from officials regarding the curfews.²⁷ The appendices contain tables that summarize individual responses from survey participants.

General Types of Curfew Ordinances

Collectively, Washington cities with juvenile curfew ordinances represent about *20 percent* of the state's total population. Survey responses indicate that ordinances can be organized as follows:

- Twenty-eight cities in Washington have **parental responsibility ordinances** in which the **parent is found in violation** of the ordinance, and is charged and fined.²⁸
- Six cities have **curfew ordinances** that **charge only the minor** with a violation.²⁹
- Four cities have ordinances that find **both the parent and the minor** in violation, however only the **parent receives a citation**.³⁰
- Thirteen cities have ordinances that find **both the parent and the minor** in violation and **each are eligible to be penalized**.³¹

²³ Peggy Slavick with Steve Aos, "Juvenile Curfew and Parental Responsibility Ordinances," (Olympia, WA: Washington State Institute for Public Policy, March 1996).

²⁴ See Appendix C for the survey instrument.

²⁵ Buckley, Elmer City, and Lake Stevens.

²⁶ Auburn, Camas, Cashmere, Cle Elum, Coulee City, Coulee Dam, Ephrata, Kent, Soap Lake did not participate for a number of reasons. Some had recently enacted a curfew ordinance thus data was not available and others have not been enforcing the curfew ordinance for a number of years. However, for these cities the Institute was able to obtain copies of each city's ordinance to provide a description of the curfew.

²⁷ Surveys were issued and returned by fax and telephone interview.

²⁸ Brewster, Bridgeport, Cashmere, Centralia, Cle Elum, Coulee City, Coulee Dam, Coupeville, Eatonville, Ephrata, Fircrest, Grandview, Kittitas, Long Beach, Marysville, Moses Lake, Omak, Prosser, Raymond, Roslyn, Selah, Soap Lake, Sunnyside, Toppenish, Tukwila, Wapato, Woodland, Zillah.

²⁹ Camas, Chehalis, Forks, Normandy Park, Pasco, Yakima.

³⁰ Everett, Granger, Tekoa, Yelm.

³¹ Algona, Auburn, Chelan, Kent, La Center, Longview, Newport, Oak Harbor, Pacific, Ridgefield, SeaTac, Sumner, Tacoma.

- One city, Stanwood, **does not specify** who is in violation or who receives the penalty.

Curfews: Age, Location, and Time Restrictions

Forty-two responding jurisdictions define age restriction as any person under the age of 18 years; five cities have age restrictions of 17 and younger. One city’s curfew restricts juveniles under the age of 15. Four cities have different curfew periods based on the juvenile’s age. For example, Sunnyside has two curfew periods: one for any person under the age of 18 years (12 a.m. to 5 a.m.), and another curfew for any person under the age of 15 years (10 p.m. to 5 a.m.). Some ordinances exempt married juveniles from the curfew regardless of their age.

Most cities define the restrictive location to include “any area of the public streets, alleys, parks, playgrounds, or other public places or any unsupervised area within the city” or, more simply, to “any public place.” Bellingham’s former curfew ordinance specifically limited its restrictive area to “any public place in the central business district.”

Time restrictions for curfews vary, the most common is a restriction between the hours of 10 p.m. and 5 or 6 a.m. on school nights, with an extension to 11 p.m. or 12 a.m. on non-school nights.

Four cities, Kittitas, Toppenish, Wapato, and Zillah have enacted both day and night curfews.

- Kittitas’ day curfew is in place from 9 a.m. to 2:30 p.m. Monday through Friday except on holidays and breaks. Night curfews last from 10 p.m. to 5 a.m. each day of the week.
- Toppenish defines day curfew hours between 9 a.m. and 2:30 p.m. Monday through Friday, except on a holiday, when school is not in session, or during school vacations. Night curfew hours are between 10 p.m. and 5 a.m. any day of the week.
- Wapato’s day curfew hours are for all children between the hours of 9 a.m. and 2:45 p.m. Monday through Friday. Night curfews last from 9 p.m. to 6 a.m. for children under the age of 14, and 10 p.m. to 6 a.m. for children between the ages of 14 and 18; and, are extended one hour on evenings before holidays, Saturdays, or Sundays.
- Zillah’s day curfew is 8 a.m. to 2:30 p.m. on school days with the exception of holidays. Night curfews last from 12 a.m. to 5 a.m. each day of the week.

Police Procedures

For most Washington cities with curfews, finding a violation causes the police to direct or deliver the minor to his or her residence. The police department then notifies the parents or guardian that they are in violation of the ordinance by written citation/notice. In some cities, the officer is authorized to detain the minor, and demand that the parent or guardian appear and take custody of the minor.³²

³² Auburn, Coupeville, Long Beach, Tacoma.

Fines and Violations

Typically upon a first violation, persons found guilty of a violation are issued a notice or warning. After a second violation, the violator may be charged with a civil infraction and assessed a fine. Six cities charge either the minor or parent/guardian with a misdemeanor upon a first or subsequent violation.³³

The fines (monetary penalties) vary, with most cities increasing the fine upon subsequent violations. For example, Toppenish has a fine of not more than \$25 for a first offense, and up to a maximum of \$300 for additional violations. Some cities require those charged to appear in court and many allow alternatives to monetary penalties, such as community service or attending parenting classes. Several cities also require that a report be filed with Washington's Child Protective Services when a violation of the ordinance has occurred.

Curfew Changes

Three cities changed their curfew ordinances, since 1996. Camas reported they were no longer enforcing their curfew on advisement of their city attorney due to potential constitutional problems.³⁴ Zillah added a daytime curfew during school hours. Kent repealed their ordinance and established a new one in September 1997.

Citations

Survey respondents indicate a range of citations have been issued for violations of curfews, from 0 to 152 annually.³⁵ Nearly two-thirds of the respondents issued three or fewer citations in a one-year period; the majority did not issue any. A few cities were not enforcing their ordinance and others issued only written or verbal warnings. Over two-thirds of the cities that issued citations have ordinances that only fine the parent (16 out of 23).

Impact on Runaways

Of the survey respondents, four cities reported that their ordinances had some impact on runaways. Chelan, Normandy Park, Raymond, and Roslyn indicated they had successfully used the curfew ordinance to make contact with or apprehend runaways. Of the remaining respondents, 14 cities reported no impact on runaways, and 25 cities were not able to ascertain any impact.

Impact on Juvenile Crime

Survey participants were asked if they believed their city's curfew influenced juvenile crime rates. Forty-six percent of the respondents reported effects varying from, observations of more parent involvement and a reduction in the number of youth congregating, to reported

³³ Camas, Chehalis, Raymond, SeaTac, Tekoa, Wapato.

³⁴ This policy was initiated before the city of Bellingham's appellate court decision.

³⁵ The city of Tacoma issued 152 citations.

reductions in incidents of malicious mischief, disorderly conduct, auto prowls, and vandalism.³⁶ Most of these cities did not conduct a formal evaluation, but instead provided anecdotal evidence of the curfew's impact on crime rates.

Of the remaining cities surveyed, 12 percent stated there was no effect³⁷ and 42 percent indicated that the effect on juvenile violence was unknown.³⁸ (See Appendix B, Table 2 for individual responses.)

Four cities have statistically examined the impact of curfew ordinances.

1. Tacoma's Assistant Chief of Police reported a 30 percent decrease in the number of juvenile arrests during curfew hours (12 midnight to 6 a.m.), when comparing arrests from January to August 1994 to January to August 1995.
2. Tukwila's Assistant Chief of Police reported a 12 percent reduction in juvenile arrests and a 23 percent reduction in juvenile crime victims since the city's curfew came into effect in 1996.
3. Yakima's Chief of Police credits their curfew for a 12.3 percent decrease in serious felonies and gross misdemeanors from 1995 to 1996.³⁹
4. Zillah's Police Chief reported that juvenile arrests had decreased 42 percent from 1994 (98 arrests) to 1995 (57 arrests).

Support from Parents and the Community

Survey participants were asked to rate parent and community support for their curfew on a scale from 1 (extremely critical) to 10 (extremely supportive).⁴⁰ The majority of survey respondents rated community support for their city curfew at 8. Six rated the support at 10⁴¹ and three rated the support at a low of 5.⁴²

³⁶ Bridgeport, Chehalis, Chelan, Eatonville, Everett, Fircrest, Forks, Granger, Kittitas, Long Beach, Newport, Pasco, Raymond, Roslyn, Sumner, Sunnyside, Tekoa, Toppenish, Tukwila, Yakima.

³⁷ Grandview, La Center, Marysville, Stanwood, Wapato.

³⁸ Algona, Brewster, Centralia, Coupeville, Longview, Moses Lake, Normandy Park, Oak Harbor, Omak, Pacific, Prosser, Ridgefield, SeaTac, Selah, Tacoma, Woodland, Yelm, Zillah.

³⁹ Wes Nelson, "Court Tosses Teen Curfew," *Yakima Herald Republic* (June 4, 1997).

⁴⁰ There were 38 responses to this question.

⁴¹ Algona, Everett, Kittitas, Moses Lake, Selah, Sunnyside.

⁴² La Center, Roslyn, Tekoa.

Community-Based Programs in Collaboration with Curfews

Some cities in the United States have established community-based programs where police officers can bring curfew violators to be processed or temporarily detained. None of the cities surveyed described such programs in survey responses. A relevant program was identified in the city of Tacoma—the Tacoma Curfew Advocacy Project (CAP). The CAP, which is funded through the Metropolitan Development Council, began in 1995 and was developed to support Tacoma’s curfew.⁴³ After police issue citations for curfew violations, the CAP receives referrals from the juvenile court to visit the home of the violator to determine if additional intervention is needed. They provide monthly family workshops to educate youth and families about the curfew. Youth are required to participate in at least one workshop and parents can attend in exchange for the fine. In addition to curfew education, the CAP provides mentors for youth that need additional intervention. Tacoma also has a number of late-night programs funded by the city of Tacoma under the same curfew ordinance initiative and administered by the Boys and Girls Club of Tacoma, Metropolitan Park District, and the YMCA.

From January to September 1997, the CAP program received 174 youth referrals and conducted 166 initial contact home visits. They also conducted 10 workshops involving 76 youth, and provided additional services including home visits, assistance in educational opportunities, formal working agreements, career development, and mentoring relationships to over 60 youth.⁴⁴

Curfew Challenges: What’s Next?

Two cities, Oak Harbor and Bellingham, reported their original curfew ordinances had been challenged on constitutional grounds. The constitutionality of Oak Harbor’s curfew ordinance was challenged by the Washington State Supreme Court and amended in 1995. They now have a juvenile curfew ordinance that charges both the minor and the parent in violation of curfew separately. As described earlier, Bellingham’s ordinance was found unconstitutional in 1997 by the Washington State Court of Appeals.

The Institute issued a supplemental survey question in July after the Bellingham decision asking if city officials believed the court decision was likely to influence their own city’s curfew/parental responsibility ordinance. Results were as follows:

- Seventeen cities believed the decision would not affect their curfew ordinance.⁴⁵
- Eleven cities believed the decision would impact their curfew and some were reviewing possible changes or repealing the ordinance.⁴⁶
- Nine cities were undecided or still reviewing the decision.⁴⁷
- Three cities said they were not enforcing the ordinance.⁴⁸

⁴³ Tim Burke, “Curfews—An Early Warning System,” *Youth Today* Volume 5 Number 3 (May/June 1996) p. 14.

⁴⁴ 1997 Youth Street Outreach Program CAP (Curfew) Monthly Summary of Service Accomplishments for September.

⁴⁵ Algona, Chehalis, Granger, Kittitas, Longview, Moses Lake, Newport, Oak Harbor, Pacific, Pasco, Ridgefield, SeaTac, Sumner, Sunnyside, Tacoma, Toppenish, Yakima.

⁴⁶ Centralia, Coupeville, Forks, La Center, Marysville, Prosser, Raymond, Tekoa, Tukwila, Wapato, Woodland.

⁴⁷ Brewster, Chelan, Everett, Fircrest, Grandview, Long Beach, Roslyn, Selah, Yelm.

⁴⁸ Normandy Park, Omak, Stanwood.

- Three cities responded that they would continue to use the curfew until otherwise notified.⁴⁹

General Comments

Survey respondents had an opportunity to add general comments about their city's juvenile curfew ordinance. These comments are paraphrased below:

Parent Support

- Parents initiated the development of the curfew. Parents support the curfew and in some instances, believe it is not strict enough. Some parents are finally being held accountable for their children.

Community Support

- The community initiated the creation of the curfew. The curfew ordinance has been well received and citizens seem happier. Survey respondent specifically commented "the sheriff believes it works well."

Law Enforcement Resource

- The curfew is a good tool for police and is used only when necessary. The curfew is helpful in keeping juveniles off the street and isolates juveniles who do not want to abide by the law. The curfew has aided officers in dealing with unsupervised juveniles. The ordinance has provided an opportunity to get Child Protective Services (CPS) involved with some juveniles.

Crime Prevention

- There is less vandalism and a citation has never been issued. Officers have contacted juveniles involved in other crimes and perhaps prevented other crimes from occurring. There have been no daytime burglaries since the ordinance (daytime) was passed. It has been a real deterrent for juveniles because they know they will be apprehended if they are out during prohibited times.

Ordinance is Rarely Used

- Officers use other methods to lower youth crime rates. Citations are rarely issued, but officers have submitted reports to CPS.

⁴⁹ Bridgeport, Eatonville, Zillah.

Section III: Appendices

Appendix A

- Cities in Washington State with juvenile curfew/parental responsibility ordinances.

Appendix B

Table Overview

- Table 1: Description of juvenile curfew/parental responsibility ordinances.
- Table 2: Survey responses regarding juvenile curfew/parental responsibility ordinances.

Appendix C

- Survey Instrument

Appendix A

The 55* Washington Cities With Juvenile Curfew/ Parental Responsibility Ordinances

<i>Algona</i>	<i>Coulee City[‡]</i>	<i>Kent[‡]</i>	<i>Omak</i>	<i>Sumner</i>
<i>Auburn[‡]</i>	<i>Coulee Dam[‡]</i>	<i>Kittitas</i>	<i>Pacific</i>	<i>Sunnyside</i>
<i>Brewster</i>	<i>Coupeville</i>	<i>La Center</i>	<i>Pasco</i>	<i>Tacoma</i>
<i>Bridgeport</i>	<i>Eatonville</i>	<i>Lake Stevens[†]</i>	<i>Prosser</i>	<i>Tekoa</i>
<i>Buckley[†]</i>	<i>Elmer City[†]</i>	<i>Long Beach</i>	<i>Raymond</i>	<i>Toppenish</i>
<i>Camas[‡]</i>	<i>Ephrata[‡]</i>	<i>Longview</i>	<i>Ridgefield</i>	<i>Tukwila</i>
<i>Cashmere[‡]</i>	<i>Everett</i>	<i>Marysville</i>	<i>Roslyn</i>	<i>Wapato</i>
<i>Centralia</i>	<i>Fircrest</i>	<i>Moses Lake</i>	<i>SeaTac</i>	<i>Woodland</i>
<i>Chehalis</i>	<i>Forks</i>	<i>Newport</i>	<i>Selah</i>	<i>Yakima</i>
<i>Chelan</i>	<i>Grandview</i>	<i>Normandy Park</i>	<i>Soap Lake[‡]</i>	<i>Yelm</i>
<i>Cle Elum[‡]</i>	<i>Granger</i>	<i>Oak Harbor</i>	<i>Stanwood</i>	<i>Zillah</i>

* Currently identified cities with ordinances as of September 1997.

† Buckley, Elmer City, Lake Stevens did not participate in the survey.

‡ Auburn, Camas, Cashmere, Cle Elum, Coulee City, Coulee Dam, Ephrata, Kent, and Soap Lake only partially completed the survey.

Sources: *Washington State Institute for Public Policy, August 1997,*
and Municipal Research Services Center of Washington, May 1997.

Appendix B

Table Overview

Table 1

Presents a description of each city's juvenile curfew/parental responsibility ordinance. The table includes 52 respondents that provided descriptions of their ordinances.

Column 1:

Ordinance Title and Date Enacted

Column 2:

Age Restriction

- Refers to any unemancipated person, male or female.

Column 3:

Curfew Hours and Days of Week

- Common exemptions to curfews include when a child is: accompanied by his/her parent; engaged in lawful employment; on an errand or on legitimate business pursuant to instructions from his parent; involved in an emergency; returning home from school, church sponsored activities, or other activities supervised by an adult.

Column 4:

Sentence/Fine

- Refers to the individual held in violation and the penalty. This is upon determination that a violation has occurred and for offenses occurring within a one-year period, unless otherwise stated.

Table 2

Includes summarized responses from 43 survey respondents.

Column 1:

Number of Citations Issued

- The approximate number of citations is for a one-year period, unless otherwise noted.

Column 2:

Effect on Juvenile Crime Rates

- All responses are for the last year unless otherwise noted.

Column 3:

Support From Parents and Community

- The level of parent and community support is rated on a scale from 1 (extremely critical) to 10 (extremely supportive). Those respondents who chose not to answer this question are indicated by "N/A."

Column 4:

Is the City of Bellingham's Recent Appellate Court Decision Likely to Affect Your Jurisdiction's Juvenile Curfew/Parental Responsibility Ordinance?

Table 1

Washington State Juvenile Curfew/Parental Responsibility Ordinances Description of Ordinances

City	Ordinance Title and Date Enacted	Age Restriction	Curfew Hours and Days of Week	Sentence/Fine
Algona	Ordinance 830: Relating to Curfew Regulations for Minors; <i>May 1997</i>	Any person under age 18.	10:30 p.m. to 6 a.m. Sunday through Thursday and 12:30 a.m. to 6 a.m. Friday and Saturday or any non-school day or holiday.	Both parent and/or minor are in violation. <ul style="list-style-type: none"> • 1st violation: \$75 fine; • 2nd violation: \$150 fine; • 3rd violation: \$300 fine.
Auburn	Ordinance 4881: Juvenile Curfew and Parental Responsibility Ordinance; <i>October 1997</i>	Any person under age 18.	12 a.m. to 6 a.m. each day of the week.	Both parent and/or minor are in violation. <ul style="list-style-type: none"> • 1st violation: \$100 fine; • Subsequent violations: \$250 maximum fine; an additional fine of \$100 if there is a failure to respond to civil infraction; community service can be performed in lieu of fine.
Brewster	Parental Responsibility for Juvenile Dependents Ordinance; <i>August 1992</i>	Any person under the age of 18 who is not married.	10 p.m. to 5 a.m. on school nights; 11 p.m. to 5 a.m. Sunday through Thursday on non-school nights; and 12:01 a.m. to 5 a.m. on Friday and Saturday.	Parent only is in violation. <ul style="list-style-type: none"> • 1st violation: notice/warning to the parent or guardian and a report to CPS; • 2nd violation: civil infraction with monetary penalty not to exceed \$500 for each offense.
Bridgeport	Parental Responsibility for Juvenile Dependents Ordinance; <i>November 1991</i>	Any person who is not married and under the age of 18.	10 p.m. to 5 a.m. on school nights; 11 p.m. to 5 a.m. Sunday through Thursday on non-school nights; and 12:01 a.m. to 5 a.m. on Saturday and Sunday.	Parent only is in violation. <ul style="list-style-type: none"> • 1st violation: written notice given/mailed to parent or custodian and report filed with CPS; • 2nd violation: civil infraction with fine of not less than \$50 or more than \$500 for each offense.
Camas	Curfew on Minors Ordinance; <i>May 1988</i>	All persons under the age of 18.	Any day between 9 p.m. and 5 a.m. in the downtown core area; any day between 10 p.m. and 5 a.m. in the Crown Park area.	Minor only is in violation. <ul style="list-style-type: none"> • The minor shall be charged with a misdemeanor in violation of this ordinance with a fine of not more than \$500.⁵⁰

⁵⁰ Fines have not been imposed for the last three years.

City	Ordinance Title and Date Enacted	Age Restriction	Curfew Hours and Days of Week	Sentence/Fine
Cashmere	Ordinance 861: Parental Responsibility for Juveniles; <i>February 1996</i>	Any person under the age of 18.	12:01 a.m. to 5 a.m. each day of the week.	Parent only is in violation. <ul style="list-style-type: none"> • 1st violation: written warning; • 2nd violation: appearance in court and a \$250 fine; • 3rd violation: \$500 fine.
Centralia	Parental Responsibility for Juvenile Dependents Ordinance; <i>September 1992</i>	Any person under the age of 16.	Any day between 12:30 a.m. and 5 a.m.	Parent only is in violation. <ul style="list-style-type: none"> • 1st violation: written warning given/sent to parent or custodian and incident reported to CPS; • 2nd violation: parent charged, summoned to court, and fined not less than \$25 or more than \$1,000.
Chehalis	Municipal code 7.04.090; <i>October 1996</i>	Two age limits: any person under the age of 18 and youth under the age of 10.	Age 18 and younger—11 p.m. to 6 a.m. each day of the week. Age 10 and younger—9:30 p.m. to 6 a.m. each day of the week.	A minor and/or any adult without legal custody who is with the child who encourages, causes, or contributes violation of the terms of this ordinance. <ul style="list-style-type: none"> • A misdemeanor crime.
Chelan	Curfew Regulations; <i>1997</i>	Any person under the age of 18.	12:01 a.m. to 5 a.m. each day of the week.	Both parent and/or minor can be in violation. <ul style="list-style-type: none"> • Civil infraction not to exceed \$250 for each offense, with an option to perform community service in lieu of part or the entire monetary penalty.
Cle Elum	Ordinance 1022; <i>November 1996</i>	Anyone under the age of 18.	10 p.m. to 5 a.m. on school nights and 12 a.m. to 5 a.m. on non-school nights.	Parent only is in violation. <ul style="list-style-type: none"> • 1st violation: written notice; • 2nd violation: notice of infraction and appearance in court along with a \$50 fine; • 3rd violation: \$100 fine; • 4th violation: \$250 fine. A parenting course can be taken lieu of one fine.
Coulee City	Ordinance 385: Curfew for Minors; <i>1991</i>	Anyone under 18 years old.	After 10 p.m. on Sunday through Thursday and after 12:30 a.m. on Friday and Saturday.	Parent only is in violation. <ul style="list-style-type: none"> • A civil infraction with a fine of \$25.
Coulee Dam	Parental Responsibility; <i>1995</i>	Anyone under 18 years old.	10 p.m. to 5 a.m. on school nights and 12 a.m. to 5 a.m. on Friday and Saturday. 11 p.m. to 5 a.m. on Sunday through Thursday on non-school nights.	Parent only is in violation. <ul style="list-style-type: none"> • 1st violation: a written notice; • 2nd violation: a fine between \$50 and \$500 for each offense.

City	Ordinance Title and Date Enacted	Age Restriction	Curfew Hours and Days of Week	Sentence/Fine
Coupeville	Curfew Ordinance; <i>December 1985</i>	Any person 17 years or younger.	11 p.m. to 6 a.m. Sunday through Thursday and 1 a.m. to 6 a.m. Saturday and Sunday.	Parent only is in violation. <ul style="list-style-type: none"> 1st violation: written notice sent by certified mail to parent with a warning; 2nd violation: first offense for the parent, with a maximum fine of \$500.
Eatonville	Juvenile Curfew and Parental Responsibility Ordinance; <i>April 1995</i>	Any person under the age of 18.	After 1 a.m. on days in which there is no school and after 11 p.m. on nights preceding school days.	Parent only is in violation. <ul style="list-style-type: none"> 1st violation: civil infraction with a notice served on the parent; 2nd violation: summons served with a fine of not less than \$50 nor more than \$300; 3rd or subsequent violation: fine of not less than \$300.
Ephrata	Parental Responsibility for Juveniles Ordinance; <i>March 1993</i>	Any person under the age of 18.	10 p.m. to 5 a.m. on school nights and 12 a.m. to 5 a.m. on non-school nights.	Parent only is in violation. <ul style="list-style-type: none"> 1st violation: a notice of infraction is served on parent or guardian; 2nd violation: a fine of not less than \$25 or more than \$1,000.
Everett	City-Wide Curfew Ordinance; <i>April 1994, Amended October 1995</i>	Any minor under the age of 18.	Between 11 p.m. and 5 a.m. each day of the week.	Both parent and minor in violation, but only parent charged and fined. <ul style="list-style-type: none"> Each violation: a civil infraction by the parent or guardian with a fine not to exceed \$250 for each offense.
Fircrest	Parental Responsibility for Juveniles; <i>1994</i>	Juveniles age 17 and under.	12:01 a.m. to 5:00 a.m. each day of the week.	Parent only is in violation. <ul style="list-style-type: none"> Civil infraction issued upon second offense, fine between \$50 to \$300.
Forks	Curfew Ordinance Number 390; <i>June 1995</i>	Minors under age 18.	12 a.m. to 5 a.m. every day.	Minor only is in violation. <ul style="list-style-type: none"> 1st violation: oral warning; 2nd violation: written warning; 3rd violation: \$25 fine; 4th violation: \$50 fine; 5th violation: \$100 fine; 6th violation: \$150 fine.

City	Ordinance Title and Date Enacted	Age Restriction	Curfew Hours and Days of Week	Sentence/Fine
Grandview	Parental Responsibility for Juveniles Ordinance; 1991	Any person under the age of 17.	12 a.m. to 5 a.m. each day of the week.	Parent only is in violation. <ul style="list-style-type: none"> • 1st violation: notice served on parent or guardian; • 2nd violation: parent summoned to court and fined not less than \$25 or more than \$300.
Granger	Parental Responsibility Law; August 1995	Any person under the age of 18.	12 a.m. to 5 a.m. each day of the week.	Both parent and minor in violation, but only parent charged and fined. <ul style="list-style-type: none"> • 1st violation: parent receives notice; • 2nd violation: parent summoned to hearing and fined not less than \$25 or more than \$300.
Kent	Curfew and Parental Responsibility for Juveniles; September 1997 ⁵¹	Any person under the age of 18.	12:01 a.m. to 6 a.m. daily.	Both parent and/or minor can be in violation. <ul style="list-style-type: none"> • 1st violation: verbal warning; • 2nd violation: fine of \$100; • 3rd violation: fine of \$250.
Kittitas	Parental Responsibility; Original 1994, Amended 1996	Anyone under age 18.	10 p.m. to 5 a.m. any day of the week and 9 a.m. to 2:30 p.m. Monday through Friday except on holidays or when school is not in session.	Parent only is in violation. <ul style="list-style-type: none"> • 1st violation: warning, then a tiered fine system from \$50 to \$300.
La Center	Ordinance 96-2: Parental Responsibility Law; 1996	Juveniles 15 years old and younger.	10 p.m. to 6 a.m. on school nights and after 12 a.m. on non-school nights.	Both parent and minor are in violation. Parent— <ul style="list-style-type: none"> • 1st violation: warning; • 2nd violation: appearance in court and a fine of \$50 to \$300; • 3rd violation: fine of \$300 or more. Minor— <ul style="list-style-type: none"> • 1st violation: appearance in court and a \$25 to \$100 fine; • 2nd violation: \$50 to \$200 fine; • 3rd violation: fine of \$200 or more.
Long Beach	Curfew and Parental Responsibility Ordinance; June 1995	Any person under the age of 18.	11:01 p.m. to 5 a.m. Sunday through Thursday and 11:59 p.m. to 5 a.m. Friday and Saturday.	Parent only is in violation. <ul style="list-style-type: none"> • 1st and all other violations: a civil infraction with a fine not to exceed \$250 for each offense.

⁵¹ The city of Kent recently repealed its old curfew and established this new curfew law by citywide vote.

City	Ordinance Title and Date Enacted	Age Restriction	Curfew Hours and Days of Week	Sentence/Fine
Longview	Curfew Hours for Minors; 1997	Any person under the age of 18.	12 a.m. to 6 a.m. each day.	<p>Both parent and minor are in violation with separate penalties.</p> <ul style="list-style-type: none"> • 1st violation: verbal warning; • 2nd violation: class IV civil infraction, \$25 fine; • 3rd violation: class III civil infraction, \$50 fine; • 4th violation and subsequent violations: class II civil infraction, \$125 fine.
Marysville	Promoting Youth Safety; 1997	Minors under the age of 18.	10 p.m. to 5 a.m. Sunday through Thursday or any days following holidays that are school days and 11 p.m. to 5 p.m. Friday and Saturday or days when school is not in session.	<p>Parent only is in violation.</p> <ul style="list-style-type: none"> • 1st violation: may incur a penalty of performing community service; penalties can also be fines up to \$250.
Moses Lake	Parental Responsibility for Juveniles; 1993	Minors under 18 years old.	10 p.m. to 5 a.m. on weekdays and 12 a.m. to 5 a.m. on weekends.	<p>Parent only is in violation.</p> <ul style="list-style-type: none"> • 1st violation: written warning; • 2nd violation: notice of infraction and fine; increasing penalties with subsequent violations.
Newport	Curfew Ordinance; 1995	Anyone under age 18.	10 p.m. to 5 a.m. any day of the week.	<p>Both parent and minor found in violation.</p> <p>Parent—</p> <ul style="list-style-type: none"> • 1st violation: warning; • 2nd violation: court appearance with a \$150 fine (\$100 of which may be suspended); • 3rd violation: \$300 fine (\$250 of which may be suspended); • 4th violation: \$500 fine (\$450 of which may be suspended). <p>Minor—</p> <ul style="list-style-type: none"> • 1st violation: warning; • 2nd violation: court hearing with a sentence of 8 hours of community service or a \$50 fine; • 3rd violation: 16 hours of community service and/or \$80 fine; • 4th violation: 40 hours of community service and/or a \$200 fine.

City	Ordinance Title and Date Enacted	Age Restriction	Curfew Hours and Days of Week	Sentence/Fine
Normandy Park	Ordinance 176: Curfew Law; 1966	No child under the age of 18.	10 p.m. to 5 a.m. each day of the week.	Minor is in violation. <ul style="list-style-type: none"> A verbal warning and return of juvenile to parental custody.
Oak Harbor	Curfew Ordinance; October 1995	Any person under the age of 18.	11 p.m. to 5 a.m. Sunday through Thursday and 1 a.m. to 5 a.m. Saturday and Sunday.	Both parent and minor are in violation. Parent— <ul style="list-style-type: none"> Civil infraction punishable by a fine not to exceed \$200. Minor— <ul style="list-style-type: none"> Civil infraction with a fine not to exceed \$200 for each offense.
Omak	Parental Responsibility Ordinance; August 1992	Any person who is not married and is under the age of 18.	10 p.m. to 5 a.m. school nights; 11 p.m. to 5 a.m. Sunday through Thursday on non-school nights; and 12 a.m. to 5 a.m. Friday and Saturday.	Parent only is in violation. <ul style="list-style-type: none"> 1st violation: parent given/mailed a written notice and a report filed with CPS; 2nd violation: parent shall have committed a civil infraction and be fined not less than \$50 or more than \$500 for each offense.
Pacific	Ordinance 1333; 1997	Any person under 18 years of age.	11:30 p.m. to 6 a.m. Monday through Friday and 12:30 a.m. to 6 a.m. Saturday, Sunday and holidays.	Parent and/or minor are in violation. <ul style="list-style-type: none"> 1st violation: \$75 fine; 2nd violation: \$150 fine; 3rd violation: \$300 fine. <p>Community service in lieu of the monetary fine shall be within the discretion of the court.</p>
Pasco	Juvenile Curfew; 1994	Any person age 17 years old and under.	12 a.m. to 5 a.m. each day of the week.	Minor only is in violation. <ul style="list-style-type: none"> 1st violation: \$50 fine; 2nd violation: \$100 fine; 3rd violation: \$150 fine.
Prosser	Parental Responsibility Law; 1995	Minors under the age of 18.	10 p.m. to 5 a.m. Sunday through Thursday; 12:01 a.m. to 5 a.m. Friday and Saturday (September 16 to May 31); and 12:01 a.m. to 5 a.m. each day of the week (June 1 to September 15).	Parent only is in violation. <ul style="list-style-type: none"> 1st violation: written notice; 2nd violation: civil infraction \$50 fine; 3rd violation: \$250 fine.

City	Ordinance Title and Date Enacted	Age Restriction	Curfew Hours and Days of Week	Sentence/Fine
Raymond	Curfew; <i>June 1992</i>	Any person under the age of 18.	11 p.m. to 6 a.m. during the week and 1 a.m. to 6 a.m. on the weekend.	Parent only is in violation. <ul style="list-style-type: none"> • Misdemeanor. Violators can receive up to 90 days confinement and/or up to \$1,000 fine or community service.
Ridgefield	Juvenile Curfew and Parental Responsibility Ordinance; <i>October 1991</i>	Any person 17 years old or younger.	Beginning at 12 a.m. on nights preceding non-school days and 10 p.m. on nights preceding school days.	Both parent and minor in violation. Parent— <ul style="list-style-type: none"> • 1st violation: notice given to parent; • 2nd violation: summons served on parent, charged and fined not less than \$50 or more than \$300. Minor— <ul style="list-style-type: none"> • 1st violation: court hearing and \$25-\$100 fine; • 2nd violation: \$50-\$200 fine; • 3rd violation: not less than \$200 fine.
Roslyn	Parental Responsibility for Juveniles; <i>1994</i>	Any person under the age of 18.	10 p.m. to 5 a.m. on school nights and 11 p.m. to 5 a.m. on non-school nights.	Parent only is in violation. <ul style="list-style-type: none"> • 1st violation: written warning; • 2nd violation: civil infraction, an appearance in court to determine violation and \$50 fine; • 3rd violation: \$100 fine; • 4th violation: \$250 fine. <p>Enrollment in a parenting improvement course; or family counseling can be substituted in lieu of one penalty violation.</p>
SeaTac	Curfew and Parental Responsibility Ordinance; <i>June 1995</i>	Any person under the age of 18.	11 p.m. to 5 a.m. Sunday through Thursday and 12:01 a.m. to 5 a.m. Saturday and Sunday.	Both parent and minor in violation. Parent— <ul style="list-style-type: none"> • 1st violation within five-year period: a misdemeanor with a fine of not more than \$250; • 2nd violation: a misdemeanor with a fine of not more than \$500, imprisonment in jail for not more than 90 days, or both fine and imprisonment. Minor— <ul style="list-style-type: none"> • 1st violation within a five-year period: civil infraction with a fine of \$50; • 2nd violation: fine of \$100.

City	Ordinance Title and Date Enacted	Age Restriction	Curfew Hours and Days of Week	Sentence/Fine
Selah	Parental Responsibility for Juveniles Ordinance; 1990	Any person under the age of 18.	12 a.m. to 5 a.m. each day of the week.	Parent only is in violation. <ul style="list-style-type: none"> • 1st violation: notice given to parent; • 2nd violation: parent charged with fine of not less than \$25 or more than \$300; • 3rd violation: parent fined not less than \$50 or more than \$300.
Soap Lake	Parental Responsibility for Juveniles Ordinance; 1991	Any person under the age of 18.	10:30 p.m. to 5 a.m. Sunday through Thursday and 12 a.m. to 5 a.m. Friday and Saturday.	Parent only is in violation. <ul style="list-style-type: none"> • 1st violation: notice given to the parent; • 2nd violation: summons served, charged, and fined not less than \$25 or more than \$300.
Stanwood	Ordinance 211.2: Curfew; 1961	Any person under the age of 18.	10 p.m. to 6 a.m. each day.	Person penalized not specified. <ul style="list-style-type: none"> • Maximum fine of \$500 or 90 days in county jail.
Sumner	Ordinance 1755; 1996	Minors under the age of 18.	11 p.m. to 5 a.m. Sunday through Thursday and 12:01 a.m. to 5 a.m. on Friday, Saturday, and holidays.	Parent and minor are both in violation. Parent— <ul style="list-style-type: none"> • 1st violation: \$100 fine; • 2nd violation: \$250 fine; • 3rd violation: \$500 fine. Minor— <ul style="list-style-type: none"> • 1st violation: \$50 fine; • 2nd violation: \$100 fine; • 3rd violation: \$200 fine.
Sunnyside	Parental Responsibility for Juveniles Ordinance; 1991	Two age limits: any person under the age of 18, and any person under the age of 15.	Any person under the age of 18—12 a.m. to 5 a.m. each day of the week; Any person under the age of 15—10 p.m. to 5 a.m. each day of the week.	Parent only is in violation. <ul style="list-style-type: none"> • 1st violation: notice given to the parent; • 2nd violation: summons served and fine of not less than \$25 or more than \$1,000.
Tacoma	Curfew Hours for Minors Ordinance; January 1995	Any person under the age of 18.	12:01 a.m. to 6 a.m. each day of the week.	Both parent and minor are in violation. <ul style="list-style-type: none"> • 1st violation: a civil infraction with a monetary penalty not to exceed \$250 for each offense; community service may be performed in lieu of fine.

City	Ordinance Title and Date Enacted	Age Restriction	Curfew Hours and Days of Week	Sentence/Fine
Tekoa	Juvenile Curfew and Parental Responsibility Ordinance; <i>Original March 1967, Amended July 1988</i>	Any person under the age of 18.	10 p.m. to 6 a.m. each day of the week.	Both parent and minor are in violation, but only parent is charged and fined. <ul style="list-style-type: none"> Any violation: misdemeanor, not more than \$500 fine and/or not more than 40 hours of community service.
Toppenish	Juvenile Curfew and Parental Responsibility Ordinance; <i>Original 1993, Amended May 1995</i>	Any person under the age of 18.	10 p.m. to 5 a.m. each day of the week and 9 a.m. to 2:30 p.m. Monday through Friday.	Parent only is in violation. <ul style="list-style-type: none"> 1st violation: not more than a \$25 fine; Additional violations: up to a \$300 fine.
Tukwila	Curfew for Minors; <i>1996</i>	Any person under the age of 18.	11 p.m. to 5 a.m. Sunday through Thursday and 11:59 p.m. to 5 a.m. Friday and Saturday.	Parent only is in violation. <ul style="list-style-type: none"> 1st violation: not to exceed \$50 fine; 2nd violation: not to exceed \$100 fine; 3rd violation: not to exceed \$250 fine.
Wapato	Parental Responsibility Law; <i>Original June 1988, Amended August 1995</i>	Two age limits: any person under the age of 14, and any person between age 14 up to age 18.	Children under 14 years old—9 p.m. to 6 a.m. each day of the week. Children between ages 14 and 18—10 p.m. to 6 a.m. each day of the week. 9 a.m. to 2:45 p.m. Monday through Friday for all children. Curfews shall be extended 1 hour on evenings before Saturdays, Sundays and holidays.	Parent only is in violation. <ul style="list-style-type: none"> Violation: a misdemeanor with a fine not to exceed \$300, imprisonment in the city jail for not more than 30 days, or both a fine and imprisonment.
Woodland	Ordinance 195: Parental Responsibility Ordinance; <i>June 1995</i>	All individuals under age 18.	10 p.m. to 5 a.m. on school nights and 12:01 a.m. to 5 a.m. on all other nights.	Parent only is in violation. <ul style="list-style-type: none"> 1st violation: written warning; 2nd violation: \$50 fine; 3rd violation: \$100 to \$300 fine; 4th violation or more: \$250 to \$500 fine.
Yakima	Curfew and Parental Responsibility Ordinance; <i>March 1994</i>	Any person under the age of 18.	11:30 p.m. to 5 a.m. Sunday through Thursday and 12:30 a.m. to 5 a.m. Saturday and Sunday.	Minor only is in violation. <ul style="list-style-type: none"> 1st violation: fine of \$100; 2nd violation: fine of \$250.

City	Ordinance Title and Date Enacted	Age Restriction	Curfew Hours and Days of Week	Sentence/Fine
Yelm	Curfew for Minors and Parental Responsibility Ordinance; <i>Original July 1991, Amended July 1992</i>	Two age limits: any child under the age of 16, and any child under the age of 11.	Children under age 16—12 a.m. to 6 a.m. each day of the week. Children under age 11—10 p.m. to 6 a.m. each day of the week.	<i>Both parent and minor are in violation, but only parent is charged and fined.</i> <ul style="list-style-type: none">• Parent shall be guilty of a misdemeanor and subject to a fine of not more than \$100 per violation.
Zillah	Parental Responsibility for Juvenile Dependents Ordinance; <i>August 1990</i>	Any person under the age of 18.	12 a.m. to 5 a.m. each day of the week and 7:45 a.m. to 2:45 p.m. Monday through Friday, except on holidays.	<i>Parent only is in violation.</i> <ul style="list-style-type: none">• 1st violation: parent given a written notice;• 2nd violation: report filed with CPS and second written notice given to parent;• 3rd violation: charged and fined up to \$500, imprisonment of up to 30 days, or fine and imprisonment.

Table 2

Washington State Juvenile Curfew/Parental Responsibility Ordinances Survey Responses

City	Citations Issued	Effect on Juvenile Crime Rates	Level of Parental and Community Support 1 (low) to 10 (high)	Is the City of Bellingham's Recent Appellate Court Decision Likely to Affect Your Jurisdiction's Juvenile Curfew/Parental Responsibility Ordinance?
Algona	0	Recently enacted; effect unknown.	10	No. City attorney advises the city that the supreme court has upheld the ordinance language.
Brewster	0	Effect unknown. An evaluation has not been conducted.	N/A	Undecided.
Bridgeport	2	Yes. An evaluation has not been conducted. Juvenile crime has been about the same, though the time crimes are occurring has shifted to earlier in the day. There are fewer kids out late at night.	8	No. Will continue to use ordinance in the manner it was intended until changed.
Centralia	0	Effect unknown.	N/A	Yes. While the Bellingham case is not directly on point with our parental responsibility ordinance, it will be helpful in assessing the validity of our current ordinance.
Chehalis	10 ⁵²	Yes. A decrease in property crime and damage to property.	6	No.

⁵² During summer 1997 (as of August 15, 1997).

City	Citations Issued	Effect on Juvenile Crime Rates	Level of Parental and Community Support 1 (low) to 10 (high)	Is the City of Bellingham's Recent Appellate Court Decision Likely to Affect Your Jurisdiction's Juvenile Curfew/Parental Responsibility Ordinance?
Chelan	0	Yes. Decrease in nocturnal vehicle prowls, burglaries and malicious mischief.	7	Yes. It is now being reviewed by the city attorneys; re: new case law.
Coupeville	0	Effect unknown.	8	Yes. The ACLU has already contacted the city to repeal the ordinance; the city is currently considering doing that.
Eatonville	0	Yes	9	No. Will continue to use ordinance until it is challenged.
Everett	0 ⁵³	Yes. Although there has not been a formal evaluation, related problems involving juveniles out between 11 p.m. and 5 a.m. have decreased. The curfew is a useable resource for patrol officers to become proactive in protecting juveniles as potential victims to prevent crime.	10	Undecided. Reviewing the decision.
Fircrest	1 ⁵⁴	Yes. Two-thirds of the juveniles contacted have been contacted at other times for other crimes.	8	Undecided. City attorney is reviewing the decision.
Forks	0	Yes. Juvenile assaults, car prowls, and thefts that occur at night have dropped dramatically.	7	Yes. Current ordinance was modeled partially on Bellingham's curfew.

⁵³ Everett had 39 "contacts."

⁵⁴ One citation in two and a half years.

City	Citations Issued	Effect on Juvenile Crime Rates	Level of Parental and Community Support 1 (low) to 10 (high)	Is the City of Bellingham's Recent Appellate Court Decision Likely to Affect Your Jurisdiction's Juvenile Curfew/Parental Responsibility Ordinance?
Grandview	10	No.	8	Undecided.
Granger	2 or 3	Yes. Juveniles are not visible on the streets.	9	No.
Kittitas	0	Yes. Juveniles are rarely out during the times the curfews are in effect.	10	No. It is not a major problem in Kittitas. The curfew was enacted as a tool to curb youth being out late. It has been effective here. There is no foreseeable change.
La Center	0	No.	5	Yes. It is imagined that La Center's law is similar to Bellingham's in that it may infringe on the minor's rights.
Long Beach	4	Yes. Reduction in vandalism and other related crimes.	8	Undecided.
Longview	0	Unknown. Ordinance recently went into effect.	7	No. The city attorney does not believe the city ordinance suffers from the same flaws as Bellingham's. The current ordinance is carefully worded based on a statistical need and has constitutional protections written into it.
Marysville	0	Unknown. Ordinance recently went into effect.	N/A	Yes. The curfew is partially based on ordinances in Bellingham and Everett. Law enforcement is not arresting anyone for violations—usually youth are asked for identification and then officers phone their homes.
Moses Lake	4	Unknown. Cannot quantify the effectiveness of ordinance; however, there is less juvenile loitering in high-crime areas.	10	No. The city believes that the current ordinance does not affect the rights of juveniles because they are not punished; it is a parental responsibility law, so the parents are in violation.
Newport	0	Yes. A decrease in vandalism has been noted during late-night hours.	8	No. Have not issued any citations to be appealed.

City	Citations Issued	Effect on Juvenile Crime Rates	Level of Parental and Community Support 1 (low) to 10 (high)	Is the City of Bellingham's Recent Appellate Court Decision Likely to Affect Your Jurisdiction's Juvenile Curfew/Parental Responsibility Ordinance?
Normandy Park	0	The curfew has been used as a tool to stop and identify juveniles, which has resulted in arrests for other criminal violations such as possession of controlled substances or stolen property.	8	No. The city is not enforcing this law. It is currently used as a tool to stop and identify juveniles.
Oak Harbor	15	Effect unknown.	7.5	No. The current ordinance is better written than Bellingham's; it is more specific.
Omak	10	Effect unknown.	9	Yes. The city's ordinance is under review by the city attorney; police are currently not enforcing it.
Pacific	0	Effect unknown.	9	No. Pacific's attorney received the Bellingham decision and believes Pacific's ordinance will withstand constitutional challenge.
Pasco	5-7	Yes. The curfew has reduced the number of juveniles on the street after midnight.	8	No.
Prosser	1 or 2	Unknown.	9	Yes. Unsure how it will affect the ordinance.
Raymond	5	Yes. It helps officers have an opportunity to talk to the kids at night.	7	Yes. If the current ordinance is found to be unconstitutional, it will be studied and changed or dropped.
Ridgefield	0 ⁵⁵	Effect unknown. It seems to be working as a tool to make parents more responsible for their kids.	9	No. Until the ordinance is challenged, they will continue to use it.

⁵⁵ Thirteen written warnings were issued.

City	Citations Issued	Effect on Juvenile Crime Rates	Level of Parental and Community Support 1(low) to 10(high)	Is the City of Bellingham's Recent Appellate Court Decision Likely to Affect Your Jurisdiction's Juvenile Curfew/Parental Responsibility Ordinance?
Roslyn	0	Yes. An observed decrease on crimes—assaults are down.	5	Undecided.
SeaTac	2	Effect unknown.	9	No. The city's current ordinance is very narrow.
Selah	1 ⁵⁶	Effect unknown.	10	Undecided. Have not reviewed the case.
Stanwood	0	No. Not enforced.	N/A	Yes. The city is not currently enforcing the ordinance. If it is challenged, the city will more likely repeal or modify the current law.
Sumner	21	Yes. Auto prowls and thefts have decreased.	8	No.
Sunnyside	24	Yes. There s an effect on juvenile crime rates.	10	No. The current curfew is very specific and narrowly written; aimed at the parents not the juvenile; it is not similar to Bellingham's ordinance.
Tacoma	152	Unknown. A comparison of juvenile arrests Jan.-Aug. 1994 with Jan.-Aug. 1995 found about a 30 percent decrease in the numbers of juveniles arrested during curfew hours. Currently examining crime statistics for 1995 to determine overall impact.	N/A	No.
Tekoa	0	Yes. Juvenile crime rates are higher now than ever. The curfew provides the means to keep juveniles off the street after 10 p.m.	5	Yes. No changes have been made.

⁵⁶ The case is currently pending in the Selah municipal court.

City	Citations Issued	Effect on Juvenile Crime Rates	Level of Parental and Community Support 1(low) to 10(high)	Is the City of Bellingham's Recent Appellate Court Decision Likely to Affect Your Jurisdiction's Juvenile Curfew/Parental Responsibility Ordinance?
Toppenish	20	Yes. The day curfew has had a larger impact on crime than the night curfew. Fewer burglaries are occurring during the daytime.	8	No. The city attorney believes the current ordinance reflects those that have been upheld by the supreme court.
Tukwila	44	Yes. A 12 percent reduction in juvenile arrests and 23 percent reduction in juvenile crime victims.	8	Yes. The city attorney is reviewing it, and it may be changed; however, the city is still interested in some form of curfew.
Wapato	6	No. According to statistics, neither law seems to have an effect on the crime rate.	7	Yes. If it is deemed unconstitutional, we will no longer support the curfew.
Woodland	3	Effect unknown. There is a perceived reduction of crime.	7	Yes. The city attorney is reviewing it, and it may be changed; however, the city is still interested in some form of curfew.
Yakima	60	Yes. Reduction of theft and vandalism.	8	No. Not unless challenged.
Yelm	0	A 68 percent decrease in juvenile crimes during the hours of curfew (using 1995 statistics). In 1996, the effect is unknown.	8	Undecided. The city attorney is reviewing it.
Zillah	1	Juvenile arrests decreased 42 percent from 98 in 1994 to 57 in 1995. The effect is unknown for 1996.	9	No. The city will keep the current ordinance until it is challenged. It is based on Yakima's ordinance, which is said to meet all the judicial stipulations.

Washington State Institute for Public Policy, September 1997.

Appendix C

Survey of Parental Responsibility/Curfew Ordinances

City of _____

The Washington State Institute for Public Policy was directed by the legislature to evaluate the effectiveness of legislative policies in reducing the rates of juvenile violence and other at-risk behaviors, and increasing protective factors. As part of the Institute's research efforts concerning juvenile violence and prevention, we are updating information on juvenile curfew and parental responsibility ordinances in Washington State.

Please complete the following questionnaire and fax it to the Washington State Institute for Public Policy at (360) 866-6825 by _____. We would greatly appreciate your response to this survey. Please include a copy of your city's juvenile curfew/parental responsibility ordinance with your responses and feel free to add information and comments onto an additional sheet of paper. Thank you.

Name: _____	Address: _____
Title: _____	_____
Phone: _____	City: _____
Fax: _____	Zip _____

1. What is the title and year that the parental responsibility and/or juvenile curfew ordinance was enacted?

2. What are the age restrictions for the curfew?

3. What days and hours are covered by the curfew?

4. Who receives a penalty in violation of the curfew?

5. What are the consequences?

The appellate court's decision has the potential to have far-reaching affects on other city curfew ordinances. In light of the recent decision, the Institute would like to elicit a response to the following question.

Is the appellate court's decision likely to influence your jurisdiction's juvenile curfew/parental responsibility ordinance? ← Yes No

Please explain _____

13. Are there any other comments you'd like to note?

14. Please attach a copy of the juvenile curfew/parental responsibility ordinance to this completed survey.

Please complete and return this questionnaire by

**Please fax survey responses to Sharon Silas.
If you have any question feel free to contact me at the number below.
(360) 866-6825 fax or (360) 866-6000 ext. 6380 phone**

Thank you for participating in our survey.

Washington State Institute for Public Policy, The Evergreen State College
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