

# [By right on time; unfortunately, the roanoke](https://assignbuster.com/by-right-on-time-unfortunately-the-roanoke/)

By Laura – JayneSally walked out of the coffee shop downtown and wandered to hercar.

It was about 12: 15 a. m. on one Tuesday over the summer, and herparents had set her curfew for 12: 30 a. m. Sally thought she would be homeright on time; unfortunately, the Roanoke City Council though otherwise. Since Sally is 16, she is breaking the teenage curfew in Roanoke City. Roanoke’s curfew, which took effect July 31, 1992, requires that teens 16and under be off the streets by 11 p. m.

from Sunday through Thursday and by12 p. m. on Friday and Saturday (Turner, “ Council” B3). Because Sally’sparents did not set her curfew in compliance with the one Roanoke City hadset for their child, Sally is now a criminal. Is that really what Roanokewants to happen. By setting a teenage curfew, Roanoke City is underminingparental authority and turning innocent teens into criminals.

Roanoke, however, is not the only locality that is issuing curfewlaws. A survey from the Justice Department found that nearly three-quartersof the 200 largest cities in the united States have implemented curfew lawsto lower juvenile crime rates (Gostomski 2). Though backers of curfew lawsapplaud their effectiveness in this capacity, statistics show no supportfor their claim that curfews reduce youth crime. As curfews are put intoeffect across the country, the American Civil Liberties Union and thecourts are beginning to question their constitutionality. Though curfewlaws are disguised as a mechanism to protect teens and reduce youth crime, they are unconstitutional, ill-advised, and ineffective. Curfew laws violate the basic constitutional guarantees in the Billof Rights. Though teenagers are minors, they are still citizens and notexempt from basic constitutional rights. Courts throughout the UnitedStates have thrown out local curfew laws, citing various violations ofjuveniles’ constitutional protections.

The 9th U. S. District Court ofAppeals threw out a San Diego curfew because it infringed upon youth’sfirst amendment right to speech (Gostomski 4).

In Dallas, U. S. DistrictCourt Judge Jerry Buchmeyer said the city curfew defied minors’ right tofreedom of association (Turner, “ Constitutionality” B3). The Supreme Courtin Washington state has twice ruled that curfews cannot be ordered upon anycitizen unless there is a state of emergency (Brown and Santana). Sincecurfews began to reappear in the 1980s and 1990s, the American CivilLiberties Union has been fighting their constitutionality because “ theypunish law-abiding teens more than true criminal” (“ Survey”). Along withthese infractions, challengers of curfew laws have cited their violation offreedoms of religion and assembly, rights to travel, and rights againstunreasonable search and seizure (Crowell 5). Also, opponents say curfewlaws violate the due process clause of the Fifth Amendment and the equalprotection clause of the 14th Amendment (Crowell 5).

Experts say that “ itis trick, if not impossible, to craft a curfew law that protects theconstitutional rights of minors” (“ Problems”). If curfew laws do notprotect the constitutional rights of minors, they violate the fundamentalprinciples of the United States, and lawmakers should repeal them. Curfew laws, when they are implemented, lead to antagonism betweenlaw abiding teenagers and the police force, and often turn innocentteenagers into criminals. Also, these laws create a stereotype that allteens are delinquents. Curfew laws allow police to arrest minors foroffenses that are not crimes if adults commit them. When teens break thecurfew law, they change from law-abiding citizens into criminals. Thisprecedent creates tension between all teens, lawful and unlawful alike, andadults, especially law enforcement officers (Macallair and Males). Toteenagers, police represent the unjust curfew laws that oppress them.

Topolice officers, all teens that stay out past curfew hour are criminals. AU. S. District Court threw out a curfew law in the District of Columbia onthe basis that it did not differentiate between innocent teens and thosewho were a threat to society (Racine 233). Lumping all teenagers togetherstereotypes them in society.

a study by Gallup Polls in 1994 shows that” the average adult believes juveniles commit 43% of violent crime, when theactual figure is just 13%” (Allen 2). Also, most teens are not violentoffenders. One survey showed that only 0.

5% of youths engage in violentacts (Allen 3). Curfew laws punish the 99. 5% of teenagers that are lawabiding. by grouping all teens together, curfew laws contribute to thebelief that youths are the downfall of society and lead to tension betweenthose teens who are not a detriment to the