INTRODUCTION
Curfew laws seek to provide general protection to and from youth by restricting the times that children of certain ages are allowed to occupy public places or streets. These laws often contain exemptions such as for youths accompanied by an adult, responding to an emergency, or traveling to or from school, work, or a religious service. However, the actual language used and exemptions included vary by locality. As a result, the courts have reached different results with several courts upholding curfew laws as constitutional while others overturned these laws.

HISTORY OF CURFEW LAWS
- 1884: President Harrison endorsed curfews, saying that they are “the most important municipal regulation for the protection of children of American homes, from the vices of the Street.”
- 1900: First curfew law enacted in Omaha, NE.
- 1930s/40s: During WWII, juvenile delinquency became a national concern. Curfew enforcement increased.
- 1970s/1980s: Organizations such as ACLU challenged curfew laws. Many cities allowed enforcement of laws to lapse or repealed existing ordinances.
- 1991: Dallas, TX crafted a new curfew ordinance that became a model for many American cities. Other cities also started crafting their curfew ordinances in ways that withstood legal challenges.
- 1996: President Clinton endorsed curfews.
- 2009: 84% of cities with populations over 180,000 had enacted youth curfews.

In general, the premise behind curfew laws is that by “controlling the hours when young people may be in public [we] will limit their opportunities to commit offenses or suffer victimization” (McDowall, Loftin & Manwana, 2000, p. 77).

QUESTIONS ADDRESSED BY THE COURTS
- Was the ordinance in the case: 1) Unconstitutionally vague, and/or 2) Unconstitutionally broad, and/or 3) Infringing upon minors’ and/or parents’ constitutional rights under the 1st or 14th amendments & what is the proper level of scrutiny?

A LEGAL ANALYSIS TO GUIDE THE DRAFTING OF JUVENILE CURFEW LAWS

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ANALYSIS OF CASE LAW ON JUVENILE CURFEW LAWS

STATES WITH JUVENILE COURT CASES

JUVENILE COURT CASES ACROSS THE YEARS

CURFEW ORDINANCE EXEMPTIONS

GUIDANCE FOR POLICY-MAKERS
- Conduct a study of juvenile crime rates and victimization prior to enacting the curfew law.
- Include a detailed purpose section with statistics about crime rates in the city.
- Include a definitional section. Define words such as “remain,” “stay,” “emergency,” “parent,” among others.
- Include numerous exemptions to the ordinance, particularly one that specifically exempts youth who are in public places for the purpose of exercising fundamental rights such as freedom of speech, religion, or right of assembly.
- Carefully consider the proper punishment for violating the ordinance. Courts have been more likely to strike down criminal penalties while upholding civil penalties.
- Include a severability clause. This allows the court to strike a word or section as overbroad or vague while still finding the ordinance constitutional.
- Include a section ensuring that the law is evaluated regularly and updated accordingly.