

TARGETING JUVENILES

Youths aren't the only ones opposing curfews

By SARAH VIREN Copyright 2007 Houston Chronicle

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JOHNNY HANSON FOR THE CHRONICLE

Westbury High School student Luis Baena, 17, talks with HPD senior gang investigator Mike Flores on Friday. Baena was leaving school for a work program. Police praise daytime curfews, but opponents say enforcement often is uneven.

"(Police) tend to target a specific area because of crime and they go into that area to go after curfew violations," said Ken Adams, a professor of health and public affairs at the University of Central Florida, who has studied curfew laws.

In his 2003 review of major research on the issue, Adams found that curfews overall — both night and daytime — haven't been shown to reduce crime. And, in at least one study he reviewed, from Cincinnati, truancy actually went up, rather than down, when a daytime curfew took effect.

Texas law requires students younger than 18, with a few exceptions, to be in school. But enforcement is traditionally left to school districts, which hire truancy officers to track unexcused absences before taking a child to court. Curfew laws, however, get the police involved, allowing them to slap a misdemeanor charge on nearly any student caught on the street, without an excuse, during daytime hours.

Youths, parents dispute law

In 2006, Houston police issued more than 3,100 such tickets. They've written nearly 2,000 so far this year.

One of those was for Rigoberto Flores, 14, who got a ticket in May after stopping at Jack in the Box for breakfast before class at an alternative school on the city's southwest side. As Flores walked up to campus, he said he saw several police officers outside ticketing tardy students.

"They were issuing tickets to everybody," he said, after appearing in Municipal Court this week in a clean white shirt and pressed khakis. Judge David Fraga, who handles nearly all curfew tickets, allowed him to attend a class on the dangers of skipping school in lieu of paying the curfew fine, which can range from \$180 to \$225.

Most youths filing into that court last week said they found the laws unfair, and some parents complained about tickets handed out so close to campuses. But police working the streets call them a godsend.

Last school year, after seeing a rise in burglaries and after the fatal drive-by shooting of a student just outside Westbury High School's fenced campus, the city's Southwest Patrol formed a unit dedicated to those cutting class, said Lt. Larry Crowson.

After the first 75 days of ticketing skippers, violent crimes and burglaries in the Westbury neighborhood declined about 16 percent from the previous 75-day period, said Crowson, who acknowledged limitations to the analysis, which didn't compare the same times of the year.

On the prowl

The program worked well enough, though, that it is continuing this year, with at least four officers on the streets each day ticketing those who skip. That was Flores' job on Friday when he circled each of this district's larger schools, looking for students sneaking off campus or arriving late to class. The boy he spotted outside Madison High School was 17 — too old for a curfew ticket — but Flores gave him one for driving without a license instead.

At the Eastside police station, near Chavez and Milby high schools, two officers are similarly dedicated to catching truants. These sections of town are apparent hot spots for daytime curfew citations. Although any officer can issue a ticket for skipping school, tickets seem to come predominantly from these areas, according to a Houston Chronicle analysis of citations from 2006 to date.

Minorities often ticketed

Uneven enforcement is a big rallying cry for critics of curfew laws.

"What we've seen in most, if not all, cities that have curfew laws is that police will enforce the curfew in minority and poor neighborhoods," said Alex Koroknay-Palicz, executive director for the National Youth Rights Association, which fights curfews.

In Houston, more tickets are issued to blacks and Hispanics, but minorities are also an overwhelming majority on Houston Independent School District campuses. Last year, more than half of all curfew tickets went to blacks, who make up about 30 percent of HISD students; 36 percent went to Hispanics, who comprise 58 percent of HISD, and Anglos, who comprise nearly 9 percent of the district's students, were ticketed 6 percent of the time, according to state and police data.

Still, Bellaire Assistant Police Chief Byron Holloway said uneven enforcement is one reason he's hesitant about curfew laws. His tiny city, tucked within the Houston metropolis, has no juvenile curfew restrictions. That means Bellaire High School students may freely walk the streets during the school day, although schools could still get them for truancy.

"This is the deal with curfew laws: They can be subject to selective enforcement," he said, "because you seldom have the resources to equally enforce it."

Chronicle reporters Chase Davis and Jared Novack contributed to this report.

<http://www.chron.com/disp/story.mpl/side2/5138217.html>

More than an hour after the first bell Friday morning, Mike Flores spotted a teenager climbing from his car and heading to class at Madison High School.

"Where you going, man?" hollered Flores, an officer with the Houston Police Department's Southwest Patrol. "You know you're in violation of the curfew. You got to be here on time."

He was talking about the daytime curfew law, a Houston city regulation that, in essence, lets police stop any youngster on the street during a school day and ask: "What's up?"

Law enforcement and schools tend to like the law, which they believe cuts down on burglaries and petty crime, reduces truancy and helps protect teens from becoming victims themselves. But home-school and civil liberties groups have consistently lobbied against curfews, and some experts say there is no definitive proof they work. Last week, Harris County commissioners rejected a request from prosecutors to extend daytime curfews to unincorporated areas; County Judge Ed Emmett called the measure too intrusive.

In Houston, where being young and on the streets during school hours has long been a ticketable offense, curfews soldier on, reviewed and re-approved every three years. Police officers from certain neighborhoods say they've recorded drops in some crimes after cracking down on youths playing hooky. But an initial review of the curfew law after its adoption in 1991 showed that daytime crimes by juveniles actually increased after school-hour curfews took effect.

And, in what critics call a common problem with these laws, Houston's curfew appears to be enforced more frequently in certain areas of town — particularly the southwest side — meaning some youths may be more likely to be ticketed.