

END AUSTIN'S NIGHTTIME JUVENILE CURFEW

TICKETING YOUTH DOESN'T KEEP THEM SAFE!

Youth who are out late may need special services, resources, or simple guidance.¹ Others may work late-night jobs to provide for themselves or their family. Some are homeless. None should be saddled with tickets, court time, or a criminal record.

FOUR THINGS TO KNOW

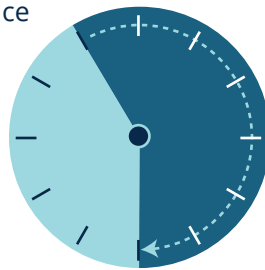
1

Under Austin's Juvenile Curfew Ordinance (JCO) youth who are out between

11 P.M. AND 6 A.M.

can be charged with a

CLASS C MISDEMEANOR.



2

VIOLATION

Curfew violations are "status offenses," meaning

YOUTH ARE TICKETED BECAUSE OF THEIR AGE,

not because they committed any real crime.

3



CHILDREN AS YOUNG AS 10

can be sent to

ADULT CRIMINAL COURT

without an attorney, face fines of up to \$500, and end up with a criminal record.

4

Ticketing is at the discretion of individual police officers.

From **2014-16** there were

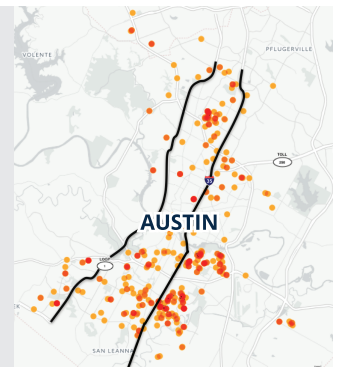
1,094

police interactions with youth at night, resulting in

417

curfew tickets.

Most tickets were clustered in an area from northeast Austin to south Austin. Virtually none were given to youth west of Mopac.²



Each point represents one curfew violation. Darker areas indicate multiple tickets. Five violations were not mapped because no address was given.

THE IMPACT

Research shows this type of justice system contact is harmful for youth,³ making it less likely they will succeed in school and more likely that they will have future court and police interactions.

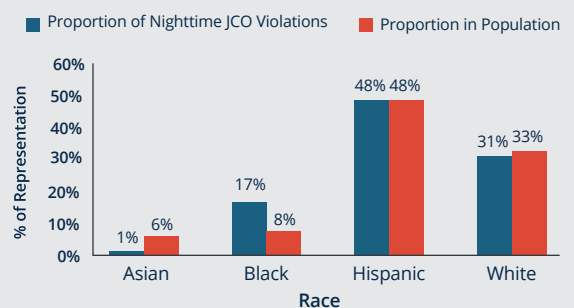
BOYS ARE IMPACTED MOST

Boys account for **74%** of all nighttime curfew violations.

BLACK YOUTH ARE DISPROPORTIONATELY AFFECTED

In 2016, Black youth accounted for **17%** of all nighttime curfew violations, though they represent just **8%** of the youth population.⁴

APD Nighttime JCO Violations by Race (2016)



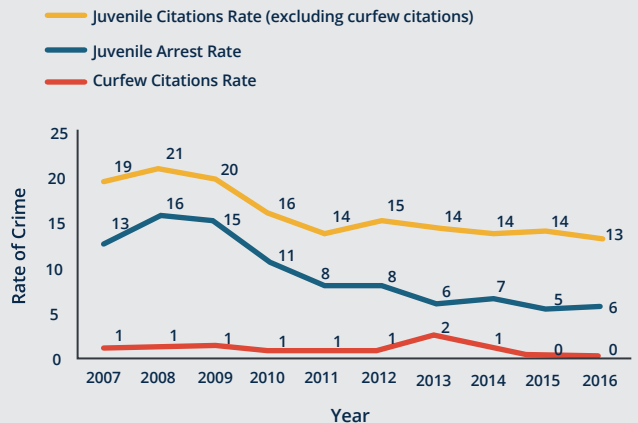
JUVENILE CRIME DECLINES WITHOUT CURFEWS

Travis County's juvenile crime rate was declining before the curfew was enacted and has continued this downward trend.⁵

Juvenile crime rates have **DECREASED NATIONALLY AND INTERNATIONALLY**, including in cities that do not have curfews.

Waco eliminated its juvenile curfew ordinance in 2014⁶. Since then, there has been no increase in the juvenile citation or arrest rate.⁷

Crime Rate per 1,000 Juveniles: Waco, Texas (2007-2016)



Juvenile population totals were taken from McLennan County estimates.

POLICY RECOMMENDATIONS

Texas Appleseed is part of a 29-member workgroup convened by the Austin City Council to find more appropriate solutions for youth than ticketing. The initial recommendations from this group of experts, practitioners, and youth include:

ENDING THE JUVENILE CURFEW IN AUSTIN

Utilizing existing resources within the city to provide **NON-LAW ENFORCEMENT INTERVENTIONS TO YOUTH**

REQUIRING YOUTH-FOCUSED TRAINING for law enforcement and other agencies and individuals that interact with young people

For More Information:

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DATA OBTAINED THROUGH OPEN RECORDS REQUESTS TO THE AUSTIN MUNICIPAL COURT PURSUANT TO THE TEXAS PUBLIC INFORMATION ACT UNLESS OTHERWISE NOTED.

1 VERA INSTITUTE OF JUSTICE, JUST KIDS: WHEN MISBEHAVING IS A CRIME, 2017, AVAILABLE AT [HTTPS://WWW.VERA.ORG/WHEN-MISBEHAVING-IS-A-CRIME](https://www.vera.org/when-misbehaving-is-a-crime).

2 NIGHTTIME CURFEW VIOLATIONS GIVEN BY THE AUSTIN POLICE DEPARTMENT (APD) FROM 2014-2016

3 TEXAS APPLESEED & TEXANS CARE FOR CHILDREN, DANGEROUS DISCIPLINE: HOW TEXAS SCHOOLS ARE RELYING ON LAW ENFORCEMENT, COURTS, AND JUVENILE PROBATION TO DISCIPLINE STUDENTS, 2016, AVAILABLE AT [HTTP://STORIES.TEXASAPPLESEED.ORG/DANGEROUS-DISCIPLINE](http://stories.texasappleseed.org/dangerous-discipline).

4 AUSTIN YOUTH POPULATION ESTIMATES TAKEN FROM CITY OF AUSTIN DEMOGRAPHIC DATA LIBRARY, AVAILABLE AT: [HTTP://WWW.AUSTINTEXAS.GOV/PAGE/DEMOGRAPHIC-DATA](http://www.austintexas.gov/page/demographic-data)

5 DATA TAKEN FROM FBI UNIFORM CRIME REPORTING: PUZZANCHERA, C. AND KANG, W. (2014). "EASY ACCESS TO FBI ARREST STATISTICS 1994-2012" ONLINE. AVAILABLE: [HTTP://WWW.OJJDP.GOV/OJSTATBB/EZAU/CR/](http://www.ojjdp.gov/ojstatbb/EZAU/CR/)

6 DATA TAKEN FROM OPEN RECORDS REQUESTS TO THE WACO POLICE DEPARTMENT

7 POPULATION ESTIMATES TAKEN FROM MCLENNAN COUNTY JUVENILE POPULATIONS: [HTTPS://WWW.OJJDP.GOV/OJSTATBB/EZAPOP/ASP/COMPARISON_SELECTION.ASP?SELSTATE=1](https://www.ojjdp.gov/ojstatbb/EZAPOP/ASP/COMPARISON_SELECTION.ASP?SELSTATE=1)