





April 29, 2024

**FISCAL AND POLICY NOTE**

TO: Jennifer A. Jenkins  
Council Administrator

Colette R. Gresham, Esq.  
Deputy Council Administrator

THRU: Josh Hamlin   
Director of Budget and Policy Analysis

FROM: David Noto   
Legislative Budget and Policy Analyst

RE: Policy Analysis and Fiscal Impact Statement  
CB-029-2024 (DR-2) Juvenile and Minor Curfew Zones

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**CB-029-2024** (*Proposed by:* Council Member Burroughs)

Assigned to the Committee of the Whole

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AN EMERGENCY ACT CONCERNING JUVENILE AND MINOR CURFEW ZONES for the purpose of allowing commercial property owners the ability to request the Police Chief to create zones within the County with a more restrictive juvenile or minor curfew; providing for the application for a more restrictive juvenile or minor curfew zone including the specification of the area covered following reasonable geographical boundaries; providing that the proposed area is primarily commercial; providing that the applicant demonstrates the ability to provide notice to the public of the more restrictive juvenile or minor curfew zone; and providing the applicant includes a letter of support from at least one County Council member that represents the district containing the more restrictive juvenile or minor curfew zone; and declaring that a public emergency exists affecting the public health, safety, and welfare, said emergency being the need to protect minors and residents from the negative effects of criminal activity by limiting the places open to the public where minors may remain between certain hours.

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## **Fiscal Summary**

### **Direct Impact**

*Expenditures:* Potential increase in expenditures for enforcement.

*Revenues:* No anticipated revenue impact.

### **Indirect Impact**

Likely Favorable.

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### **Legislative Summary:**

CB-029-2024, proposed by Council Member Burroughs, was presented on April 16, 2024, and referred to the Committee of the Whole (C.O.W.). This Bill would vest the Prince George's County Chief of Police with the authority to create more restrictive juvenile curfew zones upon petition of commercial property owners. The County's authority to enact this bill is derived from its police powers delegated under Md. Local Government Code Ann. § 10-206.

The Bill was considered in C.O.W. on Tuesday, April 22, where it was amended to be an "emergency bill" pursuant to Section 317 of the County Charter. "Emergency bills" are enacted to meet a public emergency affecting the public health, safety, or welfare, and require an affirmative vote of at least two-thirds of the Council. The Bill will become effective on the date it becomes law. Draft 2 of the Bill was unanimously voted out of Committee with a favorable recommendation.

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### **Background/Current Law:**

#### *Federal law:*

Currently, there are no federal laws that make provisions for implementation of juvenile curfews, as curfews are usually a matter of local ordinance, rather than federal law. Nonetheless, juvenile curfews became popular across the country after the signing of the *Violent Crime Control and Law Enforcement Act of 1994*, also commonly known as the Crime Omnibus Bill or, occasionally, as the "Super-Predators" Bill, due to the popularizing of that term by then-First Lady Hillary Clinton, referring to a certain type of juvenile offender that preyed on the popular imagination at the time<sup>1</sup>. Currently, the United States and Iceland are the only two countries with juvenile curfew laws that apply to all youth of certain ages within a given jurisdiction<sup>2</sup>.

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<sup>1</sup> [Why Juvenile Curfews Don't Work | The Marshall Project](#)

<sup>2</sup> [Juvenile curfew effects on criminal behavior and victimization - The Campbell Collaboration](#)

*State Law:*

There are no state laws establishing juvenile curfew zones, leaving this responsibility to local jurisdictions. However, in 2023, Governor Moore introduced the Safe Summer Initiative to direct more resources to Prince George's, Montgomery, Anne Arundel, and Baltimore Counties; and Baltimore City, which are the five jurisdictions that account for 75% of youth violence referrals in Maryland<sup>3</sup>. The initiative is part of a broader approach juvenile justice advocates espouse as an alternative to juvenile curfew laws.

*Relevant legislation from Other Jurisdictions:*

The current County curfew ordinance restricts youth younger than 17 from public places between 10 P.M. and 5 A.M. on weekdays and between midnight and 5 A.M. on weekends<sup>4</sup>. However, enforcement of the curfew appears to be uneven. For example, according to reporting, when the County enforced the current juvenile curfew in 2022, officials reported a 20% decrease in overall crime during curfew hours in the first month of enforcement<sup>5</sup>. This would imply that the curfew was not being carried out earlier.

Both Baltimore City and the city of Laurel have curfews in effect. Laurel's curfew requires that no minor under 17 shall not remain in public places between 11:59 p.m. Friday and Saturday and 5:00 a.m. the following morning, or 10:00 p.m. and 5:00 a.m. of the following day on any other day of the week<sup>6</sup>. Baltimore's is more stringent, requiring that minors less than 14 years of age may not be out in public places between 9 p.m. on any day and 6 a.m. of the following day, and that minors between 14 and 17 could not be out in public places between 11 p.m. on any day and 6 a.m. of the following day from midnight on the Friday preceding Memorial Day each year through midnight of the last Sunday of August, and that for the rest of the year between the hours of 11 p.m. on Fridays and Saturdays and 6:00 a.m. of the following morning<sup>7</sup>. Baltimore also has a daytime curfew prohibiting unaccompanied minors under 16 from being out in public places between 7:30 a.m. and 3 p.m. on any day during which the minor is required to be in school<sup>8</sup>.

The District of Columbia's curfew targets seven specific areas and prohibits those under the age of 17 from being outdoors past 11 p.m. on weekdays and midnight on weekends. Minors who violate the curfew will be taken to the Department of Youth Rehabilitation Services, where they will be reunited with their families and provided with rehabilitative services and support<sup>9</sup>.

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<sup>3</sup> [Governor Moore Announces New Vision to Address Public Safety in Maryland - Press Releases - News - Office of Governor Wes Moore](#)

<sup>4</sup> [DIVISION 1. - JUVENILE CURFEW. | Code of Ordinances | Prince George's County, MD | Municode Library](#)

<sup>5</sup> [Cities are embracing teen curfews, though they might not curb crime - Maryland Matters](#)

<sup>6</sup> [ARTICLE V. - CURFEW; PARENTAL RESPONSIBILITY | Code of Ordinances | Laurel, MD | Municode Library](#)

<sup>7</sup> [Baltimore City Code, Article 19, Police Ordinances](#)

<sup>8</sup> Ibid

<sup>9</sup> [§ 2-1541. Findings and purpose. | D.C. Law Library \(dccouncil.gov\)](#)

## **Discussion/Policy Analysis:**

### *Provisions of CB-029-2024*

CB-029-2024 would add a new subsection to County Code § 14-102, which creates the Countywide juvenile overnight curfew mentioned above. The substance of the addition is that it would authorize the Police Chief to accept and approve applications to create more restrictive curfew zones in the County, provided that the following conditions are met:

- 1) the proposed zone's specified area follows reasonable geographic boundaries;
- 2) two-thirds of the non-exempt property owners in the covered area approve of the zone;
- 3) the majority of the proposed zone's square footage is comprised of commercial uses, according to a declaration of the applicant;
- 4) the applicant identifies how signage and a public relations plan will alert the public of the existence of the more restrictive curfew in the zone;
- 5) the proposed zone's curfew does not begin earlier than 5:00 pm nor end later than 5:00 am; and
- 6) at least one member of the County Council who represents the area in which the proposed zone lies provides a letter of support for the application.

The Bill further empowers the Police Chief to approve an application with modifications made at the Chief's discretion, provided the proposed modifications are first discussed with the applicant.

### *Juvenile Curfew Laws*

Juvenile curfew laws have become popular tools across the nation to help keep youth off the streets, to prevent them from committing crimes and becoming victims of crime. The potential for police intervention and fines are expected to deter youth from being in public during curfew hours, and curfews are expected to assist both police and parents with managing and supervising youth at night. Over the past few years, many cities and counties have reinstated or reinforced juvenile curfews, including Washington, D.C., Memphis, Tennessee, and Fulton County, Georgia. Philadelphia and Chicago made their curfews permanent in 2022<sup>10</sup>.

Prior research has questioned the effectiveness of juvenile curfews in achieving their goals<sup>11</sup>. Individual studies generally have failed to uncover significant beneficial effects of curfews on crime and victimization rates, and police enforcement of curfew laws appears uneven.

To investigate the impact of juvenile curfew laws more thoroughly, a scientifically rigorous meta-analysis of 12 studies was conducted that examined the effect of juvenile curfew laws<sup>12</sup>. All these studies were conducted in the United States and were published in 1999. The findings of the meta-analysis indicated that juvenile curfew laws do not reduce either juvenile delinquent behavior or

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<sup>10</sup> [Cities are embracing teen curfews, though they might not curb crime - Maryland Matters](#)

<sup>11</sup> [Juvenile curfew effects on criminal behavior and victimization - The Campbell Collaboration](#)

<sup>12</sup> Ibid

juvenile victimization. The authors found that “while we cannot firmly conclude that juvenile curfews have no effect on crime, the lack of any credible evidence in their favor suggests that any effect is likely to be small at best and that curfews are unlikely to be a meaningful solution to juvenile crime and disorder”<sup>13</sup>.

Furthermore, some juvenile justice advocates and experts warn of unintended consequences such as increased racial profiling and straining already tense relationships between police and teens.

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### **Fiscal Impact:**

- *Direct Impact*

Adoption of CB-029-2024 may have an adverse direct fiscal impact if curfew enforcement leads to an increase in the amount spent on overtime by the police force. Because the discretion in whether to approve a petition for a curfew district lies entirely with the Police Chief, the Chief has control over the amount of the impact.

- *Indirect Impact*

It is unclear if adoption of CB-029-2024 will have an indirect fiscal impact, as it is unclear if adoption will have a stimulating effect on businesses in commercial zones under curfew enforcement, or if adoption would depress business in zones under enforcement, if the perception in the community that a commercial zone under a curfew is an unsafe neighborhood.

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### **Effective Date of Proposed Legislation:**

This Act shall take effect on the date it becomes law.

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If you require additional information or have questions about this fiscal impact statement, please reach out to me via phone or email.

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<sup>13</sup> Ibid