

STATE'S ATTORNEY
Gregg L. Bernstein

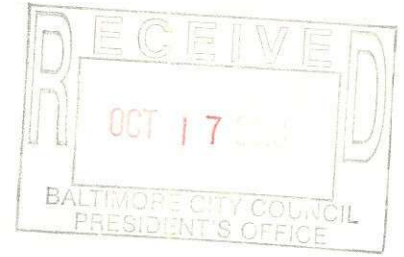


OFFICE of the STATE'S ATTORNEY for BALTIMORE CITY
THE CLARENCE M. MITCHELL, JR. COURTHOUSE
100 North Calvert Street | Baltimore, Maryland 21202

DIRECT DIAL
443-984-6012

October 12, 2013

The Honorable President and Members
of the Baltimore City Council
c/o Karen Randle, Executive Secretary
Room 409, City Hall
100 North Holliday Street
Baltimore, Maryland 21202



Re: City Council Bill No. 13-0261 Minors – Curfew Reform

Dear President and Members,

The Office of the State's Attorney for Baltimore City has reviewed Council Bill 13-0261, Minors-Curfew Reform. The bill amends the existing curfew law which prohibits any person under the age of 17 from being in a public place after midnight on Friday or Saturday, and after 11:00 p.m. on weekday nights, with certain enumerated exceptions. The amendments create different curfew times based on the age of the minor and the time of year. A person under 14 would have a curfew of 9:00 p.m. on all nights at all times of year. A person aged 14 through 16 would have a curfew of 11:00 p.m. during the summer months, and a curfew of 11:00 p.m. on Friday and Saturday and 10:00 p.m. on weekdays for the remainder of the year. Additionally the bill removes certain exception for minors and expands the school day curfew by an hour. It provides for counseling in lieu of a civil citation for the parent and strengthens the reporting requirements.

The Office of the State's Attorney supports the goals of the legislation which are to protect juveniles from victimization and arrest, and to promote school attendance and performance. There are, however, challenges in enforcing the law because of the difficulty of ascertaining the age of young people who may or may not have a valid identification, of verifying whether the minor falls into one of the enumerated exceptions, and of locating the parent or guardian of the minor. Additionally, curfew violation is often a sign of lack of supervision resulting from the addiction of a parent, unstable living arrangements, or other problems facing the family. It is important to link those persons who violate the curfew and their families with appropriate services, such as the option of attending family counseling in lieu of a citation, as the bill provides.

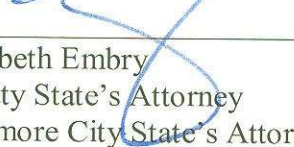
An effort which provides assistance to the police in verifying the identity of minors, in locating their parents, and linking the minor and their family with services is the curfew center created by the Mayor's Office, housed at school headquarters at North Avenue, and in operation during the summer months on Friday and Saturday nights. It is an important resource and one which should continue to be utilized. The participation of the school system, the Department of Juvenile Services and the Department of Social Services is critical for ensuring that information is disseminated to the necessary agencies and in providing a coordinated service response.

Comments

Finally, the requirement in the legislation to continually evaluate the impact of the curfew is an important component. Data on the effect of youth curfews in cities across the country has been mixed and a rigorous analysis of the impact in Baltimore should guide any future legislation.

Sincerely,

Gregg L. Bernstein
State's Attorney for Baltimore City

By: 
Elizabeth Embry
Deputy State's Attorney
Baltimore City State's Attorney's

Office

cc: Angela Gibson, Mayor's Legislative Liaison