

In April 2012 the Corinth City Council adopted the existing City Ordinance establishing curfew hours for minors. This document provides the existing Ordinance information and supporting documentation.

# Juvenile Curfew Ordinance Review and Data Analysis

Report Date March 2015

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## Background

On April 12, 2012, The Corinth City Council adopted Ordinance 12-04-12-06 establishing curfew hours for minors. With limited exceptions, persons under the age of 17 years old are prohibited from remaining, appearing or entering a public place during curfew hours, any day from Midnight to 6:00am.

The current Ordinance requires a periodic review to include the Ordinance's effect on the community and the problems the ordinance was intended to remedy.

This analysis revealed that it is not only practical to enforce the ordinance but that it is a useful tool for officers. The impact on crime statistics directly is not known, however since the ordinance was adopted in 2009, most crimes that are normally associated with juveniles are down. This analysis also reveals out of forty curfew violations, 5% were dismissed with 95% of the dispositions being deferred or guilty. This review also notes a negligible cost to the city.

In 1995, Texas Legislature enacted provisions that address a City's authority to enact juvenile curfew ordinances. This legislation requires a city to conduct periodic reviews of its curfew ordinance. A city must review its curfew ordinance at least every three years addressing:

1. The ordinance's effect on the community and on problems the ordinance was intended to remedy, and;
2. Conduct public hearings on the need to continue the ordinance; and
3. Abolish, continue, or modify the ordinance.

If the city fails to conduct the required review and public hearings the ordinance automatically expires.

It is recommended that the City Council:

1. Hold a public meeting on the curfew ordinance
2. Review the effect the Curfew Ordinance for Minors under Seventeen Years of Age has had on the community and the problems the ordinance was intended to remedy. Determine if the ordinance was successful.
3. Include the effective date of the ordinance and date of periodic review in the ordinance, and;
4. Continue the attached curfew ordinance for minors for three more years.

## Data Collection and Analysis

Data was collected from the Corinth Police Department's Records Management System (RMS) and the Corinth Municipal Court software system (INCODE). The data was then organized and analyzed showing trends in different activities to help determine the effectiveness of the ordinance. The data is presented in both written and graph format representing several categories to explain the trends.

Beginning in 2009, data collection methods changed in that if a citation only was issued, it was not counted as an arrest. Only those juveniles physically taken into custody are counted as

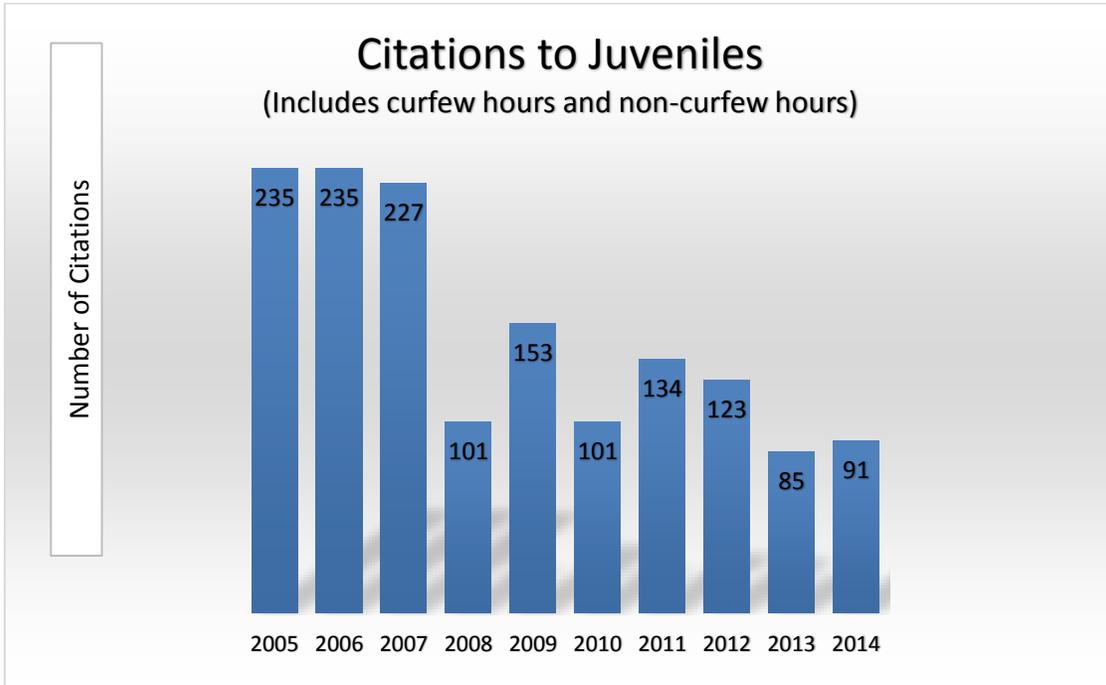
arrests. The arrest data is for persons under seventeen years of age who were physically taken into custody during curfew hours. Data was collected for calendar years 2005-2014.

Citation data includes those cited who are under the age of 17 and due to the software limitations; data includes citations written during and outside of the curfew hours. For the purposes of enforcement of laws relating to alcohol, "minor" means a person under the age of 21. For laws relating to tobacco, "minor" means a person under the age of 18.

For purposes of Council review, dates collected include 2012-2014. Previous year's data was included to show trends in various categories.

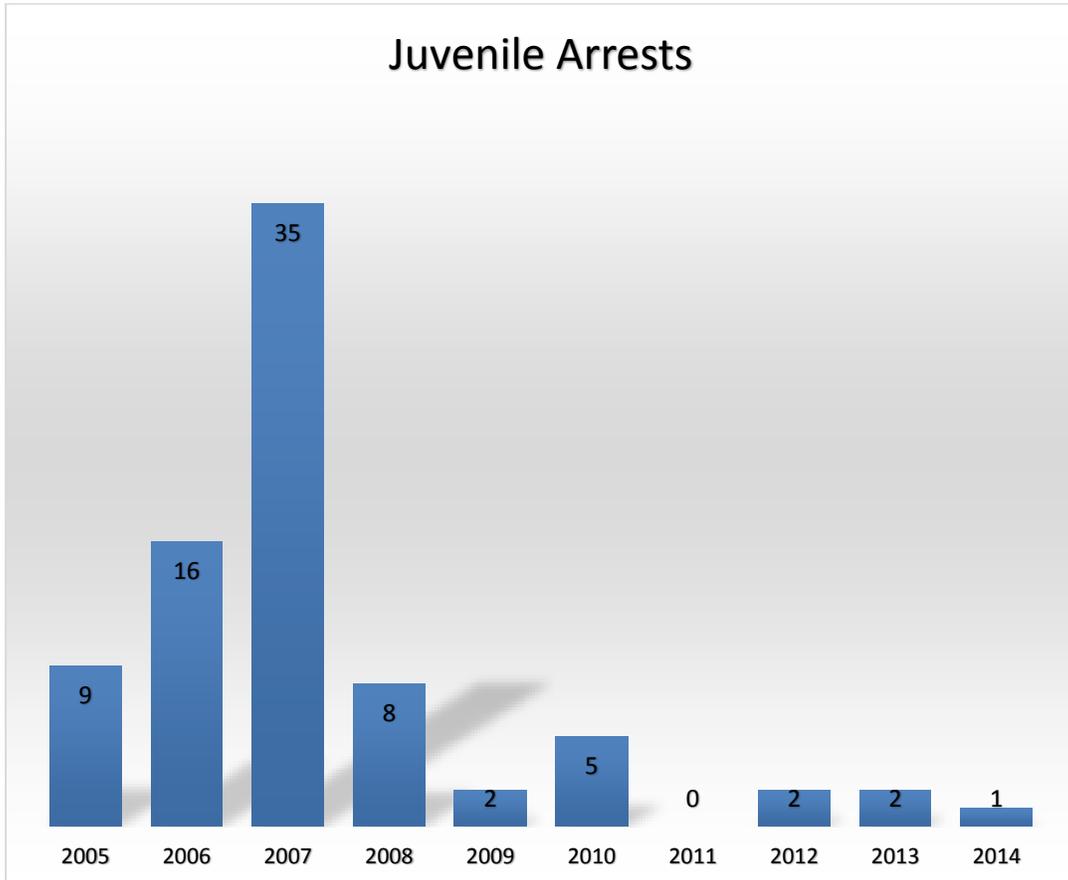
## Citations Issued to Juveniles

From calendar year 2005 to calendar year 2014, the Corinth Police Department issued 1485 citations to juveniles (persons under the age of 17). The trend shows a gradual decrease until 2011 when a slight increase was noted and a slight increase in 2014 versus 2013. These citations include traffic violations, and City Ordinance violations. There is no prominent reason for the increase in citations issued to juveniles from 2010 to 2011 and from 2013 to 2014.



## Juvenile Arrests during Curfew Hours

A decreasing trend in the number of juvenile arrests during curfew hours is noted. As previously stated, beginning in 2009, these numbers reflect only those juveniles that were physically taken into custody; it does not include those juveniles that were released only with a citation. Arrest Charges include assaults, possession of marijuana or other drugs, burglary, etc.



## Most Common Violations

The most common violations by juveniles and minors involve alcohol and tobacco. This analysis looks at these most common violations and how they relate to the juvenile curfew hours of Midnight to 6:00 am. These violations are:

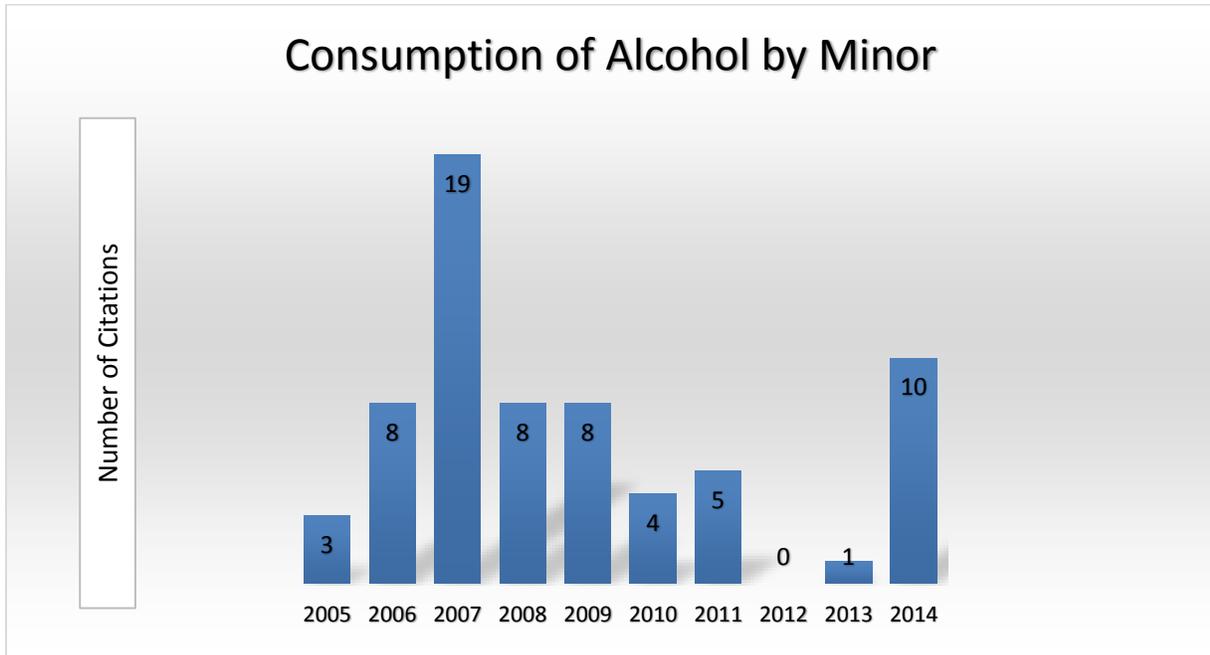
Consumption of Alcohol by a Minor	Texas Alcoholic Beverage Code Sec. 106.04
Possession of Alcohol by a Minor	Texas Alcoholic Beverage Code Sec. 106.05
Possession of Tobacco by a Minor	Texas Health and Safety Code Sec. 161.252
Driving Under the Influence of Alcohol by Minor	Texas Alcoholic Beverage Code Sec. 106.041
Possession of Drug Paraphernalia	Texas Health and Safety Code Sec. 481.125
Juvenile Curfew	City of Corinth Code of Ordinances 09-04-16-05

## Other Significant Offenses

Criminal Mischief	Texas Penal Code 28.03
Burglary of Vehicles	Texas Penal Code 30.04

## Consumption of Alcohol by a Minor

This category also shows an overall downward trend from 2007 to 2010, with a slight increase in 2011 and 2014. These figures only include persons cited or arrested under the age of 17 years old. Inclusion of persons cited or arrested from age 17 to 20 would result in a notable increase in this category. Of the 10 citations issued during 2014, 6 were issued during curfew hours.



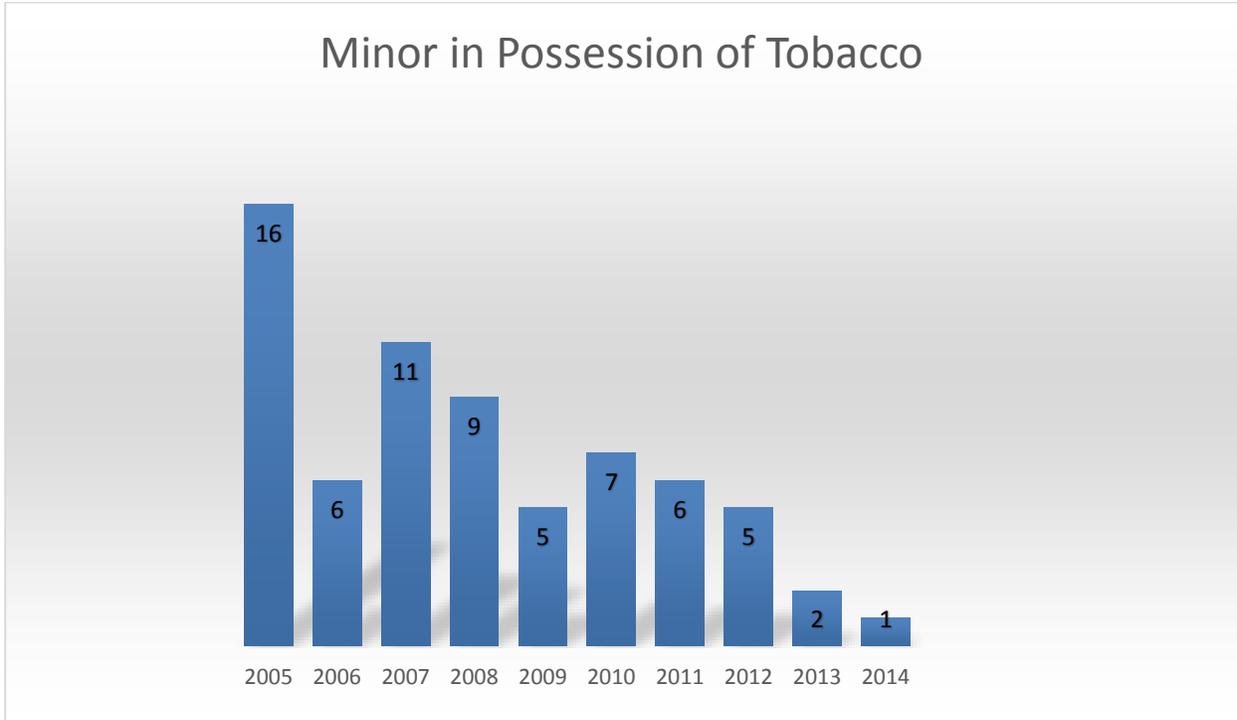
## Possession of Alcohol by a Minor

An overall downward trend is noted in this category as well. These figures only include persons cited or arrested under the age of 17 years old. Inclusion of persons cited or arrested from age 17 to 20 would result in an increase in this category as well.



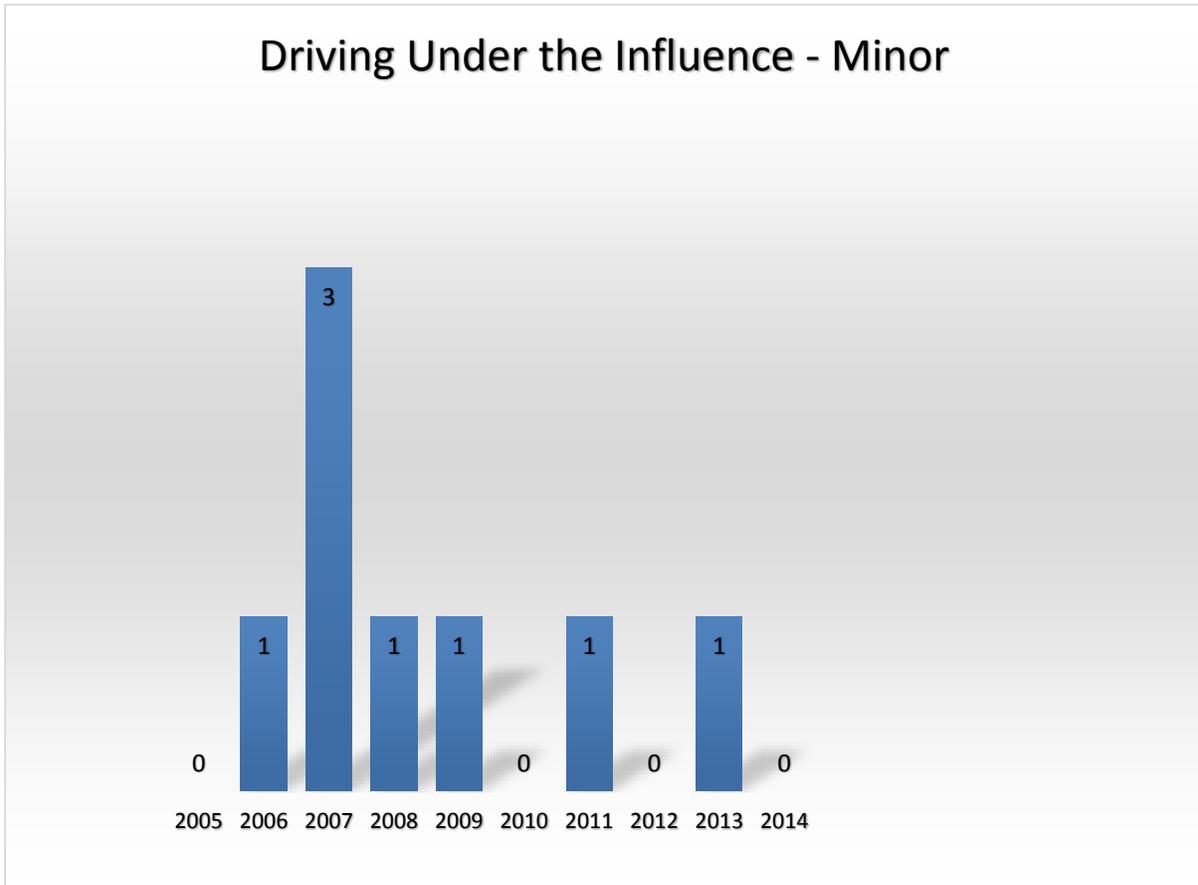
## Possession of Tobacco by Minor

The trend in possession of tobacco by minors is decreasing overall, with only a slight increase in 2010 but down again in consecutive years from 2011 to 2014.



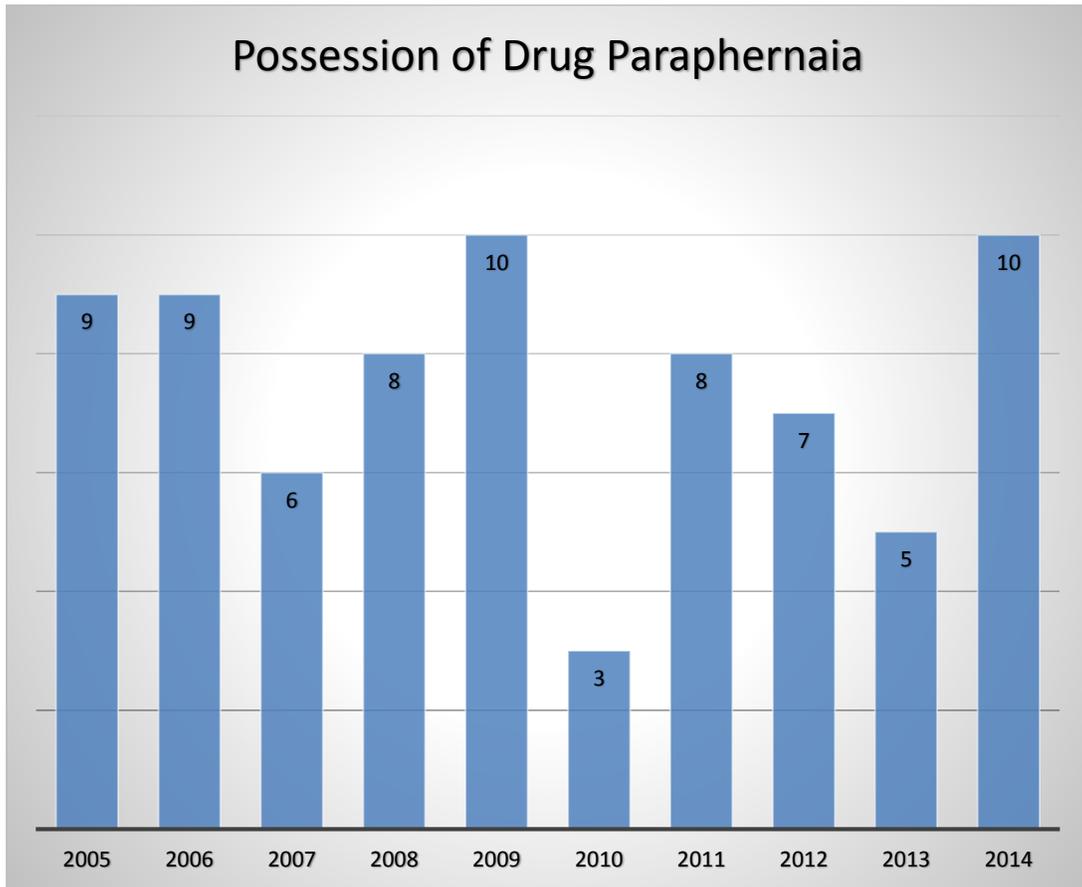
## Driving Under the Influence of Alcohol by Minor

Citations and arrests for Driving Under the Influence of Alcohol by a Minor have historically been low in the City of Corinth. The trend in this category is mostly flat with 2007 having 3 citations and none in 2012 and 2014.



## Possession of Drug Paraphernalia

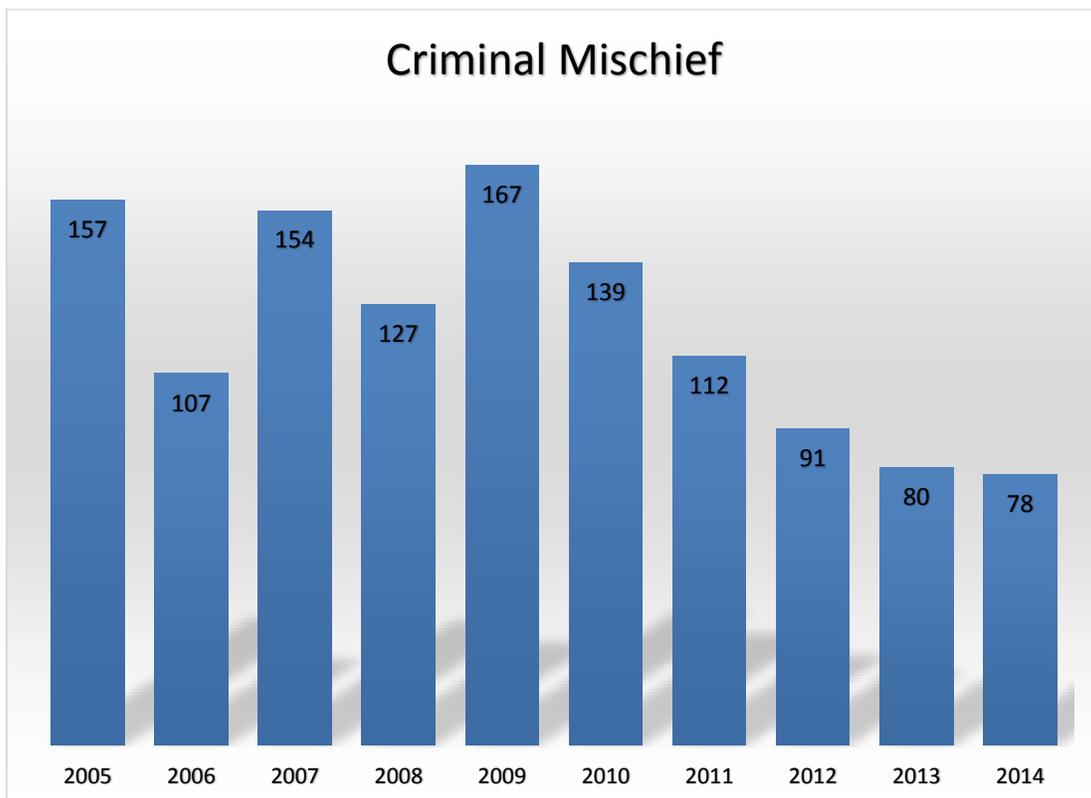
With the exception of 2010, the number of cited violations for possession of drug paraphernalia remains fairly constant with the average from 2005 to 2014 at 7.5 per year. Of the 10 citations written for Possession of Drug Paraphernalia in 2014, 2 were written during curfew hours.



## Criminal Mischief

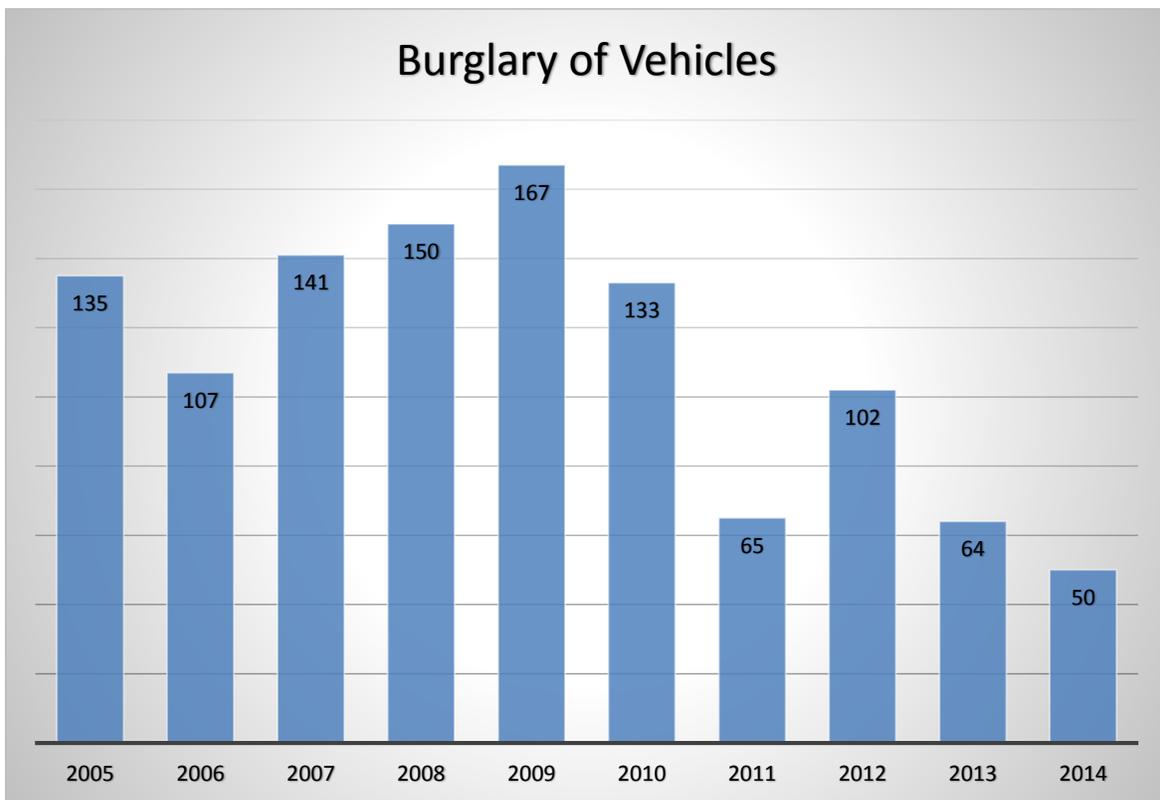
Common forms of criminal mischief include vandalism, graffiti or destruction or defacing of property (excluding arson). Criminal Mischief Offenses are normally associated with juvenile behavior. Some of the reports include offenses that are classified as criminal mischief such as “toilet papering” homes and “egging” cars. These activities commonly occur during evening and late night hours and are usually committed by groups of juveniles. The numbers reflected in the graph below are total offenses reported. Offenses such as these are often reported the following day and the time-frame of occurrence begins with when the reporting person last observed the undamaged property. These activities may at first seem harmless, but as time passes and especially with “egging”, costly damage can be caused if not cleaned immediately. This type of activity as time goes on can lead to more serious offenses. With the increase in bridges, such as FM 2499, there are more areas in which juveniles can “tag” with spray paint or other permanent marking materials. On the other hand, if juveniles are out during curfew hours and enter property, the owner could mistake them for criminals, intent on entering their residence or committing a theft. Laws in Texas allow residents to defend themselves and property with a firearm. The intent of the curfew is to protect juveniles. Preventing them from committing crimes is one aspect, but the other is to prevent them from becoming victims of crime or accidents as well.

The data collected for 2009-2014 illustrates a steady decline in the number of offenses reported to the police.



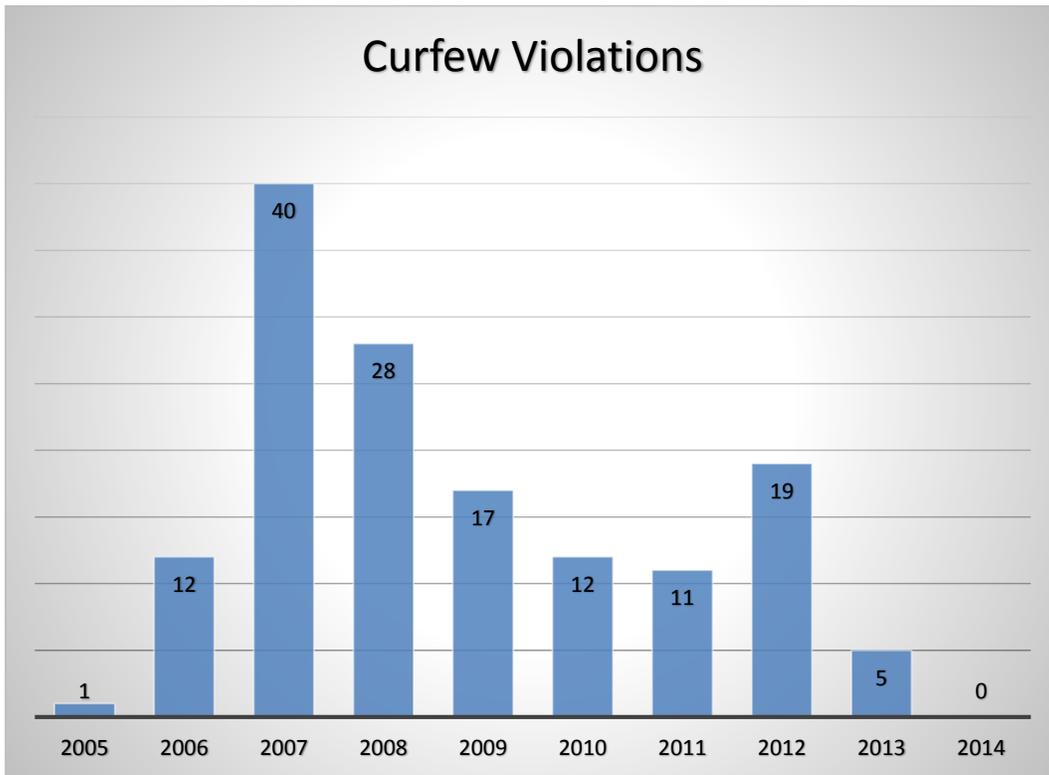
## Burglary of Vehicles

Burglary of Vehicle offenses showed a steady increase from 2006 until 2009. In 2010 and 2011, there was a drop in the number of offenses reported. Often times, vehicle burglaries are crimes of opportunity with vehicles being left unlocked. By having a curfew, juveniles that are abiding by the ordinance are not out and being tempted by the opportunity to commit the crime. Juveniles have a tendency to give in to peer pressure when they are confronted with the opportunity to commit these types of offenses to fit it. Once again, the intent of the curfew ordinance is to reduce crime, protect juveniles from being victims of crime and participating in these “crimes of opportunity”. As with the Criminal Mischief Offenses, these are often reported the following day and the time-frame of occurrence begins with when the reporting person last observed the property.



## Curfew Violation Citations Issued

The initial Juvenile Curfew Ordinance was instituted in August 2005. The existing Juvenile Curfew Ordinance was adopted in 2009. The number of citations issued annually shows to have leveled off in the past 2 years.



## Summary

An examination of the data collected and included in this analysis reveals that the Juvenile Curfew Ordinance is an effective tool that assists officers, reduces juvenile delinquency and victimization. This data also illustrates that the types of crime associated with juveniles continues to remain status quo or has been declining. It is the recommendation of the Corinth Police Department that the City Council review this report and consider continuing the Juvenile Curfew Ordinance.