

January 24, 2023**To the Mayor and Members of the City Council**

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SUBJECT: CURFEW ORDINANCE FOR MINORS

The purpose of this report is to provide additional information about the review of the City of Fort Worth Curfew Ordinance. Just as a reminder, the state statute enabling a city to authorize a teen curfew requires a review and council action every third year. Public hearings were held for the curfew ordinance on November 29, 2022, December 13, 2022, and January 10, 2023. Additionally, information about the ordinance was shared through informal reports to City Council, our social media and other media outlets.

Overview of the Last Informal Report

Over the past two years there have only been 48 juvenile curfew filings and 120 filings over the past three years. Council Districts 2, 4, and 7 have had the majority of the filings in the city. Overall, the majority of the filings were for 15- and 16-year-old individuals. This ordinance is not used often, but it is a good tool for officers in the field to address juvenile-related issues.

Curfew Ordinance

Under the current ordinance, curfew hours are (1) between 11:00 p.m. and 6:00 a.m. of the following day on Sunday, Monday, Tuesday, Wednesday, and Thursday; and (2) between 12:01 a.m. and 6:00 a.m. on Saturdays and Sundays. A minor is a person under 17 years of age. A curfew violation is committed if a minor remains in any public place or on the premise of any establishment within the city during curfew hours. There are several exceptions to the curfew as follows:

- Accompanied by the minor's parent or guardian;
- On an errand at the direction of the minor's parent or guardian, without any detour or stop;
- In a motor vehicle involved in interstate travel;
- Engaged in an employment activity, or going to or returning from home from an employment activity, without any detour or stop;
- Involved in an emergency;
- On the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police department or marshal's office about the minor's presence;
- Attending an official school, religious, or other recreational activity supervised by adults and sponsored by the City of Fort Worth, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the City of Fort Worth, a civic organization, or another similar entity that takes responsibility for the minor;
- Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or
- Married or had been married or had disabilities of minority removed in accordance with Chapter 31 of the Texas Family Code.

If a minor is detained for violation of curfew the ordinance requires the officer to ask the minor's age and reason for being in the public place. The officer may only issue a citation if they believe that an offense has occurred.

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Fiscal Year	Total Filings	A		B		C	
		Closed	%	Plea - Open	%	No Plea - Open	%
2020	72	29	40.3%	4	5.6%	39	54.2%
2021	19	5	26.3%	2	10.5%	12	63.2%
2022	29	0	0.0%	0	0.0%	29	100%
Total	120	34	28.3%	6	5.0%	80	66.7%

Column A	Represents cases in which a case was closed through Teen Court, payment, deferred disposition, or dismissal.
Column B	Represents cases in which a plea was entered, and final disposition has not occurred yet.
Column C	Represents cases in which the defendant has not appeared to enter a plea.

Curfew Filings by Age																	
Fiscal Year	Total Filings	10	%	11	%	12	%	13	%	14	%	15	%	16	%	17	%
2020	72	0	0.0%	1	1.4%	3	4.2%	8	11.1%	8	11.1%	22	30.6%	28	38.9%	2	2.8%
2021	19	0	0.0%	0	0.0%	1	5.3%	0	0.0%	1	5.3%	7	36.8%	9	47.4%	1	5.3%
2022	29	0	0.0%	0	0.0%	1	3.4%	1	3.4%	6	20.7%	11	37.9%	9	31.0%	1	3.4%
Total	120	0	0.0%	1	0.8%	5	4.2%	9	7.5%	15	12.5%	40	33.3%	46	38.3%	4	3.3%

Of the four curfew filings for 17 years of age, three filings were dismissed via a prosecutor's recommendation citing the curfew ordinance and age of the person at the time the citation was issued, and one filing is pending and is an open case.

Curfew Filings by Race and Ethnicity											
Fiscal Year	Total Filings	Asian or Pacific	%	Black	%	Hispanic or Latino	%	Other	%	White	%
2020	72	1	1.4%	29	40.3%	22	30.6%	4	5.6%	16	22.2%
2021	19	0	0.0%	6	31.6%	7	36.8%	1	5.3%	5	26.3%
2022	29	2	6.9%	4	13.8%	11	37.9%	1	3.4%	11	37.9%
Total	120	3	2.5%	39	32.5%	40	33.3%	6	5.0%	32	26.7%

Analysis on African American's being cited for teen curfew violations in 2020

During the last presentation, there was a question asked about the disproportionate number of African American individuals cited for teen curfew violations in 2020 (29 total). After researching the information further, the number of citations in 2020 were higher for African American individuals due to 10 individuals being cited on the same day at the same address. Also, there were two other instances where 5 and 6 people were cited during the same incident. This is a plausible explanation due to many of the restrictions that were put in place due to Covid and young individuals attending school virtually.

The 10 cited teens were in a residential neighborhood in District 2 where a citizen called reporting that juveniles were walking through the area pulling on door handles.

ISSUED BY THE CITY MANAGER**FORT WORTH, TEXAS**

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The 6 cited teens were at a Wendy's in District 8 and turned off the electrical main to the business and fled on foot across the street.

The 5 cited were pulled over on a traffic stop in District 6 and were in a stolen vehicle.

There were several other instances where there were 2 to 3 teens cited together on the same incident, but the 3 above incidents drove the numbers for that year.

Curfew Filings by Council District

Fiscal Year	Total Filings	2	%	3	%	4	%	5	%	6	%	7	%	8	%	9	%
2020	72	22	30.5%	11	15.2%	4	5.5%	5	6.9%	7	9.7%	13	18.0%	8	11.1%	2	2.7%
2021	19	5	26.3%	1	5.2%	4	21.0%	1	5.2%	1	5.2%	7	36.8%	0	0.0%	0	0.0%
2022	29	8	27.5%	0	0.0%	16	55.1%	0	0.0%	0	0.0%	2	6.9%	3	10.3%	0	0.0%
Total	120	35	29.2%	12	10.0%	24	20.1%	6	5.0%	8	6.6%	22	18.3%	11	9.1%	2	1.6%

Curfew Filings by Patrol Division

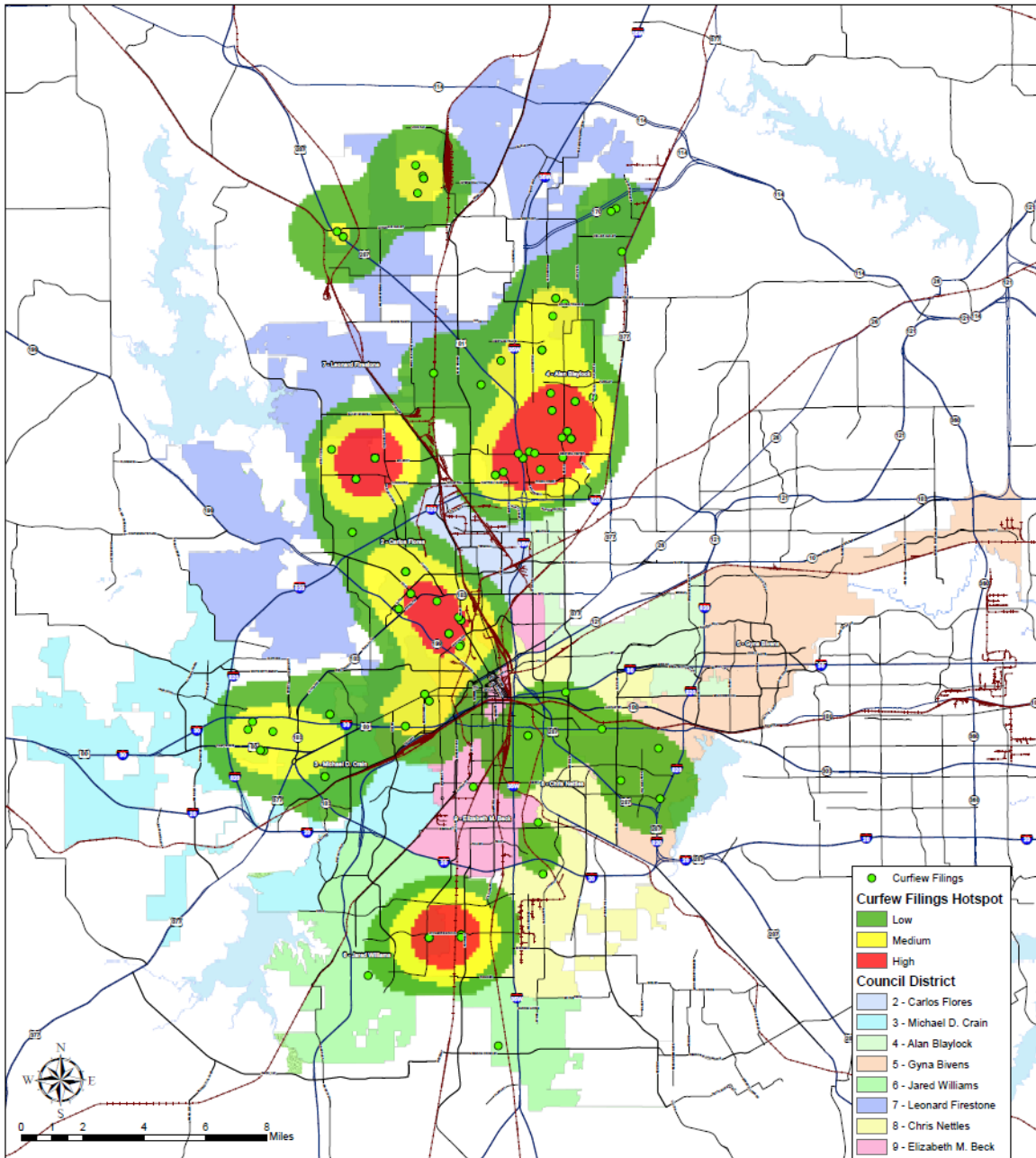
Fiscal Year	Total Filings	Central	%	East	%	North	%
2020	72	3	4.20%	4	5.60%	17	23.60%
2021	19	1	5.30%	3	15.80%	8	42.10%
2022	29	2	6.90%	0	0.00%	20	69.00%
Total	120	6	5.00%	7	5.80%	45	37.50%

Fiscal Year	Total Filings	Northwest	%	South	%	West	%
2020	72	19	26.40%	17	23.60%	12	16.70%
2021	19	3	15.80%	1	5.30%	3	15.80%
2022	29	6	20.70%	1	3.40%	0	0.00%
Total	120	28	23.30%	19	15.80%	15	12.50%



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Fort Worth Police Department
FY2020-FY2022 Curfew Filings Hotspot Map
and
City Council Districts



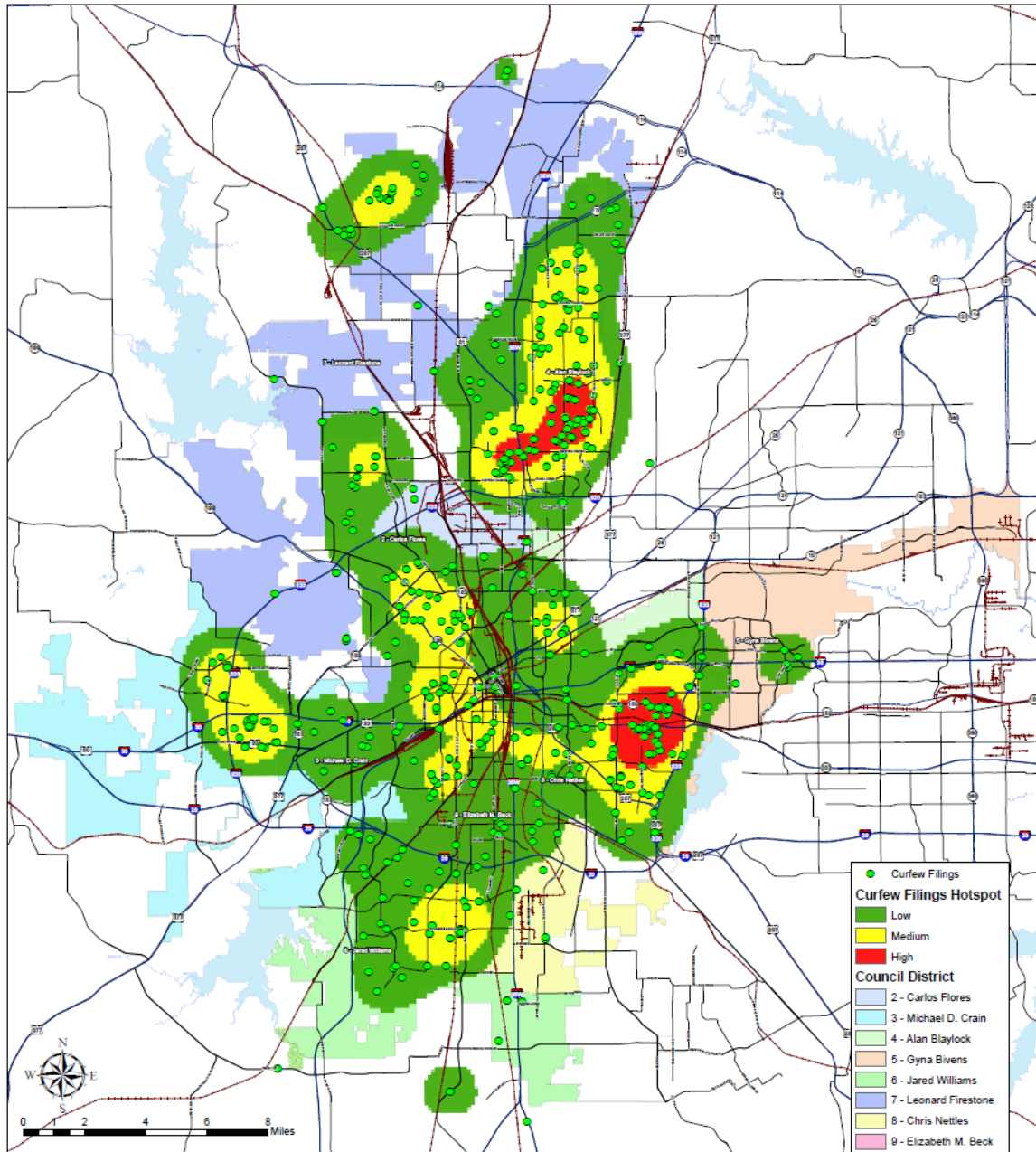
Updated: January 2023



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Fort Worth Police Department
FY2015-FY2022 Curfew Filings Hotspot Map
and
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Guardian Ad Litem

During the December 6 City Council Work Session, a question was posed as to what options can the Court exercise if a Juvenile has no access to a parent or guardian to appear with them. The Court can appoint a guardian ad-litem to represent the interest of the juvenile.

Public Outreach and Communications

The following outreach about this ordinance has occurred:

- An article, informational flyer and graphic were created to notify people of the public hearing on the curfew.
- The flyer was shared with Fort Worth ISD (FWISD) to include in their parent newsletter and was shared directly with FWISD Board President Jackson.



- A City News article ran on January 6, 2023 <https://www.fortworthtexas.gov/news/2023/1/curfew-final-hearing>
- Information was also included in the January 9, 2023 Council Preview story: <https://www.fortworthtexas.gov/news/2023/1/council-preview-1-10>
- Social Media posts ran January 6 – 9, 2023 on Facebook, Nextdoor (Neighborhood Associations) and Twitter.

Planned promotion, if the curfew ordinance is renewed, includes:

- Promote the ordinance through all channels
- Place flyers in libraries and community centers
- Partner with local ISD's on strategize and share information with students and parents
- Coordinate with Council district offices to work on any district-specific communication needs

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Additionally, there was a community meeting to be held on Monday January 23, 2023 about the ordinance along with a second meeting scheduled for February 1, 2023. The community meetings will include members from the Police Department and the Municipal Court who look forward to having a dialogue with the community on this issue.

The teen curfew is an effective tool to reduce the victimization of young people. The juvenile curfew ordinance is not utilized in every possible instance, but when appropriate, it represents a useful option for police officers to help get juveniles off the street where they may become a victim of a crime.

For more information or questions, please contact Executive Assistant Chief Robert Alldredge at 817-392-4131.

David Cooke
City Manager