

Types of Parents in Relation to Juvenile Curfew Violations



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Abstract

Juvenile curfew laws are a popular strategy for curtailing juvenile crimes. Among the features that make juvenile curfew laws popular is an emphasis on parental responsibility, which makes parents key actors in curfew enforcement. However, parents vary widely in terms of how they see their parental responsibilities and in terms of their manners of childrearing, which in turn influence how they approach curfew laws. This research identifies five types of parents regarding curfew violations of their children. The types, which were derived through observational research, include indignant, irresponsible, indignant, ineffectual and invisible. The research illustrates the different ways in which parents react to curfew violations of their children with different consequences for successful curfew enforcement in the future.

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Types of Parents

Juvenile curfew laws are a very popular strategy for dealing with juvenile crime (Ruffle and Reynolds, 1966). These laws typically require that youth under a specific age be off the street by a certain hour at night. The curfew time limit can vary based on the child's age, the day of the week (e.g., weekdays and weekends) and the season of year (e.g., school year and summer). Juvenile curfew laws are popular for many reasons, chief among which are that they are perceived to be relatively inexpensive and effective and are thought to benefit from quick and easy implementation. Despite research showing that curfew laws are not especially effective at reducing juvenile crime (Wilson, Gill, Olaghere & McClure, 2016), they continue to enjoy popular support (Bannister, Carter & Schafer, 2001).

A major reason for public support of curfew laws is that these laws are seen as promoting a vision of family life that many people endorse. The family portrait includes safe, stable, and nurturing living arrangements directed by responsible parents or caretakers who reliably and successfully act in the best interests of their children. From this picture, the premise that the best place for a child late at night is at home flows naturally, although, needless to say, this portrait of family life is far from universal, especially among troubled youth as curfew violators.

The role of parents in curfew law enforcement is controversial, both legally and socially, because it pits the interests of the parents against those of the state. Parents can argue that as matters of autonomy and privacy they have a constitutional right to raise their children as they see fit (Norman, 2000). The state, however, counters with arguments about legitimate interests of public safety and parental responsibility. Wayward youth can contribute to problems of alcoholism, drug use, delinquency, and truancy, and parents who fail in terms of supervision and proper upbringing can be seen as responsible for their children's bad behavior, thus warranting state intrusion into the parental role (Tyler & Steady, 2000).

This paper examines the role of parents in curfew enforcement via an observational scrutiny of curfew violations. The goal is to show how parents vary in terms of attitudes towards curfew laws, and how these parental attitudes influence curfew enforcement. To this end, a typology of five different types of parents in relation to curfew enforcement is presented.

The typology being presented is based on observations made by the author over various years of studying curfew enforcement. These observations were loosely structured, mostly occurring in the context of ride-alongs with police, as well as on-site examination at curfew enforcement centers and offender booking stations in several cities. The typology, then, is a mixture of observations, memories and notes

built up over the years through experience. The scenarios presented, while realistic, often combine elements from more than one encounter or experience. Likewise, the associated dialogue is a loose rendering of what was said and not literal. The point of view and the interpretation of situations taken is that of the parent, even though bystanders may have their own different interpretations. Also, the term parents is used generally in the context of biological parents. In cases where biological parents are absent, the phrase caretaker is more appropriate.

My observations and reflections have led me to discern five types of parents in relation to curfew law violations and enforcement. These five types are: indignant, ignorant, ineffectual, irresponsible, and invisible. Each of these five types is now discussed separately.

The Indignant Parent

A common emotional reaction when someone is accused of bad behavior is that of indignation. While this response can be used as a ploy or self-defense mechanism, in my experiences, it usually is a genuine expression of anger or outrage that stems from a sense of unjust accusation. There is a sense of “how dare you accuse me” that comes from the parent.

The first type of parent, accordingly, is the “indignant parent,” and the following example helps illustrate this type of person. A mother wanted to go out and socialize on a weekend night but was constrained from doing so because she had an adolescent daughter and no babysitter. So as not to have her social plans frustrated, she headed out to the downtown strip with her daughter alongside her. After sizing up the various dance halls, she chose one that was adjacent to an arcade parlor. Then, she gave her daughter some money to play the arcade games and instructed her that she was not to leave the arcade nor go out on the street. She also advised her that if there was any problem to come to the dance hall next door and ask the doorman to find her. The mother said that she would return in about three hours.

For whatever reasons, perhaps boredom or curiosity, the daughter eventually left the arcade and wandered out on to the street, and, before long, the daughter was picked up by police for a curfew violation. The doorman and the mother did rendezvous with each other, albeit at the behest of the police.

When the mother was informed that her daughter was being taken into custody for a curfew violation, she became irate. She yelled at the police “I’m the parent,

and my child has my permission to be out. You can't tell me how to raise my child. That's my decision."

Clearly, the mother resented what she perceived to be the usurpation of her parental authority by the state. Given her libertarian "hands-off" attitude, she denied the legitimacy of the curfew laws. The state had encroached on her parental rights. She was asserting her responsibility for the child's upbringing and her autonomy to make decisions about the child. The mother expressed a sense of righteous anger that over time grew more intense. Eventually, she too was taken into custody.

On a cooler note, there was a situation in which a child was picked up for a curfew violation in a wealthy community. When the parents came to pick up the child at the police station, they were visibly irritated. The father said, "my son has my permission to be out." The mother added "the boys in our neighborhood are good boys." "My child is an honor student! Why aren't you out there catching dangerous criminals?"

In general, police are not receptive to curfew violation counter-arguments based on indignation, although the arguments may lead them to double check the legitimacy of the curfew violation to make sure there was no mistake. Police often will try to explain the curfew law and the rationale behind it to the parents. In the end, police are not persuaded by parental autonomy arguments, and if indignation arguments persist and become disruptive, the police will take enforcement action against the parent.

The Ignorant Parent

The type of parent characterized as the "ignorant parent" is not ignorant in the sense of lacking education or comprehension but in the sense of being unknowing or uninformed. In general, this type of parent is unaware of one of two things, either the provisions of the curfew law or the whereabouts of their child.

It is common for parents to say that they did not know about the curfew law in response to their child's curfew violation. These situations arise more frequently at the start curfew law implementation. Parents who are confronted with their child's violation simply say: "I didn't know there was a curfew law." Sometimes they will admit knowledge of the curfew law but plead ignorance about some important detail. For example, "I knew there was a curfew law, but I didn't think it applied to a 16-year-old." Or, in some cities, one might hear "We don't speak English. We don't know about a curfew law."

In most of the municipalities I observed, an “awareness” campaign preceded curfew implementation. Multiple media outlets and multiple government offices were engaged in spreading the word that a juvenile curfew would be implemented on a certain date. The particulars of the curfew law also were communicated throughout the city. Consequently, police usually are not sympathetic to arguments from ignorance because of ongoing attempts to provide adequate notice to the community about details of the curfew law. In particular, media publicity about curfew implementation usually is widespread with regular coverage in newspapers and on television.

Depending on the particulars, police may be more or less sympathetic to pleas of ignorance after some assessment of plausibility. The more plausible the claim of ignorance, the more likely it is that police will give the offender a pass. For example, if a parent claims to be a visitor from a neighboring town, the police may not write a curfew citation after a quick review of the parent’s driver’s license address.

Three interesting situations arise in relation to claims of ignorance of curfew laws. The first is that some municipalities establish a graduated sanctions system, sometimes configured along the lines of three strikes. Generally, the first strike is a written warning. In these situations, police often feel more inclined to dismiss claims of ignorance because the consequences of the first violation are minimal. The second situation involves municipalities that have a large tourism business. In these locations, many people are coming and going from a wide variety of places, and tourists may truly be unaware of the curfew law. Besides, tourists represent a large source of income, and a tourist destination does not want to get a reputation as inhospitable. In such instances, police are inclined to accept the ignorance argument and show leniency. The third situation involves enforcement efforts designated as “zero tolerance.” On occasion, some municipalities will initiate a zero-tolerance curfew sweep. Part of the rationale for the zero tolerance is to visibly demonstrate lack of partiality in curfew enforcement. Under these circumstances, no excuses are accepted except as may be effected at high levels of police command.

Another form of parental ignorance occurs when the parent is unaware of the child’s behavior. The parent is aware of the curfew law, but, for some reason, the parent is unaware or mistaken about the child’s location. In these cases, deception on the part of the child may be involved.

For example, when police contact a parent about a child’s curfew violation, they sometimes get the response “She was supposed to be at a friend’s house.” Additional details may follow such as “I dropped her off myself. I warned her about the curfew and told her to stay in her friend’s house and not to go out on the

street.” Police generally understand how such things can happen, although they have mixed sympathies for such arguments.

When parents are in some way deceived by their child and a curfew violation occurs, they often feel embarrassed because the violation insinuates that they are not responsible parents. For this reason, they may go on in some detail regarding the precautions they took to avoid a curfew violation, trying to demonstrate that either the violation is the child’s fault or that a minor and irregular lapse in parental responsibility had occurred. If the parents appear sincere and honest in their story, police may overlook the curfew violation on the grounds that the parents have in effect been sanctioned through embarrassment or that they have been victimized by the child’s behavior in a sense. Social attributes of the parents can play a role in the outcome of these cases.

Sometimes, parents become angry at the child over curfew violations involving duplicity or disobedience. In one situation, a father was called to come down to the police station and pick up his daughter for a curfew violation. When the father entered the building, he was enraged, demanding to know where his daughter was. When he found out where the daughter was being held, he flew down the hallway in a fit of rage threatening to discipline the child in a variety of ways. The daughter, hearing her father coming, locked herself in the bathroom. With the father banging on one side of the door and the child screaming and crying on the other side, the police were able to physically subdue the father. The girl eventually came out of the bathroom, only after the police threatened to use tear gas. Why the fury and rage on the part of the father? The daughter had been sent to her room as punishment; she climbed out the window, and secretly went into town. He was angry and embarrassed by the deception and defiance.

The Ineffectual Parent

Parents often struggle with a myriad of challenges posed by child-rearing. Over time, they learn the best ways to respond to their children to bring about desirable outcomes. Some parents, however, are not so successful. Try as they might, they are not able to get their child to conform to basic principles of civility and decorum. Perhaps it is a failure to learn how to parent effectively, or perhaps the child is exceedingly difficult, or perhaps both.

In this sense, the disobedient child and the ineffectual parent both contribute to the delinquent behavior. Nevertheless, the ineffectual parent tries to be a “good” parent at some level but is weak or unsuccessful at the task. As one parent told police regarding her son who was picked up for a curfew violation “He refuses to

listen to me. I can't control him." The household of the ineffectual parent often is conflict-ridden as parents try to manage the child's behavior and the child resists. In the face of repeated unsuccessful efforts to deal with their child's misbehavior, parents can feel helpless and powerless to the point that they "give up" and withdraw from their parental responsibilities. Alternatively, they may reach out to a variety of persons and organizations, relatives, schools, churches, and physicians for help, only to find that their petitions do not change the situation much. Parents may even reach out to police agencies for help as a measure of last resort. As one mother said to the police regarding her daughter "Why don't you lock up my child overnight? Maybe you can teach her a lesson. I can't."

Police are sometimes sympathetic to the situation of the ineffectual parent, especially when the parent is viewed as someone who tries hard and takes reasonable actions to rear their children to be good citizens. This "good will" towards ineffectual parents, stems from a perception that they are stuck in a bad situation not entirely of their making. Sympathetic feelings can diminish over time, however, as the child's misbehavior continues, and frustrations and disappointments pile up.

The Irresponsible Parent

Parents assume a tremendous responsibility when they have children. Most parents rise to the challenge. Some do not. The "irresponsible parent" is one who abdicates basic responsibilities towards his or her children. The parent fails to take prudent and necessary steps to care for their children, often out of selfishness. Irresponsible parents, then, tend to be self-centered and are unwilling to make personal sacrifices for their children.

Abandoning one's parental responsibilities is a prescription for disaster with adolescents, especially in some environments, such as low-income urban areas, where children are exposed to a wide variety of threats and villainous influences. Single parent households tend to be impacted more severely by parental irresponsibility, especially when there is no one around, such as a grandmother, neighbor, or older sibling, to take up the slack.

In the context of curfew enforcement, police usually are not exposed to the most egregious instances of parental irresponsibility, those that immediately and seriously threaten the life or well-being of the child. Rather, the irresponsibility in curfew situations tends to be less forceful and more off the cuff. One father responded to a late-night call from police about his child's curfew violation as follows "It's three o'clock in the morning. You woke me up. I'm too tired to drive

downtown to the police station. I'll pick up my child in the late afternoon, sometime after work." Clearly, this parent did not want to be inconvenienced, so he put his interests ahead of those of his child.

Parental irresponsibility is not the exclusive purview of certain social groups. It cuts across all social lines. In zero-tolerance enforcement efforts, police intentionally go into high income areas looking for curfew violators. Here's how parents in a wealthy neighborhood responded when police contacted them regarding their children's curfew violations "We're on vacation, skiing out-of-state. The children can take care of themselves, so we left them alone for the weekend. You can call a neighbor to come pick them up. Ask the children for the number." Again, the irresponsible parent eschews obligations in ways that fail to advance the child's best interests.

Irresponsible parents give priority to their own desires and interests, rejecting the inconveniences of responsible parenting. Their children often are unsupervised and free to do whatever they want. Police tend to be unsympathetic to this situation, and they will sometimes find a way to introduce some extra sanction, as a way reinforcing the notion of accountability, when the officer perceives the lack of responsibility is egregious or especially harmful.

The Invisible Parent

A number of curfew violators, usually among the most chronic, have what one might call "invisible parents." These parents exist in a real sense, but they are physically and mentally absent from their children's lives for a variety of reasons. Practically speaking, they are missing in action when it comes to their parental responsibilities. These non-existent parents tend to foster runaways, street orphans and nomads.

When questioned about their family whereabouts, curfew violators with invisible parents will say something like "My dad left town. I don't know where my mom is." When asked about where they live, they sometimes will say "I was living with my mom until she left. Now, I live with my aunt once in a while. This week I am staying with my cousin. If I can't find someone to stay with, I'll sleep under the bridge." Absent functional parents and a stable residence, these children move from place to place trying to make due. Sometimes, they cannot find a place to stay, in which case they live on the street until some other arrangement comes along.

As one might guess, these children have long histories of problem behaviors that are compounded by life-long experiences of physical and psychological insults.

In some cases, the children have been abused by their parents and other caretakers. When they attend school, they do so irregularly, and their performance tends to be poor. They live from day to day looking for the next meal or the next place to stay. Occasionally, they are taken into custody, perhaps for shoplifting or some other minor offense, with detention offering a brief respite from the challenges of street survival.

In some cases, the state is partly responsible for the parental absence in that one or both parents are in jail or prison, often for a criminal offense. Sometimes the custody period is short, and the parent returns to the household, but that does not always happen. Other times, the detention period is long, such that the child has little prospect of being parented by a natural parent. As one curfew violator put it "I was living with my mom until she went to prison. I don't know when I will see her again. Now, I live on the streets or in shelters or with relatives."

Police view these situations as a sad reflection of the reality that they have to deal with. Depending on the circumstances, they may express sympathy, indifference, or anger over the situation. When possible, police will act as referral agents by putting the child in touch with an appropriate social service agency. While the outlook for curfew compliance is doubtful, this tends to be a minor concern for police because the future prospects for the child are decidedly bleak.

Discussion

Curfew laws as a crime control strategy have received wide support over the last few decades. This support persists despite research indicating that juvenile curfews are largely ineffective at controlling crime. The logic behind curfew law effectiveness seems straightforward and obvious in relation opportunity theory. Children who are home do not have occasions to commit crimes on the street.

Part of the strategy of successful curfew enforcement is to hold parents responsible for their children's behavior. If we dig deeper, we find a set of assumptions about parents and homes that are unrealistic in some cases, providing insight into why curfew laws can be ineffective. Curfew laws assume that children have safe homes, that children have responsible parents who work to promote the best interests of the child, and that a child's behavior can be controlled by parents. In most cases, these assumptions are valid. However, in shifting the enforcement focus to parents and homes, we realize that there are exceptions and that in some cases the characteristics of parents and homes necessary for curfews to be efficacious are not present.

This paper focused on the parents of curfew violators, identifying five distinct types of parents implicated in the failure of curfew law effectiveness. These types are indignant parent, ignorant parent, ineffectual parent, irresponsible parent and invisible parent. The outlook for curfew compliance and the changes needed to bring about that compliance vary by type of parent.

Two central elements run through discussions of parents in relation to curfew laws, those being responsibility and competence. Responsibility points to a set of obligations that a parent has towards his or her child. These responsibilities include basic safety items such as food, shelter, and medical care as well as higher-order responsibilities such as education, self-esteem, values, morals, and mutual-respect. Parental competence includes the knowledge, skills, and abilities that allow the parent to successfully satisfy their parental responsibilities.

The indignant parent and the irresponsible parent both share viewpoint that undergirds their child's curfew violation. The indignant parent dismisses curfew laws as a matter of sovereignty that stems from parental prerogatives. Because resistance to curfew laws is based in a deeply rooted, principled objection that denies the legitimacy of these laws, future compliance tends to be questionable. The indignant parent steadfastly embraces the responsibilities of a parent, even though their childrearing practices could be seen by others as neglectful, harmful, or counterproductive.

In contrast, the irresponsible parent adopts the attitude that personal convenience comes first and dismisses curfew laws as a matter of inconvenience. Irresponsible parents are self-centered and fail to take proper responsibility for rearing their children. In this sense, the indignant parent and the irresponsible parent are different, because the irresponsible parent eschews parental responsibilities with an egotistical attitude. For both the indignant parent and the irresponsible parent, a change in attitude or thinking is required before the parents come to see curfew laws as legitimate or as something to be taken seriously. The criminal justice system can facilitate this change in a variety of ways, such as by meeting repeated curfew violations with repeated sanctions, such that in the end, practicality eventually wins out over ethical principle or narrow egoism.

In many respects the invisible parent resembles the irresponsible parent. Irresponsible parents tend to be self-centered and as a result, neglectful. They often fail to take responsibility of the child's rearing because of a lack of care and interest.

Likewise, both the ineffectual parent and the ignorant parent share common attributes. Both groups generally accept the fundamental principles and aims of

juvenile curfews, so in principle, they side with the state in terms of the merit of these laws. However, both groups also have difficulty gaining their children's compliance. Both types of parents, thus, suffer a deficit in that they are lacking something. In the case of the ineffectual parent, the skills or agency to manage a child's behavior are lacking. Research indicates that poor parenting skills are related to delinquency, hence in cases of ineffectual parenting curfew violations may be a harbinger of future delinquency and crimes (Hove, et al, 2009). Even so, parenting skills can be taught, as through parenting classes. All the same, there may be a point beyond which the parent cannot learn, or the child will not respond.

On the face of it, the solution for ignorant parents appears to be a straightforward: provide the parents with information. However, the situation is not so simple, and solutions depend on the source of the ignorance. If the parents and children are truly unaware of the curfew, one must ask why public outreach efforts were so ineffective. Perhaps the problem is cultural and rooted in households that do not speak English and live in relatively insular ethnic communities, in which case targeted information outreach efforts may be warranted. It is also possible that claims of ignorance are really camouflage for claims of indignation, cultural or otherwise. If the problem is children who disobey their parents' instructions or who lie about their intentions, then the parent-child relationship comes to the fore and the possibility of ineffective or counterproductive parenting is a possibility.

The invisible parent is perhaps the most consequential of the types. This parent is not present in the child's life, neither physically nor emotionally. In this sense the invisible parent resembles the ignorant parent in terms of unawareness of their child's daily activities. "Out of sight is out of mind" as the saying goes.

The invisible parents leave their children behind and move through life unaccompanied by their offspring. Their children, then, are left to their own devices, with little or no resources in terms of navigating life. Some parents are invisible by choice, favoring a life unencumbered by responsibilities. Thus, the invisible parents resemble the irresponsible parents to an extent. Other parents are invisible because they are constrained by circumstance to be so, for example, those living in prisons, mental health facilities, or drug rehabilitation facilities. If circumstances were different, it is not known whether the parent would embrace the mantle of parental responsibilities and would be effective at parenting their child.

Curfew laws have roots in the "child-saving" philosophy and can display universal sentiments. However, society's focus today seems to be with chronic offenders of all sorts, including chronic truant violators, a subset of which includes difficult to control children with long histories of antisocial and other problem behaviors.

Curfew laws are intended to facilitate positive childhood socialization by insulating children from criminal opportunities and other negative influences and by helping parents monitor and control their children's behavior. Parents and synonymous family members are a central cog in a childhood socialization processes that engender responsible maturity. All things considered, parents are more important, actively or passively, than criminal justice actors and other social institutions in directing children along the developmental path to adulthood. Not all parents act the same, however, regarding their parental responsibilities.

We have described five types of parents in relation to curfew enforcement. The indignant parents assert their sovereignty in child-rearing decisions and stake out a controlling opinion of what's best for their child, while their cousins, the irresponsible parents, declare egotistical pre-eminence in all things that matter, irrespective of their children's interests. In comparison, the ignorant parent is unaware, by choice, by passivity, or by deception of others when it comes to curfews and its violations, while the ineffectual parent is impotent in relation to child-rearing skills. The invisible parent, who is effectively missing in action when it comes to child rearing, presents a serious challenge for the curfew enforcement system because invisibility breeds irresponsibility and insubstantiality. Criminal justice professional should be aware of these variations in parents because they are associated with differences in capability and cooperation when it comes to curfew administration and enforcement.

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