

May 23, 2022

To: Members, City Council, City of Chicago

From: Stephanie Kollmann, Policy Director

Re: Hearing on Ordinance O2022-1596 (introduced May 20, 2022), expanding youth curfew

Last Wednesday, the Chicago Police Department shot and critically injured a 13-year-old.

Today, instead of mourning this tragedy and supporting Chicago teens through the trauma of violence that continues to include police gun violence targeting young people, the Office of the Mayor seeks your permission to extend its alleged “emergency” executive order that, among other restrictions, imposes a draconian new curfew on 17-year-olds.

Others have provided you with **reasoning and research concerning the fact that youth curfews are ineffective and associated with increased rates of gun violence¹ and raising legal concerns about the City’s attempts to increase restrictions on youth,²**

Because the impact of the ordinance has been minimized in official testimony to City Council,³ I will simply explain, in brief, what the ordinance actually does – which can help you to understand how it is the wrong move at the wrong moment.

The ordinance does the following:

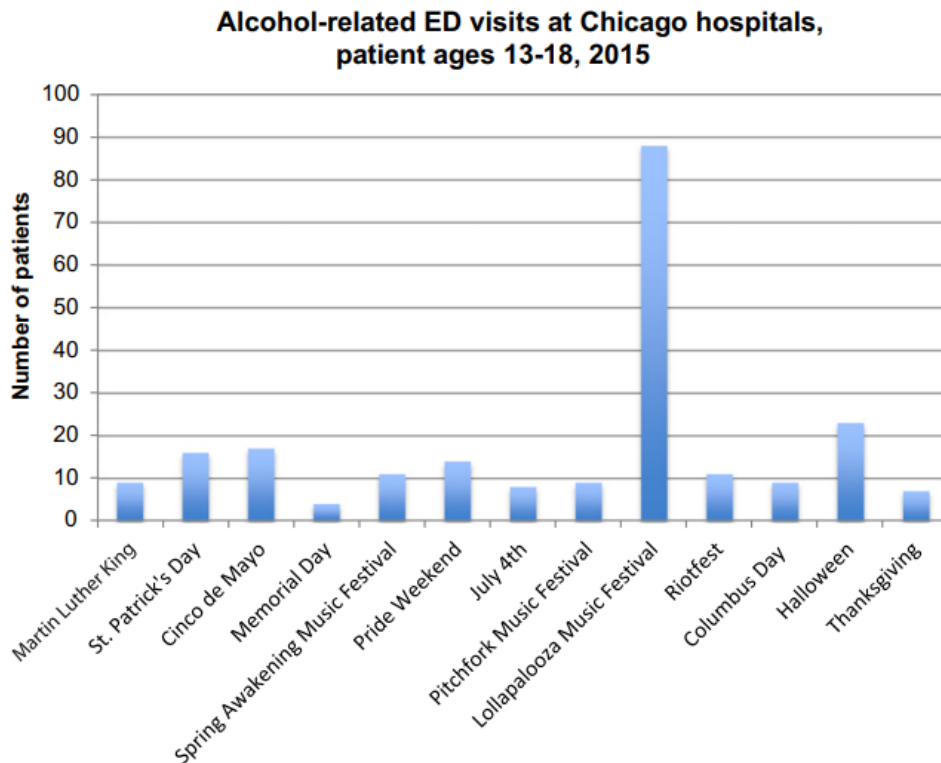
1) Creates a new, significant restriction on the liberty of 17-year-olds, who are purposely not subject to any curfew restrictions under Illinois state law or existing City ordinance. The ordinance would **remove freedom of movement from tens of thousands of Chicago youth for 1/3 of their time – 8 hours a day, 7 days a week.**

¹ See, e.g., Rev. Michael Pflieger, Rev. Otis Moss III, Rabbi Seth Limmer, Rev. Ciera Bates-Chamberlain, and Arne Duncan, *Instead of Youth Curfews, Here’s How to Get Serious about Violence Prevention*, CHICAGO SUN-TIMES (May 17, 2022); see also Dear Colleague Letter from Ald. Carlos Ramirez-Rosa (May 19, 2022).

² Letter from Alexandra Block, ACLU of Illinois, to Celia Meza, Corporation Counsel, City of Chicago Department of Law (May 17, 2022), https://www.aclu-il.org/sites/default/files/aclu-il_curfew_letter_to_corp_counsel.pdf.

³ In testimony to the Public Safety committee hearing on Friday, Deputy Mayor John O’Malley repeatedly stated that he believed the ordinance merely adjusts curfew for two hours per week. In fact, it institutes a new 56-hour-per-week curfew for 17-year-olds. He did not provide any public safety data or research to support either change.

- 2) Increases restrictions on youth 12-16 by setting curfew an hour earlier on the weekend, effectively **removing their legal ability to attend weekend events like the Navy Pier fireworks, even if accompanied by a grandparent** or other responsible adult other than their legal guardian;
- 3) Adds a “Lolla Loophole” that affords greater freedom to suburban teens who can afford \$125+ for a one-day concert ticket than to Chicago teens merely sitting on a park or diner bench with their friends, which carries **harmful, destabilizing messages to Chicago’s youth about who public space in the city is intended to serve.**



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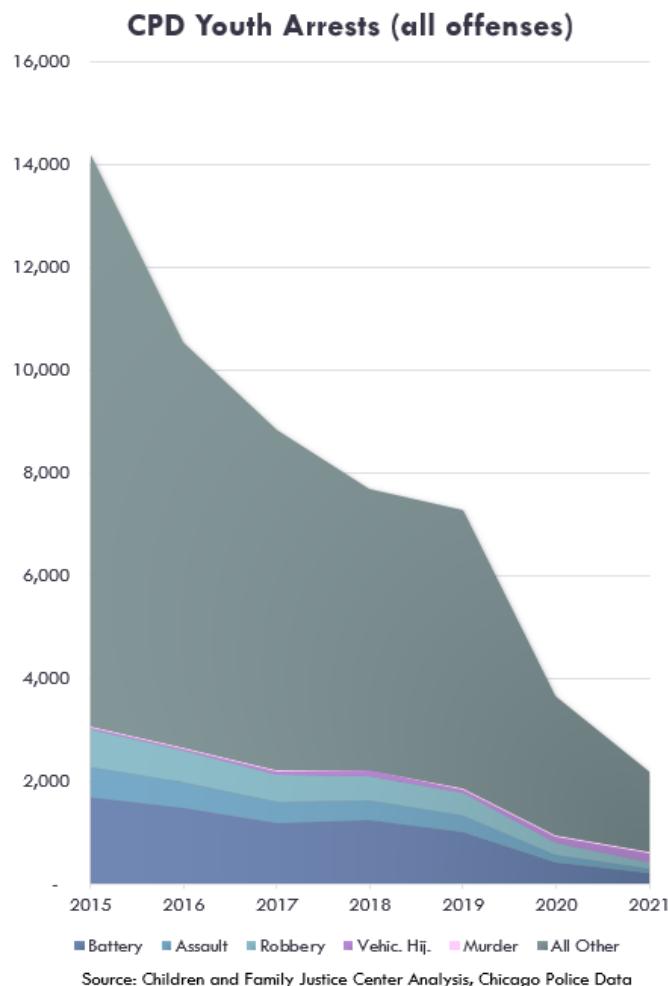
- 4) Contradicts official violence reduction policy. In 2020, Mayor Lightfoot issued the City of Chicago’s first significant violence reduction plan. It very **reasonably does not encourage more police engagement with youth⁵ as a public safety goal:**

⁴ Emily C.Z. Roben, I. Allie Hurst, Mark Adler, *One Hospital's Experience With an Annual Surge of Intoxicated Teens*, 18 CLINICAL PEDIATRIC EMERGENCY MEDICINE 2 (2017) at 145.

⁵ In testimony to the Public Safety committee, the Chicago Police Department repeatedly emphasized its ability to increase stops and other contact with otherwise law-abiding youth as the main objective of the curfew expansion.

“Criminal Justice System Involvement can Increase Risk for Violence

Exposure to violence and the criminal justice system can be sources of trauma. ... [E]vidence indicates that **contact with the justice system can be associated with pervasive negative outcomes and future violence involvement, particularly among young people.** ... Even with a decrease in arrests and the use of diversion practices, **young people living in communities in Chicago’s West and South sides are more likely to be exposed to community violence and the criminal justice system, both of which can be a source of trauma.** ... Therefore, **reducing the footprint of the justice system and employing prevention strategies are critical** to combat lasting negative effects on youth...”⁶



In contrast to the violence reduction plan and against the advice of members of the Violence Prevention Planning Committee and Research Advisory Council Participating Organizations, the proposed curfew ordinance will **increase intrusive physical contact from police officers against teenagers who are not suspected of being engaged in any other municipal or criminal violation.** By raising the curfew age, **police will also increase stops of young adults violating no law at all** based on officer’s impression that they look younger than 18.

5) Extends the destructive rhetorical attacks on Chicago youth. In the past few years, political rhetoric, amplified by media coverage, has been increasing the average Chicago resident’s fear and anger at teenagers. Meanwhile, **arrests of youth for crime, including violent crimes, have continued to decline overall. Increased fear of youth leads to increased violence against youth, including police violence against youth.** The City of Chicago

⁶ CITY OF CHICAGO, OUR CITY, OUR SAFETY: A COMPREHENSIVE PLAN TO REDUCE VIOLENCE IN CHICAGO (2020), <https://www.chicago.gov/content/dam/city/sites/public-safety-and-violencreduction/pdfs/OurCityOurSafety.pdf>.

must immediately abandon irresponsible stories told about children who have suffered through incredible loss and disruption during these pandemic years and seek to support them at every possible turn.

Conclusion

Chicago teens and parents have had insufficient time to weigh in with you about the merits of this strategy; because its nature and impacts have been minimized by the City, many may not even be aware of the breadth of this proposed increase in curfew scope, or its practical meaning.

The last thing that Chicago teens need right now is to be told to get back in the house. The last thing that Chicago needs right now is emptier streets. Teenagers learn how to behave appropriately in public by being in public, rather than being abruptly shoved off a “supervision cliff” on their 18th birthday.

The City of Chicago can promote peace and safety while enabling the presence of youth in public.