

April 28, 2025

**OPEN LETTER OPPOSING CURFEW ORDINANCE**

To Chairman Hopkins and Members of the Chicago City Council:

The undersigned youth justice, civil rights, and legal reform organizations oppose the proposal currently being considered by the Council that would grant Chicago police the authority to unilaterally declare snap curfews anytime and anywhere in the City of Chicago. The proposal is an overreaction to a few situations where large groups of young people gathered in some parts of the Downtown Chicago area. Rather than exercise the Chicago Police Department’s existing authority to disperse these groups — or take up other solutions — the curfew proposal relies on tired, failed ideas centered on fines and arrests.

1. ***Data shows curfews do not reduce crime.***

All evidence indicates that curfews do not affect crimes committed by, or targeted against, young people. The Marshall Project [documented](#) in 2018 that a “voluminous body of research has cast strong doubts on the claims that juvenile curfew laws prevent victimization or reduce juvenile crime . . . .” A 2016 [study](#) by the Campbell Collaboration, which reviewed findings from twelve other studies, concluded that, “[c]ontrary to popular belief, the evidence suggests that juvenile curfews do not produce the expected benefits.” Among other findings, the Marshall Project’s research indicates that removing people from the streets actually makes everyone less safe, because “deserted streets invite crime.”

Curfews are a discredited relic of 1990s “super-predator hysteria” (as the Marshall Project reported), which imposed draconian limitations and penalties on young people, and which turned out to be plainly incorrect – and extremely damaging to youth. They are a failed policy; Chicago should not double down on a tactic that does not work.

2. ***The ordinance lacks sufficient notice and lacks geographic and temporal limits.***

The proposed ordinance allows the CPD Superintendent or District Commander to issue a curfew any time and anywhere in the City on only 30 minutes’ notice. It doesn’t require CPD to announce the curfew by text message broadcast, by social media or traditional media, or in any other fashion that people are likely to be aware of, other than verbally informing people who are present and also putting up posters “if feasible.” The proposal does not require announcements in multiple languages or other reasonable accommodations for people with limited English proficiency.

As a result of insufficient notice, youth and their parents may be unaware of a snap curfew, and minors could be caught in the wrong place at the wrong time. The potential for erroneous

enforcement against young people who are not intending to engage in criminal activity, but who are simply passing through a neighborhood where an instant curfew has been declared, is seriously concerning.

Equally problematic, the proposal does not require CPD officials to terminate a curfew after a certain period of time. Nor does it require a limited geographic scope. Based on the proposal as written, the CPD Superintendent could declare the entire Chicago lakefront to be a curfew zone for all summer months, prohibiting more than 20 young people to assemble at the beach due to the likelihood of a “mass gathering” event. Given the lack of reasonable guardrails, this hasty and ill-considered proposal must be rejected.

**3. *The ordinance does not comport with legal standards for arrest and prosecution.***

The proposed ordinance would allow officers to issue citations or make arrests if the officer “reasonably believes that an offense has occurred.” This does not meet the required probable cause standard for law enforcement to arrest someone.

The proposal also subjects any minor to penalties if they remain in a public place where a curfew was declared, even if they were not aware of the curfew declaration. Lacking any element for knowing, intentional or willful violation, the ordinance is likely to be subjected to legal challenges.

**4. *Curfews are likely to be implemented in a discriminatory fashion.***

During the 2020 curfew enacted in the City in the wake of protests of George Floyd’s murder, [more than 3 in 4 of the individuals stopped and arrested for curfew violations were Black.](#) “If you remove arrests made on the first night of the [2020] curfew, an astonishing 93% of those arrested for curfew violations were Black,” as reported by ACLU’s Executive Director, Colleen K. Connell, on June 16, 2020. Given this history, and without additional protections built into the policy, it is highly likely that roving youth curfew enforcement by Chicago police will be implemented in a biased and discriminatory fashion. The ordinance does not require CPD to address the potential discriminatory application of curfews to Black and Brown youth or other marginalized communities.

We urge the City Council not to vote on any curfew ordinance without a plan to document curfew enforcement actions against each minor who is ordered to disperse, subjected to detention, and/or arrested; to audit the data for any racial or other bias; and to and correct any patterns of discrimination that emerge – which is highly likely.

**5. *Police enforcement of curfews will create rather than abate community tensions.***

Fundamentally, the purpose of law enforcement is to keep people and communities safe. Criminalizing young people simply for gathering or intending to gather, when they have not committed any crime, does not promote safety. It sends a message to young people, and particularly young people of color, that they are unwelcome in public spaces, and that the entire class of youth in Chicago is responsible for the misdeeds of a few. Changes to the curfew ordinances should not exacerbate tensions between the police and young people. We fear that the proposed amended ordinance will do so.

For these reasons, we urge the members of the City Council to vote against the proposed curfew ordinance.

ACLU of Illinois

Cabrini Green Legal Aid

Chicago Appleseed Center for Fair Courts

Chicago Council of Lawyers

Chicago Freedom School

Chicago Lawyers' Committee for Civil Rights

Circles and Ciphers

Community Justice and Civil Rights Clinic at the Northwestern Pritzker School of Law

Final 5 Campaign

First Defense Legal Aid

Juvenile Justice Initiative

Law Office of the Cook County Public Defender

Legal Action Chicago

Liberation Library

Loevy + Loevy

Mandel Legal Aid Clinic of the University of Chicago Law School

National Lawyers Guild Chicago

Shriver Center of Poverty Law

Stick Talk

Uptown People's Law Center