

Teens Confront City Over 'Child Protection Curfew'

"My biggest concern is homeless teens. They're out on the streets with nowhere to go, and they have enough problems already without having to worry about being caught outside after curfew."

— Angela Texiera, age 15

by Linda Lemaster

The few youth who heard that the City of Santa Cruz was passing a new curfew had plenty to say, both written and spoken. Unfortunately, they left the council meeting feeling unheard, several of them in tears.

"Does this mean we can be handcuffed, pepper sprayed, or even shot while running to get away from the police?" asked Ari Nachman, age 13. "Do we need more laws to criminalize innocent behavior? The jails are already full enough."

"Most things that happen after curfew that are dangerous or illegal happen indoors, say at a party, and the law can't protect the youth involved," said Angela Texiera, age 15. "This law criminalizes previously innocent behavior. I think the cops should stop people who are doing something wrong such as shoplifting or vandalism. They should not harass young people who are doing nothing wrong."

"A lot of the kids that I know who are out after curfew don't have a very safe home environment. They are out on the streets because they are being abused at home. This law would actually make these young people less safe."

"My biggest concern is homeless teens. They're out on the streets with nowhere to go, and they have enough problems

already without having to worry about being caught outside after curfew. The Above the Line homeless youth shelter is not even open yet, is supposed to be a voluntary facility, and even when open, will not be large enough for all of those who will want to go there."

"Worried about drugs?" asked Alex Southard, age 16. "The curfew won't change that. You could get the same effect as the curfew will have if you politely ask the drug dealers not to deal after eleven."

"Look very closely at me," Roxanne Pao, age 11, told the council, speaking from the Citizens Podium at the curfew's first reading. "Do I look like a criminal?"

"How could a policeman be able to know by looking at people what age they are? When I was 12, people often mistook me to be 16," said Deon Lemaster-Bloomer, suggesting selective enforcement would be inevitable. "Why didn't this council make the curfew law when school was happening, so the people affected could be involved? It seems like this law would just throw kids into the juvenile system, and criminalize more of

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them than it protects, especially children of poor families who don't have phones."

Alex Southard stayed and listened carefully as the council debated the curfew. Long after all public input had ended, Alex raised his hand, and wouldn't put it down even though he was totally ignored by the councilmembers. He doggedly kept his arm raised, until finally City Councilmember Mike Rotkin barked, "Sir, the public comment period is closed." "Well, a councilmember could recognize him," Mayor Cynthia Matthews corrected. The matter was resolved when Vice Mayor Celia Scott, the lone opponent of the curfew, recognized young Southard. "What if I have a note from my parents?" he asked. "Would that be okay?"

Southard's question was a very important one. Who has the ultimate authority? The parents or the state? "No, actually that would not be acceptable as the ordinance is now written," answered Police Chief Steve Belcher. So the curfew isn't simply about kids being out late and their parents not knowing where they are or being unable to control them. Because if

that were so, a note from parents who have given permission for their young adults to be out after 11 p.m. would satisfy all parties. A parental exception, or a "Southard Exception," is the only avenue that places ultimate authority where it belongs — with the parent.

At the second reading, the council passed the new curfew law by a 6-1 vote, on their collective way to a month-long vacation. Meanwhile, the young man whose concerns had just been dismissed publicly by the police chief walked to the back of City Hall chambers. As the police chief was patting merchant speakers on their backs in congratulations, Deon, age 13, engaged him in a dialogue:

"When you break this ordinance, you are committing a crime, right?" said Deon. "Yeah," said Police Chief Belcher.

"And when you're caught committing a crime, you're criminalized, right?"

"Right!"
 "Then you just lied to the City Council, right?" The police chief made no audible response but he did turn very red.

Teen responses compiled by Becky Johnson