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Out Late? Curfew Laws and Local Ordinances

Eleni Lionas, Legislative Analyst

Curfew laws generally restrict the hours during which minors may be in public spaces without adult supervision. Public Act 41 (PA) of 1960 governs curfews for children under the age of 16 and prescribes a misdemeanor penalty for those violating the law.¹ Under the Act, minors under the age of 12 must be under adult supervision between the hours of 10 PM and 6 AM and minors under the age of 16 must be under adult supervision or on an errand or other legitimate business directed by a parent or guardian between the hours of 12 AM and 6 AM. An individual 16 years of age or older who encourages or allows a minor to violate the Act's provisions is guilty of a misdemeanor.

Local Ordinances and Enforcement

The Act also allows local governments to create and enforce their own curfew ordinances. Each local ordinance typically contains the following elements:

- Age tiers and specific curfew times, generally subjecting younger juveniles to earlier curfews ranging from 9 PM to 10 PM and older juveniles from 11 PM to 12 AM.
- Exceptions, such as accompaniment by an adult, traveling to or from work or a school activity, emergency travel, and participation in First Amendment-protected activities.
- Parental or adult liability and enforcement.

Many local governments mirror PA 41 regarding time and age restrictions and misdemeanors for parents, guardians, or those over 16 years old who allow a minor to violate curfew. Other enforcement measures require minors found in violation of a curfew to be sent home and then subsequently reported to probate court, where outcomes can include probation or community service, among other consequences.² Additionally, many local governments prescribe civil infractions for a parent or guardian with a minor found in violation of the ordinance. For example, Allen Park prescribes a \$50 fine for a first offense, \$500 for a second offense, and a third or subsequent offense can result in a \$500 fine and between one day's and 90 days' imprisonment. In many cases, parents or guardians also are responsible for damages incurred during a curfew violation.

While nighttime curfew hours are the most common, some local governments (e.g., Albion) enforce daytime curfew hours from 7:30 AM to 2:30 PM, applicable to school-aged children during the school year to deter truancy.³ Additionally, some local governments set earlier curfews on school nights. Among possible examples, a village like Armada specifies school-night curfews of 9 PM for those under 15 and 10 PM for those 15 and 16 years of age. On non-school nights, minors under 15 are subject to a 10 PM curfew, and 15- and 16-year-olds are subject to a 12 AM curfew.⁴ Further, some local governments have specific curfews during certain times of the year, particularly around October 30 and October 31 and other holidays.

¹ MCL 722.751 - 722.754.

² See e.g., Allegan, MI, Municipal Code Sec. 17-166.

³ Albion, MI, Municipal Code Sec. 58-227.

⁴ Armada, MI, Municipal Code Sec. 91.1-1.

Recent Local Curfew Updates

As of July 2025, the Detroit City Council modified its local curfew ordinance by increasing penalties for parents, responsible adults, or legal guardians of minors who violate the City's curfew ordinance; however, the City decriminalized violations. Under the ordinance, minors under the age of 16 may not be out between 10 PM and 6 AM and minors aged 16 or 17 may not be out between 11 PM and 6 AM.⁵ A parent, responsible adult, or legal guardian is subject to a fine of \$250 for a first violation and a fine of \$500 for a second and subsequent curfew violation by a minor. Additionally, for second or subsequent convictions of a violation, a parent may be sentenced to probation conditioned upon participation and completion of a court-approved, community-based treatment program, such as parenting skills or family services.

Previously, responsible adults were not penalized for a minor's violation. Additionally, the first conviction carried a fine of between \$75 and \$100. An individual convicted a second time was subject to a minimum fine of \$100 and a maximum fine of \$500, as well as a court-ordered treatment program, or 15 to 30 days' imprisonment in county jail at the court's discretion. A third or subsequent violation carried a minimum fine of \$250 or up to \$500 and at the court's discretion, 15 to 90 days' imprisonment in county jail or probation upon the condition that the parent participate in government sponsored mandatory work program for the duration of the sentence.⁶

Purpose and Consideration

The City of Detroit specifically noted that the update to its local ordinance was to help mitigate violent crime, reduce teenage gun violence, and protect minors. There is limited statistical data available from Michigan local governments on the rates of detention, fines, or demographic breakdowns on local curfew enforcement.

Proponents of curfew regulations often cite that the goals of curfews are to deter criminal offenses involving minors by keeping minors from unsafe environments and predatory influences and in otherwise safe environments. Some evidence suggests that curfews reduce arrests by 15% in years immediately following curfew regulations and decrease violent and property crimes, lowering the overall baselines of those crimes.⁷

Opponents of curfews raise concerns that curfews disproportionately affect marginalized youth, are inconsistently enforced, and can infringe on constitutional protections or individual rights. Others argue that curfews fail to address the window in which intervention in juvenile crime is needed the most. Specifically, on a national level, 18% of violent juvenile crimes occur between 3 PM and 7 PM on school days compared to 13% after 10 PM.⁸

Largely because of decentralized or unavailable data and enforcement practices, the effectiveness of curfews for minors has shown mixed results, and curfews themselves remain controversial.

⁵ Detroit City Code, Sec. 29-3-11.

⁶ Detroit City Code, Sec 29-3-72 & 29-3-74.

⁷ Grossman, Elyse R, and Nancy A Miller, "A Systematic Review of the Impact of Juvenile Curfew Laws on Public Health and Justice Outcomes", *American Journal of Preventive Medicine*, p. 945-51, 2015.

⁸ US Department of Justice Office of Juvenile Justice and Delinquency Protection, *OJJDP Statistical Briefing Book*, 2022. Available: www.ojjdp.gov/ojstatbb/offenders/qa03301.asp?qaDate=2019. Retrieved 7-31-25.