

UPDATE: Montgomery County Curfew Bill On Its Last Leg

Support for the Montgomery County curfew bill is in doubt as a council vote looms.

By Katie Griffith

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Updated, Dec 2. 9:30 a.m.: A vote on the curfew bill may be indefinitely postponed.

Two councilmembers have indicated that the Montgomery County Council could vote to table the curfew bill during the next full council session, choosing not to decide on the legislation, according to a Gazette report. An alternative to the curfew bill, a loitering ban proposed by Councilmember Phil Andrews (D-Dist. 3) of Gaithersburg, may also be tabled.

"They are going to table it on Tuesday," Council President Valerie Ervin (D-Dist. 5) of Silver Spring said in the report.

Councilmember Roger Berliner (D-Dist. 1) of Potomac, who is likely to take over as council president on Tuesday, said that he would not table the legislation himself, but that another councilmember will suggest postponing the vote, the Gazette reported. If a majority of the council votes to table the bills, they will not go to vote.

Original story, Dec. 1: Time may have already expired on a proposed curfew in Montgomery County.

In a vote of 2-0 with one abstention, the Montgomery County Council's public safety committee Thursday voted to recommend against a measure to establish a curfew for minors in Montgomery County.

"When the [County] Executive first proposed the youth curfew in July, my first reaction was surprise, because the proposal came out of the loop," said Councilman Phil Andrews (D-Dist. 3) of Gaithersburg, who believes the proposal was "unwarranted and that the council should not support it."

County Executive Isiah Leggett's proposal would impose a curfew on minors at 11 p.m. on weeknights and midnight on weekends. Leggett (D) proposed the curfew in the aftermath of a sprawling gang fight in downtown Silver Spring.

At Thursday's committee meeting, Assistant Chief Administrative Officer Kathleen Boucher and Montgomery County Police Chief J. Thomas Manger argued in favor of Leggett's bill.

"In the County Executive's mind it is a well-balanced bill," Boucher said. Manger said the curfew would be an "effective tool" for officers.

Their arguments failed to convince the three committee members.

"Whenever you limit the freedom of a group of people you have to have a darn good reason to do it," Andrews said.

Andrews pointed to Montgomery County Police statistics showing that crime is down overall while youth crime is holding steady at 8 percent of all incidents. The data also show that most youth crimes occur between 2 p.m. and 6 p.m. Andrews has countered Leggett's curfew with a bill intended to target "loitering and prowling." That bill has drawn criticism from the Montgomery County Civil Rights Coalition and the Montgomery County chapter of the ACLU of Maryland.

The full council is set to discuss the curfew on Tuesday, after which Council President Valerie Ervin will decide when the bill will see its final vote.

Councilman Marc Elrich (D-At large) of Takoma Park, who abstained from the committee vote, has said he would be comfortable passing the bill with amendments, particularly to reduce the targeted age to children under 16.

"I know that this is not a friendly committee for this, so I do not expect support for that," Elrich said. "I will abstain on voting on this bill because I think it's worth coming to the council for a vote, and I'll make a motion of the council to amend at that point. If the amendments are successful, I would vote for the bill. In its current form, I am not comfortable with having a curfew."

In an interview on Tuesday, Councilwoman Nancy Floreen (D-at large) of Garrett Park said she supports Leggett's bill but doesn't think it has enough votes to pass.

Andrews echoed her thoughts Thursday. "Most of what [the council] has heard from the community has been in opposition to the curfew," he said. "I think that given the facts and given the community opinion on the curfew ... I just don't think most council members have been convinced that the curfew is warranted."