

# Freedom Matters

A Weekly Newsletter

Dane County, Wisconsin

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We are a free people in a republic, under a constitution which limits the powers of government to those necessary to secure the unalienable rights of each person to their life, liberty and property. Yet, when a legislature is in session, no one's life, liberty or property is safe. It's the curse of a democracy. That's why we have a republic instead. *Freedom Matters* dedicates itself to the fight to restore our republic. Most of the press and courts fail to do so. They've forgotten that freedom matters.

## The Curfew Tolls. What Troubles Will It Solve? What Troubles Will It Make?

by Mike Byrne

There is a proposal before the Dane County Board to create a county-wide curfew for minors. A close look at the wording of the ordinance amendment, #29, reveals that it is dubiously crafted at best and possibly unfortunately so, if some unintended consequences develop as a result of its adoption.

According to the language of the amendment, minors under the age of 15 cannot be on the streets, alleys or other public areas of the unincorporated areas of Dane County between the hours of 10 p.m. and 4 a.m. Sunday through Thursday and 12 a.m. (midnight) and 4 a.m. Friday and Saturday.

What does this tell us? Has anyone bothered to consider that most of the unincorporated areas of Dane County have no streets or alleys? Are we encouraging children to sneak around in the middle of the night in the bushes, fields, and forests where they could no doubt incur a great deal more harm? Have you seen any teenagers partying in the middle of the road? Imagine this scenario and you quickly come to the conclusion that this law will force all of the children off the roads alright, but not necessarily home to the safety of their houses. ATVs could become even more popular with the young.

This may seem to be splitting hairs, but it is exactly the kind of technicality a highly paid lawyer just might be tempted to use to fight for a client's child. Which brings us to a couple more considerations. It is well known that computers never forget. Once someone is in the system, the record is possibly there for good.

Yes, we all have been told that juvenile information is "confidential" and that it is not supposed to be used later on, but the fact remains that even the law enforcement people admit that it's impossible to forget once you encounter someone. So some parents—especially those of considerable means—will hire legal assistance to try to clear their child's name. Are you following this?

This ordinance amendment may be flirting with a form of profiling. Some law enforcement people may be tempted to apply it selectively, if they feel the hassle of following the paperwork through and successfully prosecuting the case will be just too much trouble.

Children whose parents cannot pay a large legal bill will be out of luck, and probably saddled with a record, a record leading to more intense scrutiny later on, perhaps when looking for employment or some other opportunity. The last thing we need is more profiling when we already know it is a problem. Where do you suppose the inevitable statistics will indicate there is a lot of underage activity?

How about some other issues? Let's say for example some students are studying late at someone else's house with parental permission and all they want to do is walk or ride a bike home? According to this amendment, even parental permission does not negate the ordinance! That's right, parents, big brother knows what's best for your kids, **not you!**

There will be some parents who know and trust their children and will feel they do not need this amendment. Too bad for them. At the minimum, there should be a clause added to the ordinance, sanctioning parental permission.

This particular law is a prime example of making laws for the sake of making laws. There are already numerous ways that we can crack down on children out making mischief. We don't need to cast such a wide net, which will probably miss the real crime anyway, force the kids into the shadows, or into the next county, or into the cars of willing older teenagers and possibly the cars of adults with even more sinister motives.

### Publication Notice

Please note that *Freedom Matters* took a two-week holiday the last of December. With the first week in January, 2002, we started Volume 2, and shifted from a Monday to a Friday publication date.

**Readers' Bulletin Board.** e-mail us your comments. Include your name, for publication by *Freedom Matters*

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