A curfew is a rule that requires specific groups of people to be off the streets of a town at a certain time. Curfews are often used for those under the age of 18, but sometimes there is no age limit. Many parents impose curfews to restrict their children's activities at a certain hour. The reason for curfews is to help keep kids safe and protected.

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Town's impose curfews during school hours from September through June to help eliminate classroom absences among students. Many county officials believe that by enforcing curfew laws, they will limit the number of crimes committed in their areas. Although curfews often apply to minors under the age of 18, such laws can also be enforced for people of all ages. For instance, the city of Camden strictly enforces a curfew for all residents each October 30 and 31 to prevent Halloween-related pranks and mischief. Other towns impose curfews during school hours from September through June to help eliminate classroom absences among students. Many county officials like the idea of a curfew. "As an educator and a mother of three teenagers, I absolutely support the establishment and enforcement of curfews," says Annette Castiglione-Degan, a freeholder in Camden County. "In my mind there can be no logical or moral argument against a curfew for the children of this community far outweigh any constitutional concerns that might arise from mere time restrictions," Nash said.

**Treason: A Country's Ultimate Betrayal**

by Roberta K. Glassner, Esq.

Since September 11, 2001, the open expression of patriotism in the United States has taken on new energy. The American flag, the symbol of our pride in and love for our country is everywhere. But not every American shares this pride of country. In the past, a few have betrayed their country, its fellow governments, and some have joined in wars on the side of America's enemies. These acts are considered treason.

Today, in the aftermath of the first foreign attack on U.S. soil since Pearl Harbor, the U.S. is faced with an American who chose loyalty to the foreign forces who brought about that horrific attack—John Walker Lindh (see sidebar on page 3). This high-profile case has brought the issue of treason to the forefront and back in the headlines.

**What is treason?**

Considered the greatest of all offenses against the United States, the U.S. Constitution describes treason as the act of taking up arms against the United States or helping its enemies. It is the only crime identified specifically in the U.S. Constitution.

Under federal law, a person convicted of treason is considered a traitor, and may be punished with a sentence of as little as five years in prison and as severe as death. Treason is very difficult to prove in a court of law. The founding fathers of our country established the standard for proving the crime of treason high to avoid the abuses of British law, which they left England to escape. Under Article III of the U.S. Constitution, a person can be convicted of treason in the following...
Can they do that in New Jersey?

Since countless times corporal punishment has been used as a method for disciplining children. Its roots in the United States can be traced back to England, where it still remains legal. Organizations such as the National Education Association, the American Psychiatric Association, and the National Committee to Prevent Child Abuse and neglect have been against corporal punishment across the country. While the movement to abolish corporal punishment in the rest of the United States that began in the mid-1980s, New Jersey banned the practice in public schools in 1867, becoming the first state to do so.

“We’re against it,” says Ed Gallagher, director of communications for the New Jersey Education Association. “We support New Jersey’s no corporal punishment law which has been on the books forever.”

One student at East Brunswick High School noted that corporal punishment alleviates the symptom, not the problem and contends that children receiving this type of punishment learn to act through their fear of physical pain rather than an understanding of why their actions are inappropriate.

According to a 1992 article in the Journal of Adolescent Health, states with the highest incidence of corporal punishment tend to be in the south and southwest, while the lowest incidence is in the northeastern part of the United States. The article notes that corporal punishment is more commonly used on children in kindergaten through eighth grade. Boys and disadvantaged children also suffer more episodes of corporal punishment according to the article.

What about the kids?

The American Academy of Child and Adolescent Psychiatry (AACAP) believes that corporal punishment in general and is an effective discipline method and can be harmful to children. In fact, AACAP believes that victims of corporal punishment can experience fear, violence and hypocrify from those inflicting the punishment. When children witness adults hitting or otherwise inflicting pain on a child in an effort to alter his or her behavior, the lesson the child might learn is that violence is an acceptable way of handling problems. Some children may resort to physical ways of settling problems because of what they have learned, the AACAP concluded.

According to the National Mental Health Association, children who have been subjected to corporal punishment exhibit low self-esteem and lack of trust in adults. Such punishment also encourages children to practice.

If so many organizations view corporal punishment as harmful, why is it legal in so many states? According to another article in the Journal of Adolescent Health, supporters of corporal punishment state that children learn the appropriate for authority, are better controlled, learn to discipline themselves, develop better social skills, and improve moral character. Without the threat of corporal punishment, advocates of discipline problems in school would increase, jeopardizing teacher safety. Supporters of corporal punishment in schools include various fundamentalist churches, the National Association of Secondary School Principals and the American Federation of Teachers.

Are there effective alternatives to corporal punishment? Think about the methods of discipline used in your school. Depending on the level of need and severity of the offense, teachers may give extra homework, assign detention, or call your parents. Experts have found that positive reinforcement techniques, such as praising a student for completing homework, are more effective than punishing a student for not completing homework.

In addition to rewarding appropriate behavior, other methods of discipline that don’t involve physical punishment, include verbal reinforcements, to students for following new classroom rules or isolation of a student from the rest of the class to punish bad behavior. While the merits of using corporal punishment in schools continue across the country, New Jersey public school students are lucky to be living in a state that does not utilize physical punishment as a method of discipline for students.

When cities impose curfews for minors, there are punishments for those who break the law. Minors, who break curfew laws are not severely punished, although they may end up spending a couple of hours at the local police station or may be driven home by the police. Parents are not even be to receive fines or, in rare cases, a brief jail sentence.

Curfews and the Fourteenth Amendment

The issue of curfews falls under the freedoms outlined in the Fourteenth Amendment to the U.S. Constitution. This Amendment was ratified in 1868 in an effort to give citizenship rights to African-Americans who were freed from slavery after the American Civil War. The Fourteenth Amendment defined national citizenship for Americans, making country-wide rights the most important over all other privileges. What this means is that Americans are citizens of the United States first and of their individual states second. Citizenship takes priority over state or local citizenship. Within the Amendment is an equal protection clause. This clause requires that, among other things, all U.S. citizens regardless of age receive the same freedoms from these laws.
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A poet’s act of treason
During times of war, sympathizers are often caught giving “aid and comfort to the enemy.” Ezra Pound, the famous poet and a U.S. citizen, was charged with treason after World War II. Pound often praised Benito Mussolini and Adolph Hitler during speeches he gave over Italy’s shortwave broadcasts to North America. The poet also spoke openly about his opposition to America’s war agenda and its political leadership.

Pound never stood trial on the treason charge because a group of psychiatrists declared him insane and, therefore, incompetent to stand trial. Instead, he was confined to a governmental hospital for 12 years and released in 1958.

Tokyo’s Rose
The case of “Tokyo Rose” is another famous wartime treason case. Ikuo Toguri, later dubbed “Tokyo Rose” by U.S. troops in Japan, was a Japanese-American U.S. citizen who found herself without a passport when Pearl Harbor was attacked and the U.S. entered the war. In November 1943, she was employed as a radio broadcaster for Radio Tokyo. Her program, the Zero Hour, was designed to lower the morale of U.S. troops stationed in Japan. Making derogatory comments about the families of American soldiers stationed in Japan, she said things that Tokyo Rose would claim that the soldiers’ wives were being unfaithful while they were gone. The Zero Hour became part of Japan’s psychological warfare against the United States.

In his statements to the FBI, Lindh said he trained in explosives and firearms at Al Qaeda camps. He also said that in June 2001, he and his comrades learned of bin Laden’s planned terrorist attack on the United States. He found out about the destruction of the World Trade Center and the Pentagon. He said that Lindh stated that he and fellow Taliban fighters, all armed, were in the basement of the prison fortress before it was taken by American forces. When other Taliban captives in the prison rioted and CIA agents killed many, Lindh said, “I didn’t see what was going on. I just heard.”

The government’s case
John Walker Lindh’s case poses a challenge to the American justice system. Should he be regarded as a prisoner of war, with Geneva Convention protection? Or, should he be considered a traitor against his country and tried for treason in a federal court with the possibility of a death sentence? The question is whether he conspired with foreign terrorist groups committed to attacking the U.S.

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The charges
On January 15, 2002, the Department of Justice filed a criminal complaint in the Federal District Court of Virginia charging John Walker Lindh with conspiring to kill U.S. citizens and supporting terrorist groups. He was not charged with the crime of treason, and none of the charges against him carries the death penalty. If convicted, Lindh could spend from 15 years to life in prison, with no possibility of early release.

In a public statement, U.S. Attorney General John Ashcroft said the basis for the charges came from the statements Walker made to FBI agents. One of the attorneys hired by Lindh’s family, George C. Harris, issued a protest, stating that Lindh had been “interrogated for 54 days without access to an attorney.”

U.S. Attorney General Ashcroft replied that Linda signed a waiver of his right to an attorney and voluntarily gave his statement to the FBI.

The indictment

On February 5, 2002, the Justice Department presented its case to a grand jury. The grand jury indicted John Walker Lindh on 10 counts. U.S. Magistrate W. Curtis Sewell denied bail in the case on the grounds that Lindh represents a flight risk and a danger to the community. On February 13, 2002, Lindh appeared in court and pleaded not guilty to all 10 counts in the indictment.

The trial

At a hearing on February 15, 2002, the trial judge set jury selection in Lindh’s case for August 26, 2002, with the trial to begin on August 28. On July 12, Lindh’s attorneys will make a pre-trial motion to the court to suppress the statements he made to the FBI in Afghanistan. The attorneys claim the FBI interview was conducted under “highly coercive circumstances” and should be thrown out. The government considers the statements crucial to its case, so the court’s decision in July will be extremely important to the fate of John Walker Lindh.

— Roberta K. Glassner
ACROSS
1 the offense of attempting to overthrow the government.
2 to be charged with a criminal act by a grand jury.
3 a person under 18 years of age.
4 two individuals or entities who are associated with one another as friends or helpers.
5 a person who has been guilty of a crime or offense.
6 a thing of value (money, deed to a house, etc.) given to a court to ensure a defendant’s appearance in court.
7 to be persuasive in a negative way or to force a person to think or act in a given way by pressure, threats or intimidation.
8 cleared from a charge.
9 to give up.
10 the crime of
11 an
12 the offense of
13 a person under 18
14 a government
15 not legally
16 to be persuasive
17 the\n18 official\n19 officials spend precious time
20 to Camden County Sheriff Michael Wasting time
21 regulations label all young the U.S. Constitution, entitled to the rights and United States and are
22 though children and teenagers group says that basic freedoms the Fourteenth Amendment. The laws are unconstitutional under Union (ACLU) argues that curfew
23 are considered minors, they
24 discrimination
25 activity. These
26 innocent, law-abiding citizens who do not
27 are "reasonable and not overly burdensome."
28 While I certainly think the best way to monitor and control criminal and inappropriate behavior on behalf of minors is through their parents," Yurick said, "it is a sad reality that many of the young people we deal with in our office do not have parents who are effectively involved in their lives."

Down
2 to exclude evidence from a criminal proceeding.
3 a false appearance of virtue or claiming to be what one is not.
5 not legally qualified.
6 the crime of gathering, transmitting or losing information with regard to the national defense with the intent to use that information to the injury of the United States.
8 cleared from a charge.
10 to give up.

Curfew
CONTINUED FROM PAGE 2
The American Civil Liberties Union (ACLU) argues that curfew laws are unconstitutional under the Fourteenth Amendment. The group says that basic freedoms guaranteed to all U.S. citizens — regardless of age — are being violated by these laws. Even though children and teenagers are considered minors, they are still citizens of the United States and are entitled to the rights and freedoms established by the U.S. Constitution, argues the ACLU. The ACLU also finds that such regulations label all young people as criminals or delinquents — even the innocent, law-abiding citizens who do not engage in criminal activity. These laws can then result in discrimination against young people. In some cases throughout the country, courts have sided with the ACLU and stated that laws that impose a curfew on minors are illegal and discriminatory.

Western time
Curfew laws have resulted in other issues as well. According to Camden County Sheriff Michael W. McLaughlin, law enforcement officials spend precious time looking for people violating the curfew laws, patrolling the streets of towns, when they could be devoting that time to preventing serious crimes or capturing offenders.

Instead of looking for ways to deter crime in the community, Sheriff McLaughlin notes, these officers are bringing in minors who may not be involved in any type of criminal behavior. The added cost for enforcing these laws can sometimes outweigh any benefits, making police officers spend countless hours filling out paperwork and making courtroom appearances for curfew offenders. Sheriff McLaughlin believes that police officers should selectively use curfews as a mechanism when they suspect a problem. For instance, if teenagers are causing a disturbance, they can then be considered in violation of the curfew law. The sheriff also believes that curfews should only be instituted in locations where there are problems.

"Curfews can be used as a control mechanism to watch over young people who are not being properly monitored by their parents or guardians," Sheriff McLaughlin said.

Gloucester County freeholder Dr. Warren S. Wallace agrees. "We have created a juvenile court system and social agencies that 'act in the interest of the child,' recognizing that the child is not a miniature adult but is in need of certain protections and guidance," Dr. Wallace said.

Gloucester County Prosecutor Andrew H. Yurick supports curfew laws for minors as long as they are "reasonable and not overly burdensome."

"While I certainly think the best way to monitor and control criminal and inappropriate behavior on behalf of minors is through their parents," Yurick said, "it is a sad reality that many of the young people we deal with in our office do not have parents who are effectively involved in their lives."

The debate rages on
The Supreme Courts of Washington, Iowa, and Hawaii have all deemed curfews unconstitutional. In New Jersey, the debate over curfews will likely rage on until there is a definitive ruling by its Supreme Court. Until then, it is up to your individual township whether you need to be home by a certain time or not. Minors should contact their township police department to determine if their town has a curfew and if so, when it is, because ignorance of the law is not a defense to a violation.

acquitted — cleared from a charge.
auxiliary — two individuals or entities who are associated with one another as friends or helpers.
aristocracy — a government that is made up of a small privileged class.
bail — a thing of value (money, deed to a house, etc.) given to a court to ensure a defendant’s appearance in court.
corc — to be persuasive in a negative way or to force a person to think or act in a given way by pressure, threats or intimidation.
corporal punishment — the intentional inflicting of pain upon a child because he or she has exhibited unacceptable behavior.
delinquent — a person who has been guilty of a crime or offense.
due process — legal safeguards that a citizen may claim if a state or court makes a decision that could affect any right of that citizen.
espionage — the crime of gathering, transmitting or losing information with regard to the national defense with the intent to use that information to the injury of the United States.
fundamentalist — a person who adheres to a strict and literal interpretation of a set of basic principles.
grand jury — a jury consisting of 12 to 23 impartial people who decide if the evidence in a criminal case is strong enough to warrant a trial. This jury does not determine an individual’s guilt or innocence.
hypocrisy — a false appearance of virtue or claiming to be what one is not.
incapable — not legally qualified.
indicted — to be charged with a criminal act by a grand jury.
minor — a person under 18 years of age.
Miranada Rights — the rights that a person taken into custody has (i.e., the right to remain silent, the right to have an attorney present before questioning).
pre-trial motion — an application made to a judge before a trial begins.
suppression — to exclude evidence from a criminal proceeding.
treason — the offense of attempting to overthrow the government.
waive — to give up.