

COMMITTEE REPORT

HOUSE

(11)

FURTHER:

5/14/84

Date: 5-24-84

The Committee on FINANCE has had HR 631

"An Act relating to runaway children."

under consideration and recommends:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 631 (100) same title
 new title
- and recommends do PASS
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Robert P. Adams

Walter Farnace

John Lindauer

Don

MILD H. FRITZ

MEMBERS HAVING
OTHER RECOMMENDATIONS:

J. V. ...

W. B. ...

T. M. ... - Do Not Pass

Paul F. ... (No Rec)

Robert P. Adams

CHAIRMAN

Offered: 5/14/84
Referred: Finance

Original sponsor: Liska

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 631 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to runaway children."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 47.10.140(f) is repealed and reenacted to read:

9 (f) It is unlawful for a minor to evade the person having legal
10 custody of the minor. A peace officer, upon receiving a request to
11 locate a minor who is evading the person having legal custody of the
12 minor, shall make all reasonable efforts to locate and detain the
13 minor and shall either return the minor to the person having legal
14 custody or, if the minor does not wish to return to the person having
15 legal custody, take the minor to an office specified by the Department
16 of Health and Social Services or to a facility or contract agency of
17 the Department of Health and Social Services in the community. Imme-
18 diately upon detaining a minor under this subsection, the peace
19 officer shall advise

20 (1) the minor of the right to social services under AS 47.-
21 10.142(b); and

22 (2) the person having legal custody of the minor, if the
23 person's identity is known, of the minor's detention.

24 * Sec. 2. AS 47.10.142(b) is amended to read:

25 (b) A minor who has left home and is evading the person having
26 legal custody of the minor [HIM] may obtain the services of the de-
27 partment. The department shall assess the situation and furnish the
28 minor with the social services it considers appropriate to protect the
29 well-being of the minor and to preserve the minor's [HIS] family life

1 if preserving it is considered desirable under the circumstances. If,
2 after assessing the situation, considering the wishes of the minor,
3 and furnishing appropriate social services, the department considers
4 it necessary, the department may take emergency custody of the minor.
5 If the department determines there is cause to believe that a minor
6 delivered to it by a peace officer under AS 47.10.140(f) will not
7 voluntarily accept and participate in social services the department
8 considers appropriate to furnish, the department shall take emergency
9 custody of the minor and shall detain the minor until a hearing is
10 held by the court under (d) of this section.

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CS for HB631
 Title: Relating to runaway children
 Sponsor: Liska
 Requestor: _____
 Date of Request: 5/14/84

FISCAL DETAIL

Agency Affected: Health & Social Services
 Program Category Affected: Social & Economic Assistance for the General Population
 BRU, Program or Subprogram(s) Affected: Youth Services BRU/ McLaughlin Youth Center
Fairbanks Youth Facility; Social Services BRU/Direct Service Delivery

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES			292.1	306.7	322.0	338.1
200 TRAVEL			7.0	7.4	7.8	8.2
300 CONTRACTUAL			4.0	4.2	4.4	4.6
400 SUPPLIES			2.8	2.9	3.1	3.3
500 EQUIPMENT			6.4	-0-	-0-	-0-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-	312.3	321.2	337.3	354.2
CAPITAL		1,620.0	-0-	-0-	-0-	-0-
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		1,620.0	312.3	321.2	337.3	354.2
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME			6	6	6	6
PART-TIME			2	2	2	2
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Funding not identified.

ANALYSIS: Attach a separate page for analysis

Prepared By: Frank Haska Phone: 465-3170
 Division: Health & Social Services Date: 5/17/84
 Approved by Commissioner: John De Bary Date: 5/17/84
 Agency: DHSU

Distribution (by Agency preparing fiscal note):

Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

12/1/83

ANALYSIS

CS FOR HB 631

ASSUMPTIONS

Enactment of CSHB 631 would result in an increased level of effort by police agencies to locate runaway youths and a consequent increase in the number of such youths requiring social services. CSHB 631 would also require immediate secure detention of certain youth who were unresponsive to other services.

The primary impact would be in the major urban areas where caseload increases are estimated as follows: Anchorage 75, Fairbanks 40, Ketchikan 45, Kenai 10, and Palmer/Wasilla 10. These estimates are only of the numbers of youth who would require detention after other services had failed. This represents only a small portion of those who would require services. Estimates of reported runaway youth are far greater, for example, it is estimated that there are 1,200 runaways annually in Anchorage alone.

The increased demand for services would require new social workers to provide the labor intensive services required; e.g., crisis intervention, counseling, exploration of alternatives to detention, investigation and preparation of documents and information for court hearings within 48 hours.

An additional five detention beds would be required at McLaughlin Youth Center and Fairbanks Youth Facility to safely house detained youth. Existing facilities are currently operating at double their design capacity and could not safely accommodate additional youth. It would also be inappropriate to detain non-delinquent youth with accused or adjudicated delinquents. Those children requiring detention could not be detained during prior to construction of additional detention beds.

PROGRAM SUMMARY

The Personal Services includes Social Worker III, PFT, positions in Fairbanks, Anchorage and Ketchikan. Social Worker III, PPT positions are in Kenai and Wasilla.

Travel is for staff to attend meetings, conferences, courses and for transportation of new hires.

Contractual Services are estimated for additional costs for copier usage, communications, utilities, equipment rental, accident and liability insurance.

Supplies are for general office supplies.

Equipment items necessary for the establishment of new positions include desks, chairs, desk and side and file cabinets.

ANALYSIS

CS FOR HB 631

PAGE 2

COMPUTATIONS

The computations are based on estimated costs for FY 86 plus an additional 5% for each succeeding year. Capital project costs are based on DOT/PF's FY 85 estimate.

ECONOMIC IMPACT

There will be no economic impact.

IMPACT ON LOCAL GOVERNMENTS

Local police agencies would be required to increase their level of effort; however, the fiscal impact of this on local government cannot be estimated.

1.	POSITION TITLE SOCIAL WORKER III				RANGE/STEP 16A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION FAIRBANKS	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1		2		3					
	PERSONAL SERVICES									
5.	Salary		35,580							
6.	Benefits		10,674							
7.	Supplemental Benefits									
8.	Fixed Benefits									
9.	TOTAL PERSONAL SERVICES		01		46,254					
10.	Travel		02		1,000					
11.	Contractual		03		500					
12.	Commodities		04		400					
13.	Equipment		05		800					
14.	Other									
15.	TOTAL COST				48,954					
	RECEIPT CODE				FUNDING SOURCE					
16.					Federal Receipts 1002					
17.					G.F. Hatch 1003					
18.					General Funds 1004					
19.					I-A Receipts 1005					
20.					Program Receipts 1028					
21.					Other					
FOR B&M USE ONLY										
4A KEY NUMBER										

13 REQUEST FOR
NEW POSITION

AGENCY HEALTH AND SOCIAL SERVICES
SOCIAL AND ECONOMIC ASSISTANCE
PROGRAM FOR THE GENERAL POPULATION
BRU SOCIAL SERVICES
COMPONENT DIRECT SERVICE DELIVERY

Page 1 of 8
Revised Date

FY 85

1.	POSITION TITLE SOCIAL WORKER III			RANGE/STEP 16A	ORG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION FAIRBANKS	ELECTION DISTRICT	LEG.	
3.	CONTINUATION LEVEL	ADDITION		JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT					
	1	2		3					
	PERSONAL SERVICES								
5.	Salary	35,580							
6.	Benefits	10,674							
7.	Supplemental Benefits								
8.	Fixed Benefits								
9.	TOTAL PERSONAL SERVICES	01	46,254						
10.	Travel	02	1,000						
11.	Contractual	03	500						
12.	Commodities	04	400						
13.	Equipment	05	800						
14.	Other								
15.	TOTAL COST	48,954							
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts 1002							
17.		G.F. Match 1003							
18.		General Funds 1004		48,954					
19.		I-A Receipts 1005							
20.		Program Receipts 1028							
21.		Other							
FOR B&M USE ONLY 4A KEY NUMBER _____									

13 REQUEST FOR
NEW POSITION

AGENCY HEALTH AND SOCIAL SERVICES
SOCIAL AND ECONOMIC ASSISTANCE
PROGRAM FOR THE GENERAL POPULATION
BRU SOCIAL SERVICES
COMPONENT DIRECT SERVICE DELIVERY

Page 2 of 8
Revised Date _____

FY 85

1.	POSITION TITLE SOCIAL WORKER III				RANGE/STEP 16A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION ANCHORAGE	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1		2		3					
	PERSONAL SERVICES									
5.	Salary		30,876							
6.	Benefits		9,262							
7.	Supplemental Benefits									
8.	Fixed Benefits									
9.	TOTAL PERSONAL SERVICES		01		40,138					
10.	Travel		02		1,000					
11.	Contractual		03		500					
12.	Commodities		04		400					
13.	Equipment		05		800					
14.	Other									
15.	TOTAL COST				42,838					
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004			42,838					
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR B&M USE ONLY										
4A KEY NUMBER _____										

13 REQUEST FOR
NEW POSITION

AGENCY HEALTH AND SOCIAL SERVICES
SOCIAL AND ECONOMIC ASSISTANCE
PROGRAM FOR THE GENERAL POPULATION
BRU SOCIAL SERVICES
COMPONENT DIRECT SERVICE DELIVERY

Page 3 of 8
Revised Date _____

FY 85

1.	POSITION TITLE SOCIAL WORKER III				RANGE/STEP 16A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION ANCHORAGE	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1		2		3					
	PERSONAL SERVICES									
5.	Salary		30,876							
6.	Benefits		9,262							
7.	Supplemental Benefits									
8.	Fixed Benefits									
9.	TOTAL PERSONAL SERVICES		01		40,138					
10.	Travel		02		1,000					
11.	Contractual		03		500					
12.	Commodities		04		400					
13.	Equipment		05		800					
14.	Other									
15.	TOTAL COST				42,838					
	RECEIPT CODE				FUNDING SOURCE					
16.					Federal Receipts 1002					
17.					G.F. Hatch 1003					
18.					General Funds 1004					
19.					I-A Receipts 1005					
20.					Program Receipts 1028					
21.					Other					
FOR B&M USE ONLY 4A KEY NUMBER _____										

13 REQUEST FOR
NEW POSITION

AGENCY HEALTH AND SOCIAL SERVICES
SOCIAL AND ECONOMIC ASSISTANCE
PROGRAM FOR THE GENERAL POPULATION
BRU SOCIAL SERVICES
COMPONENT DIRECT SERVICE DELIVERY

Page 4 of 8
Revised Date _____

FY 85

1.	POSITION TITLE SOCIAL WORKER III				RANGE/STEP 16A	BARG. UNIT GGU	FORM 12 PAGE/LINE	COV.	APPRDV.	DISAPP.	
2.	TYPE OF POSITION PPT	STAFF MONTHS 6	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION KENAI	ELECTION DISTRICT	LEG.			
3.	CONTINUATION LEVEL				ADDITION						
4.	TYPE OF EXPENDITURE				AMOUNT						
	1				2			3			
	PERSONAL SERVICES										
5.	Salary		16,542								
6.	Benefits		3,300								
7.	Supplemental Benefits										
8.	Fixed Benefits										
9.	TOTAL PERSONAL SERVICES		01		19,842						
10.	Travel		02		500						
11.	Contractual		03		500						
12.	Commodities		04		200						
13.	Equipment		05		800						
14.	Other										
15.	TOTAL COST				21,842						
JUSTIFICATION											
16.	RECEIPT CODE	FUNDING SOURCE									
17.		Federal Receipts 1002									
18.		G.F. Match 1003									
19.		General Funds 1004			21,842						
20.		I-A Receipts 1005									
21.		Program Receipts 1028									
		Other									
FOR O&M USE ONLY 4A KEY NUMBER _____											

13 REQUEST FOR
NEW POSITION

AGENCY HEALTH AND SOCIAL SERVICES
SOCIAL AND ECONOMIC ASSISTANCE
PROGRAM FOR THE GENERAL POPULATION
BRU SOCIAL SERVICES
COMPONENT DIRECT SERVICE DELIVERY

Page 5 of 8
Revised Date _____

FY 85

1.	POSITION TITLE SOCIAL WORKER III			RANGE/STEP 16A	ORG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPRDV.	DISAPP.
2.	TYPE OF POSITION PPT	STAFF MONTHS 6	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION WASILLA	ELECTION DISTRICT	LEC.	
3.	CONTINUATION LEVEL	ADDITION			JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT					
	1	2	3						
	PERSONAL SERVICES								
5.	Salary	16,020							
6.	Benefits	3,200							
7.	Supplemental Benefits								
8.	Fixed Benefits								
9.	TOTAL PERSONAL SERVICES	01	19,220						
10.	Travel	02	500						
11.	Contractual	03	500						
12.	Commodities	04	200						
13.	Equipment	05	800						
14.	Other								
15.	TOTAL COST		21,220						
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts 1002							
17.		G.F. Match 1003							
18.		General Funds 1004	21,220						
19.		I-A Receipts 1005							
20.		Program Receipts 1028							
21.		Other							
FOR B&M USE ONLY 4A KEY NUMBER _____									

13 REQUEST FOR
NEW POSITION

AGENCY HEALTH AND SOCIAL SERVICES
SOCIAL AND ECONOMIC ASSISTANCE
PROGRAM FOR THE GENERAL POPULATION
BRU SOCIAL SERVICES
COMPONENT DIRECT SERVICE DELIVERY

Page 6 of 8
Revised Date _____

FY 85

1.	POSITION TITLE SOCIAL WORKER III				RANGE/STEP 16A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION KETCHIKAN	ELECTION DISTRICT	LEG.		

3.	CONTINUATION LEVEL	ADDITION		
4.	TYPE OF EXPENDITURE		AMOUNT	
	1	2	3	
	PERSONAL SERVICES			
5.	Salary	30,876		
6.	Benefits	9,262		
7.	Supplemental Benefits			
8.	Fixed Benefits			
9.	TOTAL PERSONAL SERVICES	01	40,138	
10.	Travel	02	1,000	
11.	Contractual	03	500	
12.	Commodities	04	400	
13.	Equipment	05	800	
14.	Other			
15.	TOTAL COST		42,838	

JUSTIFICATION

	RECEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1002	
17.		G.F. Match 1003	
18.		General Funds 1004	42,838
19.		I-A Receipts 1005	
20.		Program Receipts 1028	
21.		Other	

FOR B&M USE ONLY
4A KEY NUMBER _____

13 REQUEST FOR
NEW POSITION

AGENCY HEALTH AND SOCIAL SERVICES
SOCIAL AND ECONOMIC ASSISTANCE
PROGRAM FOR THE GENERAL POPULATION
BRU SOCIAL SERVICES
COMPONENT DIRECT SERVICE DELIVERY

Page 7 of 8
Revised Date _____

FY 85

1.	POSITION TITLE SOCIAL WORKER III			RANGE/STEP 16A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION KETCHIKAN	ELECTION DISTRICT	LEG.	
3.	CONTINUATION LEVEL			ADDITION	JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT					
	1	2	3						
	PERSONAL SERVICES								
5.	Salary	30,876							
6.	Benefits	9,262							
7.	Supplemental Benefits								
8.	Fixed Benefits								
9.	TOTAL PERSONAL SERVICES	01	40,138						
10.	Travel	02	1,000						
11.	Contractual	03	500						
12.	Commodities	04	400						
13.	Equipment	05	800						
14.	Other								
15.	TOTAL COST		42,838						
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts 1002							
17.		G.F. Match 1003							
18.		General Funds 1004		42,838					
19.		I-A Receipts 1005							
20.		Program Receipts 1028							
21.		Other							
FOR B&M USE ONLY									
4A KEY NUMBER _____									

13 REQUEST FOR
NEW POSITION

AGENCY HEALTH AND SOCIAL SERVICES
SOCIAL AND ECONOMIC ASSISTANCE
PROGRAM FOR THE GENERAL POPULATION
BRU SOCIAL SERVICES
COMPONENT DIRECT SERVICE DELIVERY

FY 85

Page 8 of 8
Revised Date _____

TITLE OF INCREMENT	4. CODE	EXPENDITURE BY OBJECT	AGENCY REQ.	COV'S REQ.	
1 Capital Project - Additional Juvenile Facility Beds	100	Personal Services			
	200	Travel			
	300	Contractual Services			
	400	Commodities			
	500	Equipment			
	600	Lands, Buildings, Etc.	810.0		
	700	Grants, Claims, Etc.			
	800	Miscellaneous			
	TOTAL			810.0	
	I-A Transfer (NON-ADD)				
EXPLAIN WHICH BRU OBJECTIVE IS AFFECTED, AND HOW.					
2 Program Objective Affected: To comply with CS for HB 631 if enacted in its present form. How Objective is Affected: Detention facilities are not currently available for housing youths detained under this legislation.					
5. POSITION INFORMATION					
		PFT			
		Staff Months			
		FTE			
BRIEFLY DESCRIBE WHAT THIS INCREMENT PURCHASES.					
3 This legislation would require the planning and design of 5-bed units for detention of youth. Each unit would require a work/monitor station and a common day room in addition to 464 square foot of space each for 5 beds. Operating costs would begin in FY 86.					
6. INCREMENT PRIORITY					
BRU Level: _____ or _____ Agency Level: _____ of _____					
7. CHECK ONE OR BOTH					
<input type="checkbox"/> Currently Existing Service					
<input checked="" type="checkbox"/> New Service					
8. IMPACT FROM CAPITAL PROJECT (NAME)					

Chapter _____ SLA _____ Page/Line _____					

6 INCREMENT REQUEST

AGENCY Health and Social Services
Social and Economic Assistance
PROGRAM for the General Population
BRU Youth Services
COMPONENT Fairbanks Youth Facility

Page 2 of 2
Revised Date _____

FY85

TITLE OF INCREMENT	4. CODE	EXPENDITURE BY OBJECT	AGENCY REQ.	COV'S REQ.	
1 Capital Project - Additional Juvenile Facility Beds	100	Personal Services			
	200	Travel			
	300	Contractual Services			
	400	Commodities			
	500	Equipment			
	600	Lands, Buildings, Etc.	810.0		
	700	Grants, Claims, Etc.			
	800	Miscellaneous			
	TOTAL			810.0	
	I-A Transfer (NON-ADD)				
Federal Receipts - Code:					
General Fund			810.0		
Other					
5. POSITION INFORMATION		PFT			
		Staff Months			
		FTE			
6. INCREMENT PRIORITY					
BRU Level: _____ or _____					
Agency Level: _____ of _____					
7. CHECK ONE OR BOTH					
<input type="checkbox"/> Currently Existing Service <input checked="" type="checkbox"/> New Service					
8. IMPACT FROM CAPITAL PROJECT (NAME)					

Chapter _____ SLA _____ Page/Line _____					
3 BRIEFLY DESCRIBE WHAT THIS INCREMENT PURCHASES. This legislation would require the planning and design of 5-bed units for detention of youth. Each unit would require a work/monitor station and a common day room in addition to 464 square foot of space each for 5 beds. Operating costs would begin in FY 86.					
2 EXPLAIN WHICH BRU OBJECTIVE IS AFFECTED, AND HOW. Program Objective Affected: To comply with CS for HB 631 if enacted in its present form. How Objective is Affected: Detention facilities are not currently available for housing youths detained under this legislation.					

6 INCREMENT REQUEST

AGENCY Health and Social Services
Social and Economic Assistance
PROGRAM for the General Population

BRU Youth Services

COMPONENT McLaughlin Youth Services

FY85

Page 1 of 2
Revised Date _____

Alaska State Legislature

While in Session

COMMITTEES

Vice Chairman — Judiciary

Vice Chairman — Legislative
Regulations Review

Resources

Finance Sub Committee on Labor



Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-3733

Home - District 15
Star Route Box 421
Eagle River, Alaska 99577
(907) 688-2526

House of Representatives

John J. Liska

May 15, 1984

MEMORANDUM

TO: Rep. Al Adams, Chairman - House Finance Committee

FROM: Rep. John J. Liska

SUBJECT: HB 631, "An Act relating to runaway children."

This bill is an attempt to require by law a minor to be accountable to either parents at home or a guardian at a foster home or be placed in an appropriate facility.

Presently, if a minor runs away from home, and he is not breaking any laws, he is free to do as he wishes. The intention behind our bill is - The child does not have the maturity to exist in today's society without becoming a subject of prey for a variety of undesirable types of people. If you will refer to item D, Article number 1 - in your packet, it clearly describes what happens to these run away children.

While it is not the intention to violate the rights of any child, we feel it is the responsibility of either the parents or the State to be in control of the minor because at this stage in their life they are not mature enough to be able to function in society on their own.

The bill states that a peace officer shall make all reasonable efforts to locate a minor who is evading his guardian. Presently the police can, if they want to but they don't have to, try to locate a run away child.

Additionally, it is essential in my opinion that these children not be allowed to remain on the streets, even for a couple of days or long enough to decide at a court hearing whether or not they are to be picked up.

I refer to item D, Article number 2, the longer they are on the streets the more likely they will become involved in situations that will have a life long effect on them. We feel they are incapable of protecting themselves from this involvement and therefore it is the states responsibility to protect them.

Memo - HB 631
May 15, 1984
Page two

In your packet you will find the following for your information:

A. Copy of CSHB 631.

B. Articles regarding runaway children.

1. From USA Today March 1979, Life in America, "The Adolescent Runaway: A national Problem"
2. Newsweel. Oct. 18, 1982, Life/Style, "A Nation of Runaway Kids"
3. "A second look at the National Program for Runaway and Homeless Youth." By Caroline Croft and Mary Jolly.
4. Runaways: Jusisdiction, Dynamics, and Treatment.
By Oliver J. Morgan,
5. Additional publication in Rep. Liska's office regarding runaways:
 - a. Doing It - A collection of articles on issues concerned with programs for runaway youth.
 - b. Runaway Youth - from what to where, U.S. Dept. of Health and Social Services.

JJL/tm

Offered: 5/14/84
Referred: Finance

Original sponsor: Liska

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 631 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to runaway children."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 47.10.140(f) is repealed and reenacted to read:

9 (f) It is unlawful for a minor to evade the person having legal
10 custody of the minor. A peace officer, upon receiving a request to
11 locate a minor who is evading the person having legal custody of the
12 minor, shall make all reasonable efforts to locate and detain the
13 minor and shall either return the minor to the person having legal
14 custody or, if the minor does not wish to return to the person having
15 legal custody, take the minor to an office specified by the Department
16 of Health and Social Services or to a facility or contract agency of
17 the Department of Health and Social Services in the community. Imme-
18 diately upon detaining a minor under this subsection, the peace
19 officer shall advise

20 (1) the minor of the right to social services under AS 47.-
21 10.142(b); and

22 (2) the person having legal custody of the minor, if the
23 person's identity is known, of the minor's detention.

24 * Sec. 2. AS 47.10.142(b) is amended to read:

25 (b) A minor who has left home and is evading the person having
26 legal custody of the minor [HIM] may obtain the services of the de-
27 partment. The department shall assess the situation and furnish the
28 minor with the social services it considers appropriate to protect the
29 well-being of the minor and to preserve the minor's [HIS] family life

1 if preserving it is considered desirable under the circumstances. If,
2 after assessing the situation, considering the wishes of the minor,
3 and furnishing appropriate social services, the department considers
4 it necessary, the department may take emergency custody of the minor.
5 If the department determines there is cause to believe that a minor
6 delivered to it by a peace officer under AS 47.10.140(f) will not
7 voluntarily accept and participate in social services the department
8 considers appropriate to furnish, the department shall take emergency
9 custody of the minor and shall detain the minor until a hearing is
10 held by the court under (d) of this section.

MEMORANDUM

State of Alaska ^{JAN 11 1984}

TO: Jay Hogan, Associate Director
Division of Budget Review
Office of Management and Budget
Office of the Governor

DATE: January 6, 1984

FILE NO:

TELEPHONE NO: 465-4322

✓ FROM: Jos Mapranath, Director
Division of Administrative Services
Department of Public Safety

SUBJECT: Criminally Exploited
Children

We have reviewed the materials submitted on criminally exploited children in Alaska and wish to express our support for the formation of a special law enforcement unit in Anchorage to deal with this serious problem. The unit would be a joint State and local cooperative effort similar to the successful Anchorage Metro Drug Unit. The cost is estimated at \$375.0 for FY 85 and would include one Anchorage P.D. Sergeant, one Anchorage Police Officer, one Anchorage clerical position, and one State Trooper Sergeant.

While we recognize the seriousness of criminal exploitation of children and that this is a growing problem, it is not feasible at this time for either the Anchorage Police Department or the Division of Alaska State Troopers to divert limited existing resources to form the proposed special unit. We would, however, be pleased to participate in such an effort if funding is provided. Therefore, I urge your support of an appropriation in the amount of \$375.0 to fund a special investigative unit on criminally exploited children.

Further details are available upon request. Your consideration of the requested appropriation to deal with this problem is appreciated.

cc: Commissioner Robert J. Sundberg
Commissioner Roger Endell
Peter B. McDowell, OMB
Brian Porter, Chief, APD
Colonel Michael C. Kolivosky, AST
Marroyce Hall, AK Juvenile Crime Commission
Sandra Borbridge, Spec. Assistant to the Governor
Allen Blume, Spec. Staff Assistant to the Governor

TO: Mrs Hall

FROM:

LAW ENFORCEMENT OFFICER KNOWLEDGABLE IN THE FIELD
OF CHILD EXPLOITATION. OFFICERS NAME DELETED AS A
POLICY OF THE ANCHORAGE POLICE DEPARTMENT

DATE: October 20, 1981

SUBJECT: Criminal Activities of Juveniles in Anchorage

The purpose of this brief letter is to state my opinion of the status of current criminal activity involving juveniles in the Anchorage area. As you know I have been a police officer for the past five plus years in the Anchorage area and have worked for two different periods as a counselor at McLaughlin Youth Center. What I am stating here is strictly my opinion and does not represent in any way the viewpoint of my employer, the Anchorage Police Department.

During recent years Anchorage, as well as other communities within the State of Alaska, has experienced a tremendous increase in the level and depth of juvenile criminal activity. I believe that this is in part due to the tremendous growth that this community and this State have experienced in recent years and also because of the ineffectiveness of the criminal justice system to deal with the problem. My opinion of the current status of this activity has developed because of my involvement with juveniles in the community and as a result of my involvement in numerous investigations dealing with some of these problems.

What has developed in this community, as is characteristic of other communities in other States, is a network of criminal activity of which juveniles play a substantial part. This has developed to the extent that many of our young persons so exposed actually are a part of a sub-culture existing in the same space but at different times within the mainstream of our society. This subculture has a set of values and morals that are substantially different than those of the mainbody of our society and paramount within this set of values is the belief that youth equates to victimization. When a young person in our community is, for a variety and combination of reasons, forced out of the home environment and onto the "streets" (so to speak), he is subjected to an elaborate system of victimization on the part of adults within the community who, in essence, use youth to their advantage in the perpetuation of their criminal activities and personal desires.

A young person finding himself/herself within this position is necessarily forced to first, survive. In order to do this, the youth must engage in activities which an adult can support. These activities extend from theft to drug usage/sales and prostitution. Adults involved in these activities will promote the involvement of juveniles to the advantage of the adult while at the same time providing for the juvenile, as a minimum, the basic needs of food, clothing and shelter needed by the juvenile to survive. Juveniles within this community are extensively involved in theft, drugs and prostitution and these activities are promoted and supported by adults within the community. The extent of the

problem is largely unseen, even by many persons within the criminal justice system who deal with these juveniles daily as a part of their jobs, because the juvenile does not often talk about depth of involvement to anyone, other than his/her peer group and in some cases, not even to them. The system tends to look at each individual act by itself, failing to realize that there is a much greater problem, individually and collectively, lurking below the surface of the individual act.

As an example of what I have previously stated, I would estimate that about 50% of all the boys admitted to McLaughlin Youth Center have had some contact with adults of a homosexual nature. I would further estimate that in excess of 25% of these have had what could be termed deep involvement with more than one adult. Often, this kind of activity, develops in relation to other types of activity including the adult using the juvenile for drug sales and to provide merchandise for fencing operations of small and large scale. It is not surprising then, that when the juvenile so involved is picked up for a property crime or drug related offense, the depth of his involvement is never revealed to those professionals within the system that later deal with him.

Any juvenile who, for whatever reasons, spends more than a short amount of time living away from a home and on the "streets" will become involved to a greater or lesser degree in the kind of activity I have just described. Since the adult(s) involved use the juvenile for their purposes, the normal role of adult guidance in the maturing process is severely distorted which in turn perpetuates the problem as the juvenile grows older and changes from being the victim to the user. Over a period of time of involvement in these kinds of activities the youth gradually begins to believe that the only thing that will change his being used to another's advantage is age and that when that age is attained the role can be reversed.

It is virtually impossible for a young person to survive away from home without becoming involved in these kinds of activities because of the inability of a young person to legitimately obtain the basic necessities of food, clothing and shelter necessary for survival. It is further, virtually impossible, for that young person to steal enough through burglary, robbery or theft to attain these necessities. As such, the young person in that position, must turn to other more profitable activities. These activities involve drugs and prostitution. The problem is further compounded, in most cases, because of the emotional problems that the youth is experiencing as the result of his necessity to leave the home or to replace the home needs with persons met outside the home and his resultant turn towards drug usage. Drugs are expensive and not within the reach of the average young person through legitimate earnings. Adults desiring use of juveniles for sexual purposes are well aware of the juvenile's problems and will frequently provide, either the basic needs of survival, or drugs or both in return for sexual favors. In many cases, the juvenile can provide sexual favors for a much higher than could be obtained through other types of criminal activity. Adults desiring these kind of favors are very perceptive in being able to identify those juveniles that are in a position to which they would be susceptible to such propositions.

All this exists on a large scale in the Anchorage area. The extent of this existence increases steadily because of the inability of the Criminal Justice System and the community to control it. I would estimate that the extent of the

problem in Anchorage is proportionately greater than it is in other comparable communities in the United States, again for a variety of reasons. It is common knowledge that large scale fencing operations exist within the Anchorage area as is evidenced by the very small percentage of stolen property that is recovered and the relatively high frequency of recovery of stolen property from Alaska in other states. The extent of drug sales operations and drug useage amongst juveniles in the Anchorage area, again, is particularly high to the extent that it is virtually impossible for any young person not to be exposed to drugs, and not just marijuana, beginning in junior high school. The extent of juvenile prostitution activities, particularly as it involves males, is also extremely high in the Anchorage area to the degree that virtually all juveniles living out of the home are exposed and many still living at home are exposed.

There exists, in Anchorage, houses where juveniles on the run can find temporary shelter. These houses are provided either directly or indirectly by an adult. Unfortunately, there are strings attached to the use of the house by the juvenile. There have been commercial pornography operations involving sexual involvement of juveniles in the most perverted kinds of sexual activity operating in the Anchorage area. These operations have been directed by organizations from without the State of Alaska. There have been commercial prostitution operations within the Anchorage area in which juveniles were the merchandise and in which the fees paid were extremely high. There have been large scale drug operations in which juveniles, many of them going to school and living at home, were involved as the primary pushers. There have been large scale fencing operations in the Anchorage area in which merchandise stolen by juveniles was fenced by adults to create huge profits.

The depth of this whole problem is really seen when one realizes what becomes of the juvenile that is involved in these kinds of activities. All young persons growing up need adult guidance and emotional support in order that a moral and value system can develop. If the child receives, for this need, guidance and "emotional support" from persons that only wish to use him, it is understandable how we are developing a subculture of increasing size within the mainstream of our primary culture, in which the value system is as foreign as one would be from a far Eastern country. The use of youth for personal gain is as foreign to the basis of our culture as is the crime of murder and yet we are allowing this to exist, and to in fact grow, within the Anchorage area to a massive degree. Much of this problem is a criminal problem and must be solved through enforcement means. To this end we are sorely lacking.

The Adolescent Runaway:

A NATIONAL PROBLEM

"No one seems willing to accept clear responsibility for the thousands of children over 15 who stand outside the jurisdiction of family courts, criminal courts, and, in large part, the child welfare system."

by Bruce Ritter, O.F.M.

OVER a decade ago, I became involved, almost against my will, with one of the major problems of any large metropolitan area when 10 runaway children, from the ages of 14-17, sought my help, asking to sleep on the floor of my apartment in the East Village of New York City. I was exercising at that time a ministry of service to the poor. These particular 10 children had been sexually abused by some junkies in the neighborhood, had been burned out of the abandoned building in which they were living, and, before that, had been forced to make a pornographic movie in order to pay for their room and board.

Because I could not find any place for them in the child welfare system, I kept them—they simply moved into my apartment. So many hundreds of homeless young people began knocking on my door that I and my friends were forced to begin a new child care agency. Since that time, over 10 years ago, Covenant House has sheltered

Father Bruce Ritter is the Executive Director of Covenant House and Under Twenty-One, a child care agency in New York City that specializes in caring for runaway and homeless children and urban nomads.

many thousands of runaway and self-emancipated kids, returning many to their homes and keeping many for long-term care. Hundreds upon hundreds were victims of child abuse.

Many people are unaware of the enormous dimensions of the problem of runaways and homeless children in our society—or what can happen to them. Over 1,000,000 juveniles run away every year in this country. According to a New York City Police estimate, there are at least 20,000 runaways under 16 in New York City at any one time. If you add to that number the many thousands of self-emancipated youngsters between the ages of 16-18 and even the greater number between 19 and 21, the numbers of children on the streets are staggering.

These numbers are not just pulled out of a rhetorical hat. In the first year after the Covenant House crisis center, Under Twenty-One, was opened (April 1, 1977), well over 4,000 children have sought our help; over 500 of them were 15 and under; another 900 were between 16 and 17; and over 1,500 between 18 and 20. Covenant House expects to serve about 3,000 walk-in children under 18 at its Eighth Avenue center this year who should not be on the streets, but for whom no effective programs exist. As a result, these children are frequently subjected to the

grossest kind of abuse. About 7,000 children under the age of 21 had come to Under Twenty-One for help during 1978.

A question of responsibility

The very complex issues raised by these thousands of homeless young people cross a dozen different jurisdictions—states' rights, parents' rights, children's rights, family and criminal court questions, the nature of the child care system, etc. The thinking and practice regarding the rights of juveniles has been evolving so quickly over the past 10 years that legislators have had great difficulty keeping up with the changing status of juveniles in our country. The ambiguity and confusion and differences in statutes between one state and another and within the same state make it almost impossible on occasion to resolve the legal status of a runaway or homeless child. Until recently, the problem of runaways was always considered essentially a police matter. The juveniles were to be found and returned home. Yet, an overburdened New York City police force can not begin to cope with the huge numbers (there is a seven man unit assigned for that purpose) and the police do not have any jurisdiction over children 16 and older.

The problem is especially acute for those 16 and over since the law simultaneously permits a child of 16 to emancipate himself and then effectively disenfranchises that child. For the most part, a child can not get the medical help he or she needs, can not easily qualify for public assistance, can not enter into contracts, and can not find a decent job. Children are free to wander the streets, panhandling, exploiting, and being exploited. No one seems willing, either to accept clear responsibility for the thousands of children over 15 who stand outside the jurisdiction of family courts, criminal courts, and, in large part, the child welfare system. Neither Special Services for Children, the Division for Youth, or the Department of Social Services will admit to immediate jurisdiction and responsibility for a 16-year-old boy or girl wandering up and down 42nd Street. Since it is manifestly not in the best interest of the child or the general public to permit this to happen, some jurisdiction must take the clear responsibility. We operate on a principle, seemingly, of *caveat puer*: let the child beware. Covenant House can document an almost endless series of children over 15 for whom it can find no one to accept responsibility—no court, no family, no part of the child welfare system. The tangle of conflicting jurisdictions, of vague and ambiguous laws, a severe fiscal crisis, and the fact that most of these kids are black and Spanish make it easy to let them fall through the cracks. Many thousands of them become willing or unwilling victims of the \$1,500,000,000 sex industry that feeds on children in the Times Square area. They have few options. Cold, hungry, homeless, desperate for affection, they fall easy prey to the sex merchants who know all too well how to exploit them. These children find it almost impossible to get help. Until Covenant House, with the help of the Roman Catholic Archdiocese, opened its Under Twenty-One crisis center on April 1, 1977, there were absolutely no services for these thousands of children in the Times Square area. Covenant House is always understaffed, underfinanced, and overwhelmed by the numbers of children coming to us at all hours of the day and night.

During the first year that Under Twenty-One was open, over 4,000 children came to us for help and over 60% of these had some contact, major or minor, with prostitution and pornography. The list of horror stories are endless.

*The program is financed 25% by New York State, eight per cent by the New York City Board, and 67% by private contributions.

● A 14 year old boy chased into our center by his pimp, a man of 40, who had a broken bottle. The man wanted to kill the boy, who had escaped after being held prisoner for six weeks in a Times Square hotel.

● A pimp who offered us \$500 for a young girl in our center.

● A 16 year old call boy with a contract on him. All he wanted to do was escape. He had made the mistake of ripping off one of his johns.

● A 14-year-old girl, held prisoner, raped, and forced into prostitution, her hair dyed and with a false I.D. saying she was 18, who had gotten a job in an Eighth Avenue strip joint.

They are not bad kids and it is wrong to think that they are. They are good kids whose only crime is, for the most part, to be cold, hungry, and homeless, with no skills, no resources, cut off from jobs or the possibility of getting medical help or public assistance. Since they have nothing to sell, except themselves, they are easily victimized and abused by the so-called victimless crime of prostitution.

There are many hundreds of juveniles caught up in a vicious, degrading life style that kills many of them. They are caught in a kind of quicksand and can not easily escape. Hundreds will come—have already come—to Under Twenty-One this year. Under Twenty-One stays open 24 hours a day and offers a kid no questions when he or she asks for help: food, shelter, protection from their pimp and exploiters, a chance to go home again if that is possible, a chance to get a job, to go to school—to begin to think that they might live. Many times I have heard a kid say: "Bruce, I'm not going to make it; I'm going to die out there; the street is going to kill me." A 17-year-old boy said to me recently: "Bruce, can you give me one reason why I shouldn't jump off the Brooklyn Bridge?" It was hard for me to answer.

What can be done

Why do we permit it? Why and how can such a wholesale abuse and neglect of children happen in our society? We seem both unable and unwilling to do anything about it.

There is much that can and must be done. It would be easy and unfair to attack the police for inadequate enforcement of existing laws. The police in New York City quite clearly have limited ability to achieve effective enforcement. At the same time, however, it is quite clear that the crime of child prostitution and abuse is not a priority of our police. Neither is it a priority for our district attorneys and the Attorney General, nor the judges of our

criminal courts, who could exercise a little more fortitude in handing out sentences, nor for our politicians, who only seem to discover the problem of child abuse and prostitution around election time.

Prostitution and this loathesome child abuse are big business and are obviously protected. What other reason could explain the apparent immunity with which this blatant, sick, savage destruction of children is carried on in our society?

We not only need more effective enforcement and more vigorous prosecution of the criminals that buy and sell children and more effective community action, we also need programs to help the thousands of juveniles on the streets that turn to prostitution simply in order to survive.

As I recently stated:

Last night, 65 children came in off the street looking for a bed. Because we were able to provide one for them, they did not sleep on the street or in someone else's bed. We are almost without funds, our resources and staff strained to the utmost. With the cold weather coming on, we estimate that as many as 80 or 100 kids a night will come to us for help. We are committed to not sending a child away without a bed. I did it once, and I can't do it again. As long as I live I can never forget the faces of two kids that knocked on my door very late one night. One of them said, "Are you Bruce?" and I said I was, and he said, "Do you take kids in?" and I said, "Yes" and he said, "Can we stay with you?" I said, "No, because we have no room" and he began to cry and he said, "Where can I go and what can I do?" I said, "You can go back into the street and look sad. And he stopped crying and looked at me and said, "I can do that." He did. They both went back into the street. One boy was 15, the other was 14.

Our records can document hundreds of cases of child abuse and maltreatment, drawn at random from our files. Based on our experience at Under Twenty-One, we can distinguish three broad categories of gross child abuse: abuse within a family setting, abuse on the street, and abuse by bureaucracy.

Abuse within a family setting

In these cases, children came to Under 21 because of abuse by parents or guardians and because they did not have any other recourse. Typically, this is the tragic plight of thousands of runaway children who every year flee dangerous and punitive situations at home. This type of child abuse is certainly the best known and considerable public attention has already been focused on it. The following are typical examples:

le and crime for survival. The rules are simple—seduce or be seduced, intimidate or be intimidated, exploit or be exploited. The very child welfare system itself, because of the barriers it places in the way of care for these children, must accept its full measure of responsibility for the gross abuse and maltreatment that thousands of homeless, vulnerable children are subjected to each year. Instead of opening new facilities and designing new programs for these troubled young people, a precipitous deinstitutionalization, a wholesale closing of public shelters, and the demise of several major voluntary agencies through fiscal neglect have reduced the number of beds available to these youngsters by hundreds. Other agencies face immediate bankruptcy because of inadequate funding by the city and state.

One of the few bright notes in this unrelievedly gloomy picture is the hope held out by New York Gov. Hugh Carey for new programs that would serve young people caught up into street life and prostitution. In 1977-78 fiscal year, in addition to two small programs for runaways partially financed by the Federal government through the Department of Health, Education, and Welfare's Office of Youth Development, the Division for Youth helped fund the only shelter for runaway girls in New York State. The need for new facilities and new programs that can meet the needs of these forgotten youngsters is critically urgent. The need for greater openness on the part of Special Services for Children and other state agencies serving children is equally urgent. In my view, New York City and the state have been grossly derelict in assuming and fulfilling their mandated responsibility to provide care for these thousands of homeless and abused children.

In particular, the public officials who cynically and callously refuse to fulfill their responsibilities to protect these children once they have been abused deserve condemnation. District attorneys and judges and prosecutors who seem to worry more about the welfare of the pimps than the children should be forced to exercise their offices with the welfare of the victims, not the perpetrators, in mind. To give you just one ugly example of this kind of official child abuse, on Dec. 30, 1977, a pimp with a long record of prior arrests was arrested in a New York City hotel. A nude 15 year-old girl was found in bed in his room. The girl testified that he had attempted to induce her to engage in prostitution. He was charged with endangering the welfare of a minor and promoting prostitution. The district attorney permitted him to plead guilty to disorderly conduct and he was given a

\$100 fine with 15 days to pay. I pose the question: Who is really guilty of child abuse here?

Abuse by bureaucracy

The following are examples of children who were thrust into potential or real danger of abuse by an overburdened bureaucracy, by systems that have ceased to function effectively within Special Services for Children, by what appears to be an almost official policy of foot-dragging and resistance with regard to the certification of children for care. It often seems to our staff at Covenant House that the primary issue faced by SSC is how much is it going to cost, not how much does a particular child need the care it has a right to obtain.

● Loretta, age 13, was admitted into the child care system following abuse/neglect findings against her mother. Her father is deceased. Loretta came to our attention when she fled an out-of-state institution and came to Under 21 seeking our help. SSC seemed to have failed to recognize this 13-year-old's situation as requiring emergency attention for placement. For two weeks, placement was sought. Finally, Loretta was picked up by a transit patrolman in the Port Authority Bus Terminal and taken to SSC.

● Mark, age 17, was a multiple physically handicapped youngster, who came to Under 21 seeking help in living on his own. Mark reported that his mother hid his prosthesis as punishment and his siblings fought with him. The family refused to sign for voluntary placement after the home situation was not found to be abusive nor neglectful. After intervention by our social work staff, his parents agreed to placement. Again through our intervention, an SSC diagnostic center agreed to take him. In the interim, the child was placed at a temporary shelter. Resolution was only obtained through the Under 21 involvement in securing voluntary placement, since Mark *would not* return home.

● Michelle, age 12, ran away from her home in upstate New York. Michelle's parents gave her up at birth and she moved into an unofficial adoptive home. Efforts to place Michelle were stalemated when neither New York City, SSC, nor its upstate equivalent accepted responsibility for this youngster. For two weeks, Michelle hovered around the Times Square area. Eventually, she was offered an upstate institutional setting by the Newburgh agency, but Michelle left on her own for the streets.

● Helen, age 15, came to Under 21 with a long history of institutional place-

ments following abuse findings made against her alcoholic mother when she was two years old. Helen, a chronic runaway for three years, was known to 12 different child care settings. SSC told the Under 21 staff that it was futile and pointless to place this youngster, given her history. After an additional three days, SSC revealed that planning responsibility belonged with a large child care institution. Helen was subsequently transferred to a diagnostic center.

● Pauline, age 14, first came to Under 21 when she came seeking shelter. She was having problems getting along at home and felt she was pregnant. Under 21 held a family meeting to attempt reconciliation and this failed. Pauline was taken home by her father from the hospital against her will, without her seeing a doctor. We reported this to Central Registry. Pauline's aunt and cousin were interviewed by the worker, but her father was not seen (according to SSC). She remained at home, as no abuse was found. The following month, Pauline came to Under 21 and was subsequently taken to the Spofford Juvenile Home by police on the basis of a warrant filed by her family. (She chose Spofford rather than returning home.)

● Louis, age 13, came to Under 21 as a runaway from home. The idea of placement had been in consideration for almost a year between family and social worker from the Harlem Center for Child Study. Louis was a truant (having not attended school the entire term) and uncontrollable at home. Contact with mother revealed a willingness—in fact, a desire—for placement. A letter of application was written, typed, and hand-delivered to SSC within two days of case assignment. The application unit would not accept telephone referral. When the letter was misplaced by SSC, the application unit again refused to take the information over the telephone. Only after pressure did they do so.

Special Services for Children is, unfortunately, a typical example of bureaucratic abuse. SSC is not staffed by ogres and children haters. The staff, to my personal knowledge, is almost universally humane and caring, but an antiquated, financially limited administration has established priorities other than those of children. We should not have to fight to get a child into care.

The problem of adolescent runaways is not, of course, limited to New York City. The problem exists throughout the nation and immediate, effective steps must be taken to combat it and to protect these children from abuse. Programs such as we have established at Covenant House can go a long way towards alleviating this problem.

● Pat, age 18, was beaten continually by her mentally disturbed mother. When she ran away to a friend's apartment her mother cruised the neighborhood, looking for Pat and threatening to kill her. Pat's friend decided to move to Alabama and Pat came to Under 21 for help.

● Michael, age 17, left home because he was unable to deal with his father, who comes home drunk and verbally abuses him. Michael's parents are divorced and his mother does not have room for him in the small apartment she shares with his sister and her new boyfriend.

● Albert, age 16, ran away from home to get away from his mother. She is an alcoholic and on drugs. Albert states that his mother beats him badly. He has run away many times before, but his mother always sweet-talks him into coming home, then beats him again, sometimes with wires.

● Gail, age 14, had been in three foster homes before coming to Under 21. She ran away from her own home because her mother was alcoholic and abusive and her father was a former prisoner who was jailed for killing his first wife. Gail expressed fears for her physical safety and was difficult to reassure.

● Willie, age 15, came to Under 21 from the streets. He is the only boy in a family of three children. Willie has scars from previous abuse which he states to have been inflicted by his parents. He has old scars on his head and extensive scars on the inside elbow were sustained when his father broke his arm. Willie also states that his mother beats him with sticks.

● Chris, age 10, was referred by a priest in Brooklyn, who discovered him on the streets, terrified, and carrying recent body welts and bruises. Chris reported that he had been beaten every day by both parents and did not initially want us to contact them.

● Tony, age 10, from New York City, says some ladies on the street referred him to us for help. Tony said he had left home two days prior, but did not want to return home because of beatings. Tony showed us scars on his head and legs.

● Wanda, age 15, came in off the streets. It was difficult for Wanda to express her history of pain and abuse. Through our Spanish-speaking staff, Wanda revealed a life of being shuttled around between mother and father, both abusive parents, and her grandmother, who had shown her only kindness. Wanda told us how her mother tried to hang her from a shower curtain rod. Life with her father was equally miserable and he beat her excessively. She could bear it no longer when she fled to Under 21.

Abuse on the streets

Here, we are speaking of children cruelly and viciously exploited by pimps and street violence. There are hundreds of such cases in our files, of which these are typical:

● Dennis, age 13, came to New York from Yonkers, terrified of the neighborhood gangs that beat him up continually. Thin and undernourished, he had spent a month on the streets before he was brought to Under 21 by a Catholic Worker.

● Kevin, age 16, left an unstable home in Florida to travel. In Houston, he fell in love with Marie, who turned out to be a transvestite. He followed "her" to New York, where he planned to work the streets in order to pay for Marie's sex-change operation. He was brought to Under 21 by a passerby.

● Patty, age 18, ran away to New York when she was 15, where she was quickly picked up by a pimp. She was brought to Under 21 by the police one night, half-stoned, tattoos barely covering the needle tracks on her arms.

● Linda, age 17, left home in Michigan several days before her mother's remarriage. Although truant from school for several years, she had visions of a glamorous job and large salary in the big city. Linda immediately connected with one pimp, then a second. She prostituted for three days before discovering Under 21.

● Simon, age 16, was placed in foster care when his alcoholic mother severely beat his younger sister. Simon often ran away to live with a gay group in Greenwich Village. He recently spent several months as a \$50-an-hour call-boy for a major New York City call boy service. Simon came to Under 21 because he had been placed briefly at Covenant House.

● Star, age 17, left home at 12 to live with her sister in the Bronx. Star first turned tricks to supply her sister with drugs and was later picked up by a pimp. She had been working the streets for three years before a friend brought her to Under 21.

● Julio, age 15, lived with his mother in New Jersey until she died of cancer four years ago. He then went to live with his older sister, but she continually berated him. Julio met a pimp, "Short Eyes," very soon after his arrival in New York and went to live with his other boys in a Times Square Hotel. A friend on the street directed him to Under 21.

● Vicky, age 16, lived with her alcoholic mother on Long Island until she was 12 or 13. She ran away many times and her mother placed her in the care of the county. Vicky came to Under 21 pregnant, with gonorrhea and

pneumonia. She had supported herself by pretending to be a prostitute and mugging her customers before they realized she didn't intend to have sex.

● Charles, age 16, lived at home until 15, when his mother placed him in the child care system of New Jersey. He ran away after several months, was picked up by a pimp, and sent to work hustling and nude dancing in a gay bar. Charles learned of Under 21 from a friend.

● Cindy, age 16, and Beth, age 15, ran away from Virginia and were approached by pimps before they left the Port Authority Bus Terminal. The police saw them walking down Eighth Avenue with their pimps and brought them to Under 21.

● Donna, age 16, has been in New Jersey foster homes since the age of three. At 13, she had a baby, which is also in foster care. Donna ran away from the last home because her foster father made advances toward her. She came to New York and experimented with prostitution before finding Under 21.

● Colleen, age 16, is a very anxious and depressed young girl, who began running away in the 10th grade when she also began drinking and smoking marijuana. Since then, she has run away eight times from home, foster homes, and other residences. Colleen came to New York and flirted with prostitution for two weeks before being directed to Under 21. On her first night in the Center, Colleen attempted to solicit business for the other girls in the house from passersby on the streets.

● Steve, age 16, ran away from his strict, Italian parents in Rhode Island and quickly became part of the gay street scene. When brought to Under 21 by a friend, he was dancing in a gay bar and living with the "captain" of the dancers. Steve was willing to consider returning home because he had just been mugged.

Most of these children are either runaway or self-emancipated youths denied the protection of the law, for whom no services exist and to whom existing services are denied by a juvenile welfare system that is mandated to care for them. Young people by the thousands, especially the non-persons between 16 and 18, are refused services by administrative fiat. Denied admission to child care agencies because they are not reimbursable, refused certification by Special Services for Children and the Division for Youth that would make them eligible for care, unable to obtain medical help or public assistance, thousands of these self-emancipated-by parental neglect youngsters are disenfranchised and denied the care they have a right to expect. They are forced to turn to street

LIFE/STYLE

A Nation of Runaway Kids

Louis T's homelife has long been meaner than many a street: bounced among a drug-addict mother, an indifferent father and a savage stepmother who repeatedly bit the 15-year-old boy and tried to choke him to death. Nevertheless, Louis is a most reluctant runaway. His macho mask crumples as he sits in a cheerful Houston shelter—somewhat incongruously called Family Connection—and speaks softly of those he still loves. "I didn't want to leave her, but she said to get out and don't come back," he quavers, near tears whenever he mentions the mother who finally pushed him aside. Then, as other teen-agers return within earshot, Louis recoups his cool. "I learned the hard way," he says. "Ain't nobody going to do nothing for me but myself."

A new generation of American youngsters is on the run—often at a desperate pace. They resemble less their romantic predecessors, from Huck Finn to the flower children, than refugees fleeing the wreckage of their families. Many are more truly castaways than runaways, forced from their homes by neglect, abuse or abandonment. "These kids are running from something, not to something," says Russell Frank, director of The Runaway Place, a Boston shelter. As many as 50 percent may be fleeing physical abuse, including sexual assaults. A growing number are economic refugees, evicted by jobless parents who can no longer support them. "This is one of the first times we've seen people voluntarily bringing their kids in," says Carol Frank of the Child Welfare League. "It's a dust-bowl kind of thing."

Others, without being told to leave home, may be driven out by violent arguments, drinking bouts, and other recession-related strains in the family. "A 14-year-old can't understand fully that his father may be depressed over losing his job," says Washington social worker Robbie Callaway. "As economic conditions get tougher, more and more kids are going to be out on the street."

'Meat Rack': The thoroughfares they travel include the likes of the infamous Minnesota strip located near Times Square—so named for the many blond nymphets from out of town who sell themselves there—and the "meat rack" on Hollywood's Santa Monica Boulevard where boy hookers are on display. Too young to work legally, a significant number support themselves by stealing, drug-dealing or peddling sex. Like apprentice derelicts, they huddle in abandoned buildings, on

park benches or in the warm breeze from subway gratings. Many runaway kids display a pathetic ingenuity; fearful of pimps and muggers as well as policemen, one Philadelphia youth buried himself to his chin every night in a playground sandbox. But for most of the young nomads, there may be no place to hide: some 50,000 runaways simply disappeared last year.

There's no telling where they went, since



Marion Huiz

Way station: Seeking aid at New York bus terminal

the United States does not keep computerized track of missing children as it does missing cars. By the most conservative estimates, however, each year more than 1 million kids between 10 and 17 leave home. Until 1974 the government's main helping hand was an arrest for juvenile delinquency. Then Congress—disturbed by reports of deaths and maltreatment in jails, reform schools and other institutions—passed the Runaway and Homeless Youth Act, to establish federally funded telephone hot lines and temporary teen-age shelters. But the 166 shelters—with their hopeful names like Haleyon House or Stepping Stone—serve only 45,000 kids in a year, roughly 5 percent of the runaway population, for a maximum stay of between two weeks and 30 days—and proposed Federal budget cutbacks threaten to cramp the space still more.

Fortunately for their survival odds, most runaways are relatively timid. According to juvenile-welfare experts, mostly no further than a relative or friend, and 90 percent return home within 48 hours. The remainder, however, seem singularly ill equipped for even a temporary life on the loose. A recent report from the U.S. Department of Health and Human Services, based on shelter admissions, indicates the average runaway is 15. That's a drop of one year from the 1976 average—and kids as young as nine are now turning up with alarming regularity. Most of the kids are white (70 percent) and female (56.7 percent, although the gap is closing). Forty percent are school dropouts, many of whom can barely read and have minimal self-esteem. They are scarcely a cadre of hardened criminals; HHS estimates that 60 percent have never been in any kind of trouble with juvenile authorities before they run.

'Flirters': Left to their own devices, kids develop a defensive subculture. Turf is scrupulously observed; around Boston, male prostitutes are expected to work near the bus terminal, while females work the notorious Combat Zone. Hardcore street kids are supposed to congregate on Boston Common, while the tenderfoot dropouts—"flirters," in local lingo—hang out in Harvard Square. Some runaways try to re-create the communality of the '60s crash pad, when one makes some money, many will rent a room together, splitting the windfall on wine, dope and food. In one northeast suburb of Philadelphia, teen transients even built their own haven in the woods with lumber stolen from construction sites, complete with escape tunnels. Survival lessons are willingly shared, to score a free restaurant meal with a minimum of fuss (a gambit sometimes known as "chew and screw"), leave the waitress a tip before you walk out without paying the check.

Time seems to be the greatest divider, determining which runaways can be salvaged. "If a kid has lived in the street for a month or so, it becomes very hard to reach him," says Father Bruce Ritter, founder of New York City's Covenant House for runaway youths. "If it's been six months, we've almost lost him, and if it's a year, he's gone. The poison works very, very quickly." In many cases, it takes only two days; beyond the 48-hour mark, one in 10 teen-agers is likely to become a prostitute. Incoming nails are quickly spoiled at such entry points as New York's Port Authority Bus Terminal by pimps or their scouts, sometimes called catchers. Blue-eyed Marcia R., 13, remembers that she was barely off the bus from Ohio before a "man in one of those hats" approached her. He was headed off by a man and woman, two self-professed "good Samari-

Do you know someone with ALS? (Lou Gehrig's disease)

if you do, then you know how devastating ALS can be. But, you may not know that throughout the country, friends and relatives of ALS patients are doing something about ALS by setting up Local Chapters of the National ALS Foundation.

Local Chapters are resource centers—places where ALS patients and their families can find out what services are available. They can get together for rap sessions, to share and ease the burden of ALS, and to find out that they are not alone.

Local Chapters can generate public awareness—raise money for the all important research—and bring us one step closer to finding a cure for ALS.

To learn how you can help set up a Local Chapter and to be part of a growing, nationwide organization that's doing something about ALS, contact the National ALS Foundation, 185 Madison Avenue, New York, NY 10016, or call (212) 679-4016.

Space for this message contributed by Newsweek Inc

LIFE/STYLE



Buck home: Darcy Reeves (front) with mother and sister

tans" who offered to take her to their house. The Port Authority police were also converging on her and won the contest; she was soon on a plane headed home. "You soon find out that all those 'good people' who want to 'help you' want something in return," says a Philadelphia 16-year-old who was not so lucky—and is now pregnant by her newfound "friend."

Pimps: Hustlers operate in a netherworld all their own. In Hollywood, for instance, there's a wage scale of sorts. Attractive new arrivals can earn top dollar (\$250 or so, on up) from the homosexual "chicken hawks" who cruise Santa Monica Boulevard in search of young boys. "Everyone knows the regulars, so when they see a new face, they have to try you," explains one young denizen. "After they get to know you, though, you have to do more and more to earn your money." Times can be even tougher for girls, who usually have pimps to support, and staying straight is often well-nigh impossible. L.A. police detective Larry Broadhurst still shudders over one young victim from two years ago. "She was a real good-looking blond girl," he recalls. "A pimp approached her to work for him, and she refused. Told him she didn't want to have anything to do with his business." The pimp didn't give up; he followed her and pounded on her motel door. "When she opened it, this guy just stuck a knife right through her head."

Authorities are trying to provide more effective refuge. In Boston, the vans from Bridge Over Troubled Waters roll right up to the kids on the streets, offering dentists,

doctors and drug therapy. At many shelters the rules are stricter than those at the homes the kids have left at Houston's Family Connection, residents must rise at 8:30 a.m., cook all their own meals, clean their rooms and request permission to stay out after 5:30. Generally, the shelters' goal is to identify family problems, begin counseling and return the runaways—except to parents who abuse them. The success rate runs anywhere from 50 to 70 percent. "We desperately need more places like this," says Sandra Reeves of Houston, whose 15-year-old daughter, Darcy, has run away three times, only to be reunited through family counseling. "Please tell mothers and fathers that their children can come home."

To help those children who resolutely won't—or can't—go home again, states and municipalities have also been changing their juvenile laws. At least a dozen states now allow courts to "emancipate" minors, so that they may hold jobs and

apartments on their own; in Connecticut, a 16-year-old can effectively "divorce" abusive parents and be treated as an adult. Some law enforcement officials are less than enthusiastic about the liberalization trend, claiming they're now unable to step in and aid troubled runaways. But some frustrated parents are saying "good riddance" to incorrigible adolescents. Toughlove, the Pennsylvania-based parents organization, suggests families lock the doors behind difficult runaways until they promise to change—while providing them with a list of other Toughlovers who will act as caretakers. In several states, wit-end parents can also ask the courts to designate perennial troublemakers "persons in need of supervision"; they can then be picked up for running away, and a judge can impose psychiatric care or other treatment.

Rebels: To be sure, not every vagabond child can be classified as either innocent or incorrigible. Some classic rebels without cause still take off from pure pique or boredom. Beth, 16, showed up at a shelter in Prince Georges County, Md., claiming she had been maltreated by her mother; the "abuse" turned out to be a failure to provide designer jeans. But many experts say such cases represent a declining minority. "There is the child who is just too big for his britches," concedes Alice O'Shea, chief of the child-advocate unit in Philadelphia's Office of the Public Defender. "But they are the minority." Experts say only 10 percent of runaways qualify as "spoiled brats."

Authorities worry that strained juvenile

Sherwood Anderson
John Ashbery
Saul Bellow
Elizabeth Bishop
Harl Crane
T. S. Eliot
Ralph Ellison
Ralph Waldo Emerson
William Faulkner
Ford Madox Ford
William Gass
Ernest Hemingway
H. D.
Erica Jong
James Joyce

Jack Kerouac
Maxine Hong Kingston
Maxine Kumin
D. H. Lawrence
Marianne Moore
Anais Nin
Joyce Carol Oates
Frank O'Hara
Katherine Ann Porter
Ezra Pound
Gertrude Stein
Wallace Stevens
Dylan Thomas
William Carlos Williams
Richard Wright

**The literary
magazines that
first published
these great writers
are going
out of business.
Unless you help**

Write for a free brochure or send \$4.95
for a descriptive catalog of literary magazines to:
Coordinating Council of Literary Magazines
1133 Broadway, Rm 1324, New York, N.Y. 10010

facilities won't be able to handle an influx of teenagers who jump, or are pushed out on their own. Financing for shelters is precarious, although Congress authorized more than \$20 million, the administration proposed only \$6.6 million in the current budget. Several senators managed to boost the figure to \$18 million. Even that amount would provide less than \$18 per runaway—and the budget battle must be fought again when the current funding expires Dec. 15. "The private sector cannot and will not pick this program up," says Rep. Pat Williams of Montana. "This is a bedpan program, the kind that no one wants to get involved in, and that is why the Fed's got into it in the first place."

Ultimate Rejection: Yet even if sufficient money could be found to put counselors on every street corner, more fundamental questions would remain. One's own home is, after all, supposed to be the place where they have to take you in, no matter what; being forced to leave it can be the ultimate rejection. Sister Dolores Gartanotti of New York's Noah's Ark shelter decries "the Kleenex mentality" that brings most young charges to her door. "We live in a society where we use things and just throw them away," she says. "I swear, a lot of people have this attitude toward kids." And so the throwaway children pile up, from New York to California, to be exploited and brutalized. Sooner or later, those who cast them off must realize that children are not so neatly disposable. The longer they remain on the streets, the less chance they can ever be reclaimed—and the more they will cost everyone.

LYNN LANGWAY with RENEE MICHAEL in New York, MARY FORD in Washington, DIANNE H. McDONALD in Philadelphia, BARBARA BURGOWER in Houston and RICK RUIZ in Los Angeles

Lookout: Father Ritter in Times Square



A Second Look at the National Program for Runaway and Homeless Youth

By Caroline J. Croft and Mary K. Jolly

Introduction

Before legislative action by Congress and the President in 1974, it had been estimated that more than a million youth a year left their homes without parental permission — a finding later corroborated by *The National Statistical Survey of Runaway Youth*, completed in 1976 by the Department of Health, Education and Welfare (HEW) under a Congressional mandate.¹ The 1976 study revealed that as many as 1.3 million juveniles ran from their own or foster homes each year, with 773,000 of these juveniles remaining at large overnight. This was creating a substantial law enforcement problem for the inundated communities and significantly endangering the runaway youth on the streets who were exposed to criminal, physical, sexual and drug abuse and exploitation. The tragedy in Houston which cost the lives of 28 children, all reported missing from home, aggravated the problem and heightened the concern of federal, state and local government leaders as well as private sector youth advocacy agencies.

In response to the growth and pervasiveness of the runaway problem, the Runaway Youth Act was signed into law by President Gerald R. Ford. Also known as Title III of the larger Juvenile Justice and Delinquency Prevention Act of 1974, the Runaway Youth

Act enabled HEW to establish a national program for the care of runaway youth. That law authorized the HEW secretary to award grants-in-aid to eligible agencies seeking to establish or to continue operating shelters for runaway youth.

This article details the salient aspects of the National Runaway Youth Program from its inception to the present. In addition to identifying the prominent features of the program from an historical perspective, it reports on an evaluation of the program performed by an independent contractor, a demographic profile of runaway and homeless youth and the future directions for the program. In addition, a new publication, entitled *The Legal Status of Adolescents*, is summarized at the end of this article.

Runaway Youth Program: Historical Notes

Congress, in passing the initial Runaway Youth Act, placed the responsibility for locating, detaining and returning runaway youth outside overburdened police and juvenile justice agencies. Congress also defined the problem as one of an interstate nature and concluded that federal intervention was needed as well as a more reliable reporting system for runaway (not until 1977) youth and a more effective temporary shelter care system outside the law enforcement structure.

Caroline J. Croft and Mary K. Jolly

In addition to the funding of shelter facilities for runaway youth, the Runaway Youth Act provided funds for counseling and after-care services, for the provision of technical assistance to grantees, for the conduct of a National Statistical Survey of Runaway Youth in the nation and for the yearly submission of an annual report to Congress by the secretary of HEW on the status and accomplishments of the shelters (funded under the provisions of Section 315 of the Act). Other provisions included the setting of a maximum authorization level of \$10 million per year for the 1974, 1975 and 1976 fiscal years.²

In providing grants, Congress stipulated that priority consideration be given those applicants which could demonstrate each of the following factors: grant requests of less than \$100,000, documentation of a successful experience in serving runaway youth and applicants with program budgets smaller than \$150,000.

Congress delineated four goals in the initial law which remain unchanged and upon which the Department of Health and Human Services (HHS) has based its administration of the national program. These Congressional objectives for funded runaway programs, Section 315 of the Act, are set forth as follows:

- (1) their effectiveness in alleviating the problems of runaway youth;
- (2) their ability to reunite children with their families and to encourage the resolution of intrafamily problems through counseling and other services;
- (3) their effectiveness in strengthening family relationships and encouraging stable living conditions for children; and
- (4) their effectiveness in helping youth decide upon a future course of action.

In October 1977 the 95th Congress reauthorized the Runaway Youth Act, adding states and coordinated networks of runaway service providers to the list of eligible agencies. The 1977 legislation also expanded the service population for funded programs to homeless youth and provided for support of short-term training to Title III grantees. Congress raised the authorization level for

each of the three years of the extended life of the Act from \$10 million to \$25 million.

In November 1980 the 96th Congress enacted P.L. 96-509, the Juvenile Justice Amendments of 1980, which President Carter signed into law on Dec. 8, 1980.³ Title III of this legislation retitled the Runaway and Homeless Youth Act, reauthorized the runaway and homeless youth program administered by HHS for an additional four years, retained the annual authorization level at \$25 million and mandated that HHS alter its formula for distribution of appropriated funds for the support of programs for runaway and homeless youth on the statutory basis of the number of youth under 18 years of age in each state jurisdiction.

The program received \$11 million for each fiscal year 1981 and 1982. The Administration has allocated only \$6.6 million for fiscal year 1983, which begins Oct. 1, 1982. However, it is likely that Congress will not approve the budget by that date, and that the program will operate with \$11 million under a Continuing Resolution.

The 1980 Amendments, along with a revised formula for allocation of funds and new approaches with regard to the consolidation of social services administered by HHS, will impact the future nature and development of the National Program for Runaway and Homeless Youth. In its reauthorization decision in November 1980, the Congress expressed unanimous bipartisan support for continuation of the program until 1984. Major problems, issues and needs remain, however, which are identified and discussed below. A more detailed review and analysis of these issues is available in HHS' Annual Report to the Congress for Fiscal Year 1980.⁴

Program Evaluation — Major Findings

In August 1979, HHS undertook the task of evaluating the National Program and published results of this assessment by an outside contractor.⁵ The evaluation has provided the basis for requesting the President and Congress for reauthorization of the program in the spring of 1979 and, as already reported, Congress and the President then extended HHS' authority for continuation of the pro-

gram, w
1980.

In the
Evaluat
contain

- The l
- has st
- of the
- In ad
- goals,
- have
- goals;
- The p
- extrer
- struct
- A gro
- amon.
- The n
- the Na
- the pr
- servic
- The N
- servin
- lation;
- The N
- achiev
- levels;
- In gen
- achiev
- of clie
- The N
- tive re
- ationa
- The p
- expan
- crating
- ing vo
- A vari
- cerns
- vice m
- youth

The e
HHS, th
Family
other or
tional P
would b
clude th
reduced
found. A
fies majo

A Second Look at the National Program for Runaway and Homeless Youth

gram, with several amendments, in the fall of 1980.

In the official report to HHS the *National Evaluation of the Runaway Youth Program* contained the major findings below:

- The National Runaway Youth Program has successfully operationalized the goals of the Runaway Youth Act cited above;
- In addition to addressing the legislative goals, the projects funded under the RYA have developed a number of additional goals;
- The projects funded under the RYA are extremely diverse both in terms of their structures and their client populations;
- A growing "professionalism" was found among the projects funded under the RYA;
- The most serious service limitations with the National Runaway Youth Program are the provisions of follow-up or aftercare services mandated in the Act;
- The National Runaway Youth Program is serving a widely diversified client population;
- The National Runaway Youth Program is achieving substantial positive client impact levels;
- In general projects funded under the RYA achieve similar success with a wide variety of clients;
- The National Evaluation found that a positive relationship exists between goals operationalization and positive client impact;
- The projects funded under the RYA are expanding their fiscal capabilities by generating new funding sources and developing volunteer programs;
- A variety of service, client and fiscal concerns are giving way to emerging new service models within the area of runaway youth services.

The evaluation was most encouraging to HHS, the National Council of Juvenile and Family Court Judges, Congress and many other organizations which support the National Program. However, a great disservice would be done if readers of this article conclude that this major social problem has been reduced in scope and an acceptable solution found. Another section of this article identifies major needs, concerns and issues which

must be understood and addressed if a full decade of federal intervention with regard to runaway and homeless youth is to achieve success. Not all funded programs have succeeded. Some have closed because of financial, management or program shortcomings. Since several areas of the nation are underserved, the 96th Congress included in the reauthorized legislation a provision for distribution of appropriated funds on the basis of a state's youth population under the age of 18. This will generate a definite impact on the funding process. Unless larger appropriations are forthcoming, some programs will receive less than \$10,000 in grant funds from HHS for a year's program support.

Extent to Which National Program for Runaway and Homeless Youth has Reduced Involvement of Youth in Law Enforcement and Juvenile Court Systems

While the reduction of the involvement of runaway youth in police-juvenile court processes are not a primary objective of the Runaway Youth Act, HHS found that one of the positive byproducts reported by many of the HHS-funded Title III programs has been a pronounced reduction in the number of runaway youth involved directly in community law enforcement and court processes. Not only has the number of youth handled by the police been substantially reduced in some communities, but the number of these youth who appear in court and undergo adjudication has decreased. The most successful programs are those in which police, court and runaway staff work together in a cooperative and coordinated way. Rather than taking a boy or girl into a detention facility they are taken instead to a runaway shelter by the local police. If the runaway programs did not exist the traditional pattern would be followed which would involve the issuance of a warrant and appearance in court for a series of jurisdictional, adjudicatory and dispositional procedures. An increasing number of runaway and homeless youth are being referred by the police and court officials to the runaway centers. In a few cases the centers have not won the confidence of police and court agencies, and have had difficulty devel-

Caroline J. Croft and Mary K. Jolly

oping the type of program and services which merit community support and respect. HHS is most sensitive to allegations that federally funded shelter-type programs are below standard. In its monitoring of the programs HHS stressed sanitation and other regulations which apply at either state or federal levels. A few programs have been closed and federal support withdrawn as a result of failure to operate on the basis of acceptable fiscal, licensing and regulatory practices.

Program Growth and Development Since 1974

Since the first 66 runaway houses were funded by HEW in 1975, the program has grown to 160 programs funded in 48 states, the District of Columbia, Guam and Puerto Rico. A National Switchboard, located in Chicago, has proved to be a vital element in the National Program. Congress recognized this importance by amending the legislation in 1980 to specifically authorize funding of a National Toll-Free Communications System. The number of youth served in HHS-funded programs approximated 43,000 a year as of 1980. In addition more than 200,000 calls were made to the National Switchboard in 1980 by runaway and homeless youth, parents and relatives.⁶

A new, four-year funding cycle was conducted in 1981 under the reauthorized legislation and HHS expected the demand for grant funds to be higher than the previous appropriation of \$11 million. Many worthy programs cannot be funded by HHS because of the severe limit on funds. Some geographic areas are underserved, thus creating concern at a time when federal grant funds are dwindling. One of the most encouraging developments since the passage of the Act in 1974 has been the success enjoyed by many of the Title III programs in securing financial support from local public and private sources. Modest successes have been achieved with the organization in some of the states of coordinated networks of runaway service providers, authorized by the 96th Congress in its 1977 amendments to the Runaway Youth Act. These networks or coalitions have improved the intra and interstate need for speedy com-

munications regarding the immediate care of runaway and homeless youth. They have led in some cases to more effective coordination of effort and expansion of services without additional expense, as agencies have pooled their limited resources.

Programs have actively sought non-federal financial support from a variety of sources. Their success in diversifying their funding base while reducing dependence on federal funds has had a stabilizing and strengthening effect.

A National Profile of Runaway Youth

A summary profile of runaway youth derived from the client forms submitted to the Youth Development Bureau by the programs funded under the Runaway Youth Act revealed that the types of youth who received services were diversified as to age, sex, ethnicity, school status, family-type problem and related case characteristics.⁷ One major finding since the passage of the initial Runaway Youth Act in 1974 which the profile presents is that 45.2 percent of the youth in the national distribution were runaways in the legal-administrative definition of the term, 19.3 percent were youth involved in non-runaway crises, 15.5 percent were cases where youth and parents had mutually agreed to separate and the remaining cases were in the potential runaway or other categories. Females made up 59.7 percent of the population served, 40.6 percent were boys. The age range was from 4 to 20 years of age with the critical range 10-18 years. Eighty percent of the youth served were in this 10-18 age range with modal age being 16 years. As to racial-ethnic distributions, 74 percent of the youth served were white, 15.5 percent were black, not of Hispanic origin; 6 percent were Hispanic; with the remainder American Indian, Asian or unknown. Youth living with the parents or legal guardian before the runaway episode made up 82.4 percent of the population served; 4.1 percent were living in foster homes; the remainder with relatives, friends or unknown. In terms of school status before the runaway episode, 60.1 percent were attending school; 17.3 percent were drop outs; 10.5 percent were listed as truant; while the

remainder were
or graduated
of the profile
services by
of the runaw
ents were too
truancy was
percent felt
them emotio
had been pu
parent; 7.7 p
preceded by
the parents.
were peer p
school grade

Future Directions

With the Washington, opened with re-tered by fed. No definitive has been an- tion teams cr- reviewed a w- grams. In his- secretary of- into one bloc- grams, incl- youth. The- tinued supp- Runaway an- million level

In its futu- gram the Y- established

1. consolid- the runa- in furthe- includes- case and- homeless- network- coordina- local-pri-
2. adminis- away and- on the b- goals. R- play a m- of admin-

mediate care of
h. They have led
ive coordination
services without
cies have pooled

ught non-federal
riety of sources.
ig their funding
lence on federal
nd strengthening

Runaway Youth

runaway youth
submitted to the
by the programs
Youth Act re-
th who received
age, sex, ethnic-
pe problem and
One major find-
initial Runaway
profile presents
e youth in the
runaways in the
on of the term,
lived in non-run-
ere cases where
tually agreed to
cases were in the
her categories.
nt of the popula-
re boys. The age
of age with the
ighty percent of
; 10-18 age range
rs. As to racial-
ent of the youth
cent were black,
ercent were His-
merican Indian,
ing with the par-
re the runaway
at of the popula-
e living in foster
relatives, friends
ool status before
percent were at-
were drop outs;
ruant; while the

remainder were shown as expelled, suspended or graduated. A final but important segment of the profile disclosed the reasons for seeking services by runaway youth. Eighteen percent of the runaway youth reported that their parents were too strict; 9.6 percent reported that truancy was the cause for seeking services; 9.8 percent felt that their parents had neglected them emotionally; 7.9 percent stated that they had been pushed out of their homes by the parent; 7.7 percent felt that the runaway was preceded by an inability to communicate with the parents. Among the remaining causes were peer problems, parental conflicts, bad school grades and youth emotional problems.

Future Directions for National Program

With the change in administrations in Washington, a number of scenarios developed with regard to youth services administered by federal executive branch agencies. No definitive reorganization of these services has been announced but the various transition teams created by President Reagan have reviewed a wide range of human service programs. In his budget message to Congress, the secretary of HHS proposed the consolidation into one block grant of 12 social service programs, including runaway and homeless youth. The secretary also supported continued support for the National Program for Runaway and Homeless Youth Act at the \$10 million level for fiscal year 1982.

In its future planning for the National Program the Youth Development Bureau has established the following goals:

1. consolidation of the gains made to date by the runaway and homeless youth centers in further improving their services. This includes creating more effective systems of case and class advocacy for runaway and homeless youth; and the development of networks and coalitions for maximum coordination of effort at federal, state and local-private sector levels.
2. administration of the reauthorized Runaway and Homeless Youth Act until 1984 on the basis of Congressional and HHS goals. Regional and state jurisdiction will play a more prominent role in the process of administering the program.

3. development of a national policy for youth development. In this connection the Bureau is playing an active role in the planning of national, state-local and private sector conferences, seminars and workshops which deal with runaway and homeless youth.
4. the bureau will concentrate in the years ahead on the further diversification of services provided by the centers for runaway and homeless youth. Emphasis on family factors and processes, and the development of a more effective national system of aftercare services for runaway and homeless youth, will be integral parts of this endeavor.
5. the Bureau will continue to actively support the Federal Coordinating Council on Juvenile Justice and Delinquency Prevention under the chairmanship of the attorney general. It will intensify its efforts to achieve more effective interagency and intragency collaboration at the federal level in areas such as substance abuse, youth employment, adolescent abuse and teen pregnancy. It will seek more active working relationships with federal agencies such as the departments of Justice, Labor and Education in the efforts being made to maximize federal resources available for youth programs.
6. within the funds available the Bureau will continue to fund service demonstration projects in the areas of adolescent health, family dysfunction, pregnancy, youth employment and substance abuse. It will continue to conduct studies of youth needs within HHS and will endeavor to develop a more comprehensive approach to the delivery of services to vulnerable youth and their families.
7. in its technical assistance and training initiatives for Title III grantees the Bureau will stress the development, at the program level, of maximum capability for service delivery, the accessing of non-federal funding sources and the further managerial improvements in the operation of these centers. An annual Youth Service Institute was planned in 1981 for selected Title III and federal agency staff with the

emphasis on skills building and problem-solving training.

8. the Bureau will continue to fund a National Toll-Free Communication System to serve runaway and homeless youth and their families. Some expansion of this system is planned with one objective being a more efficient operation and wider geographic coverage of the nation.
9. a primary objective for the 1980s is the continuation of the effort to further develop positive roles for youth at all levels of the program. A specific publication titled *Youth as a Resource* was made available in the summer of 1981.

The Legal Status of Adolescents¹

In late 1980 HHS published a 500-page compendium and discussion of the laws and court decisions affecting minors titled *The Legal Status of Adolescents*. It is an updated and expansion of a 1975 publication *The Legal Status of Runaway Youth*, which members of the National Council of Juvenile Court Judges and a wide range of juvenile justice and youth-serving agencies and officials found extremely useful.

This document contains summary tables of laws affecting minors in each state with regard to emancipation, employment, hitchhiking, medical consent, truancy and other legal considerations which are important to juvenile and family courts, attorneys, youth agency officials, parents and guardians as well as the runaway and homeless youth themselves. *The Legal Status of Adolescents* was prepared for HHS under a contract with the Scientific Analysis Corp. of San Francisco and the Regional Institute of Social Welfare, Athens, Ga. This report clearly shows that the legal rights of juveniles are defined differently in different states and that the recognized capabilities of youth to make important legal decisions also varies considerably from state to state.

Until recently, the report notes, the law treated childhood as "an homogenous state," making no distinction between the capacities of younger and older children. According to the report, progress with respect to the rights of young people has frequently come through

the courts. The authors point to a series of court decisions in the past 10 years that have affirmed the Constitutional rights of children and carved out areas in which they can make decisions on their own. Among the Supreme Court cases cited are *In re Gault*, *Carey v. Population Services Int'l* and *Bellotti v. Baird* which concern, respectively, due process protection for juveniles in court proceedings, availability of contraceptives to minors and the right of a minor to have an abortion without her parents' consent.

In expanding children's rights, the report says state legislatures have often responded to court decisions or to mandates in federal legislation, such as the requirement in the child abuse and neglect law that an abused or neglected child be assigned a *guardian ad litem* to represent his interests in court.

Legislatures, the report says, have been slow in some areas to initiate changes to reflect "the progressively developing capacity of minors." In some states, changes have occurred largely in areas of high public health concern — venereal disease, pregnancy, drug abuse — areas in which the report says "the community benefits from having the child free to seek help on his own.

"As a society, we pay lip service to the idea that children are growing up faster than ever," the report says, but state legislatures and the federal government "have been reluctant to match that observation with statutory changes.

"A more worthwhile world for adolescents," the report concludes, "means more equity for them as a group vis a vis other age groups and at the same time more special recognition of their needs as a group facing the challenge of leaving childhood and becoming adults."

Author's addresses:
Caroline J. Croft
4540 MacArthur Blvd.
Washington, DC 20007

Mary K. Jolly
National Rifle Association
(Former Counsel, Senate Committee of the Judiciary, subcommittee on the Constitution)

Note
Of
national
Report
1976).
The
Wash
Educat
Juv
Runaw
Washi
Humar

LIBRARY OF THE
NATIONAL COUNCIL OF JUVENILE COURT JUDGES
1111 17th St. N.W.
Washington, D.C. 20036

A Second Look at the National Program for Runaway and Homeless Youth

a series of
s that have
of children
can make
e Supreme
, *Carey v.*
Witt v. Baird
rocess pro-
ceedings,
minors and
tion with-

the report
sponded to
federal leg-
n the child
abused or
wardian ad
ourt.

have been
changes to
ng capacity
nges have
iblic health
iancy, drug
t says "the
; the child

to the idea
than ever,"
res and the
eluctant to
statutory

or adoles-
icans more
is other age
ore special
oup facing
od and be-

if the
tuition)

Notes

¹Opinion Research Corp., *Comprehensive National Statistical Survey* (Washington, D.C.: U.S. Department of Health, Education and Welfare, 1976).

²*The Runaway Youth Act*, Title III, P.L. 93-415 (Washington, D.C.: U.S. Department of Health, Education and Welfare).

³*Juvenile Justice Amendments of 1980*, Title III-Runaway and Homeless Youth Act, P.L. 96-509 (Washington, D.C.: U.S. Department of Health and Human Services).

⁴*Fiscal Year 1980-Annual Report to Congress-Runaway Youth* (Washington, D.C.: U.S. Department of Health and Human Services).

⁵*Executive Summary*, National Evaluation of the Runaway Youth Act (Washington, D.C.: U.S. Department of Health and Human Services, 1979).

⁶*Annual Report to Congress*.

⁷*Ibid.*

⁸*The Legal Status of Adolescents* (Washington, D.C.: Office of the Secretary, U.S. Department of Health and Human Services, 1979).

RUNAWAYS: JURISDICTION, DYNAMICS, AND TREATMENT

Oliver J. Morgan
Hahnemann Medical College and Hospital

New research indicates more clearly than ever that running away from home is indeed a family affair. Understood as such, the implications for society's jurisdictional response and for effective treatment planning are deep and far-reaching. The "status offender" legal jurisdiction over runaways needs to be changed and new alternatives for dealing with runaways and their families developed. The planning and implementation of these alternatives need to be informed with the perspectives of a family therapeutic approach sensitive to the intergenerational forces of loyalty, legacy, and trust operating within families.

Despite a significant amount of clinical and media attention to the runaway phenomenon over the last twenty or so years, there is still a great deal of confusion and many misconceptions about youthful runaways—their characteristics, behaviors, attitudes, motivations, needs, and the circumstances contributing to exercising the option of running away. An emerging consensus, however, centers on three interlocking areas in which runaways differ markedly from non-runaways: family relationships, school interactions, and peer involvements (Brennan, Huizinga, and Elliott, 1978; "California Runaways," 1975). Particularly in the area of family research new light is being shed on the relational dynamics responsible for the runaway reaction. In the areas of societal understanding and response, as well as in family therapy, this growing consensus, and the research on which it is based, has profound implications.

The issue of response and treatment regarding the runaway problem is, however, much more complicated than it at first appears. Runaways, as juveniles, come under the jurisdiction of the juvenile justice system via their status as "ungovernables" or "persons (children, juveniles) in need of supervision." Such jurisdictional authority, based as it is on many of our cultural misconceptions regarding the runaway phenomenon, inappropriately complicates the problem and prohibits a satisfactory and fully effective societal response to the overall problems of families in conflict.

In short, as a society, we neither understand the runaway phenomenon very well, nor do we deal with it effectively. In fact, it appears that much of our intervention into the arena of runaways and their families—intervention primarily through legal and jurisdictional methods—actually exacerbates the problems and furthers family dysfunction.

This paper attempts to study and critique the legal, jurisdictional forces impinging on runaways and their families. In this task, I am guided by the recommendations of the Juvenile Justice Standards Project (JJSP), a joint endeavor of the Institute of Judicial Administration and the American Bar Association (1977). Some observations will be offered for a more adequate response grounded in a family treatment perspective.

Oliver J. Morgan, SJ, MDiv, is a second-year student at Hahnemann Medical College in the Family Therapy Program, 230 N. Broad St., Philadelphia, PA 19102.

NONCRIMINAL MISBEHAVIOR AND RUNAWAYS

The JJSP is an attempt to define and formulate national standards to "cover every aspect of the laws regulating children in their contact with social institutions" ("Summary and Analysis," 1977, p. 1). One of the Project's most challenging and incisive volumes, *Standards Relating to Noncriminal Misbehavior*, focuses especially on runaway youth and their families, a special population presently included within juvenile court jurisdiction.

The statutes conferring official jurisdiction over noncriminal misbehavior "are couched in terms of the child's condition rather than in terms of the commission of specific acts" (*Noncriminal*, 1977, p. 2), hence the terms "(juvenile-) status offenses" and "persons in need of supervision." Typically, this jurisdiction is exercised with wide latitude over a variety of behavior and allows for "coercive intervention in cases of juvenile misbehavior that would not be criminal if committed by an adult" (*Noncriminal*, 1977, p. 2). "Juvenile and family courts in most states have jurisdiction over youths who have committed offenses (staying out late, disobeying parents, running away, truancy) illegal only for persons under a specified age, usually sixteen" ("Ungovernability: The Unjustifiable Jurisdiction," 1974, p. 1383). It has been estimated that forty to fifty percent of all incarcerated youth in this country are charged with such noncriminal misbehavior ("Ungovernability," 1974).

The reasoning and assumptions which underpin this jurisdictional authority are important to understand. They are: (1) Parents are reasonable persons seeking proper ends; (2) Youthful independence is dangerous and the social good requires judicial power to backstop parental command; (3) The juvenile justice system can identify, as "proto-criminal" or "pre-delinquent" noncriminal misbehavior that is predictive of future criminality; and (4) Jurisdictional intervention will effectively remedy family-based problems and deter further offense, especially since such intervention is aimed at "rehabilitation" rather than "punishment" ("California Runaways," 1975; "Noncriminal," 1977). This jurisdictional authority and need for special treatment for children is "predicated upon the existence of a 'competence differential' between adults and youths" ("Ungovernability," 1974, p. 1384). Children "are presumed to be incomplete beings who are not fully competent" and are seen as "dependent and in need of direct, intimate and continuous care" (Goldstein, Freud, and Solnit, 1973, p. 3; "California Runaways," 1975). This is both our social custom and the force of our law.

While recognizing the needs and rights of children for nurturance, care and adequate supervision, the Project's recommendations regarding noncriminal misbehavior view official court jurisdiction over such behavior as inappropriate and regards the statutes involved as infirm in several major respects.

First, the Project believes that ungovernability cases are particularly ill-suited for and unbenefited by legal analysis and judicial procedure. "The law is simply inept as a corrective of the kinds of family dysfunction that these cases most frequently involve. . . . Using legal compulsion to restore (or provide) parent-child understanding and tolerance and to build up mechanisms for conflict resolution within the family unit is akin to doing surgery with a spade" ("Noncriminal," 1977, p. 11).

Second, by allowing formal official intervention in unruly child cases, this jurisdiction undermines the fabric of family life. This violates one of the major governing principles of the Project and of a growing body of consensus in legal circles: Family autonomy, or family integrity (Goldstein et al., 1973, 1979). "These standards focus on relationships between the child and the parents and between the child and third parties, against a background which includes a notion, expressed by a variety of courts in a variety of contexts, of 'family privacy' or 'family autonomy'" ("Summary and Analysis," 1977, p. 25; "Rights of Minors," 1977).

This kind of
and children, so
reduce the effe
retards the de
resolution mec
give-and-take)
processes is mo

It is inter
ungovernability
processes as un
in statutory terr
1974, pp. 1392-1
parents to pun
jurisdiction "of
youth who is in
reveals that the
provide little eff
often negative"

Third, the j
range of services
effective help" (C
court jurisdic
tantly, the juri
responsibility fo
communities, so
for handling fam
problems, they
"Noncriminal,"

Fourth, it ac
status offense j
particularly in
noncriminal but
youthful violato
process are deni
wider ranges of
broad scope of
Runaways," 197

For these r
juvenile court j
crisis-oriented a
based, accessible
line with the
Prevention Act
Limited interve
specific circumst
least detrimental
employed" ("Non
alternative—is in
and in a compr

It is the posit
reliance on vo

This kind of judicial intrusion into the domestic sphere isolates and polarizes parents and children, scapegoats and labels the child (and often the parents as well), may greatly reduce the effectiveness or availability of help from other community services, and retards the development of necessary resources (for example, control and conflict resolution mechanisms, reserves of mutual trust, the possibility of open dialogic give-and-take) within the family itself. The integrity of the family and of its relational processes is more often than not harmed by official intrusion into family life.

It is interesting to note with regard to the family and the law that the ungovernability jurisdiction itself is being subverted in practice, (1) because "the court processes as ungovernable some youths who are in fact either 'neglected' or 'delinquent' in statutory terms" and who should be dealt with under these rubrics ("Ungovernability," 1974, pp. 1392-94); (2) court intervention frequently "allows itself to be used by angry parents to punish their children" ("Ungovernability," 1974, pp. 1395); and (3) the jurisdiction "often fails to carry out its purpose: discerning and meeting the 'needs' of a youth who is in conflict" with the family. "A general survey of ungovernability processing reveals that the court's assessments are frequently inaccurate, its dispositions usually provide little effective treatment, and the long term effects on a youth and his family are often negative" ("Ungovernability," 1974, pp. 1385-86, 1397).

Third, the juvenile court's jurisdiction over status offenses "may actually retard the range of services available to the unruly child and the family and their chances of getting effective help" ("Noncriminal," 1977, p. 12). Youth and their families associated with court jurisdiction are often shunned by voluntary community agencies. More importantly, the jurisdiction of the juvenile justice system over these cases and its responsibility for programs to meet the needs of these families may actually hinder local communities, schools and voluntary groups from developing mechanisms and resources for handling family problems. "So long as the juvenile court must take and deal with the problems, they needn't; no matter that the judicial system is not the place for solution" ("Noncriminal," 1977, p. 12).

Fourth, it seems to be the case that the very existence and the actual practice of the status offense jurisdiction "further racial, sexual, and economic discrimination, particularly in urban centers" ("Noncriminal," 1977, pp. 12-13). And fifth, in many states accriminal but ungovernable children are treated in essentially the same way as youthful violators of criminal law in the dispositions of their cases, and in terms of due process are denied basic rights because of the standard "preponderance of evidence," of wider ranges of admissible evidence at their hearings, and of the vagueness and overly broad scope of language sufficient for declarations of ungovernability ("California Runaways," 1975; "Ungovernability," 1974).

For these reasons, then, the Standards Project recommends the elimination of juvenile court jurisdiction over status offenses, and advocates the development of crisis-oriented and longer term services for youth and their families which are locally based, accessible and voluntary ("Noncriminal," 1977). These recommendations are in line with the "clear legislative intent" of the Juvenile Justice and Delinquency Prevention Act of 1974 and of Title III contained therein, The Runaway Youth Act. Limited intervention ("coercive exposure") is permitted by the standards in certain specific circumstances and under select provisions, but only with the proviso that "the least detrimental alternative consonant with the youth's needs should always be employed" ("Noncriminal," 1977, p. 15). This general standard—the least detrimental alternative—is in agreement with that proposed by Goldstein, Freud and Solnit (1973) and in a comprehensive article on "California Runaways" (1975):

It is the position of these standards that the dejudicialization of status offenses and reliance on voluntarily based services will make those services more appropriate to the

LIBRARY OF MARITAL AND FAMILY THERAPY
UNIVERSITY OF MICHIGAN LIBRARY

needs of the youth and his or her family. . . . Removal of the status offense jurisdiction will, it is submitted, encourage more people to get more effective help; stimulate the creation and extension of a wider range of voluntary services than is presently available; end the corrosive effects of treating noncriminal youth as though they had committed crimes; and free up a substantial part of the resources of the juvenile justice system to deal with the cases of delinquency and of abused and neglected children that belong to it ("Noncriminal," 1977, p. 15).

STANDARDS FOR RUNAWAYS

"It is clearly the intent of the Congress that the immediate needs of runaway youth, who have violated no criminal law should be dealt with 'in a manner which is outside the law enforcement structure and the juvenile justice system'" ("Noncriminal," 1977, p. 52). The JJSP's recommended standards for runaway juveniles attempt to codify this intent. Clearly, running away in America is a very complex and diverse problem as well as a highly volatile and emotional issue. However, it is the judgment of this writer that the Project's recommendations go a long way toward helping the situation from a statutory point of view.

Juvenile court control over runaway youth is "almost invariably imposed by reliance upon the ungovernability and status offense statutes" ("Noncriminal," 1977, p. 46). The Project's standards, recognizing the "congressional intent that runaway youth should not be subjected to juvenile court jurisdiction and treated within the juvenile justice system," and understanding that running away can often be "the most rational, mature, and adaptive response to an intolerable situation" ("Noncriminal," 1977, p. 48), posits instead of jurisdictional intervention a number of locally-controlled runaway alternatives. According to the standards, runaway houses should be fostered which are temporary, nonsecure facilities with staff having the responsibility for parental notification, for child-parent counselling, and for provision of alternative placement, should that be deemed necessary ("Noncriminal," 1977). If parents refuse to allow the child to return home, residential placement should be arranged in family or small group settings with the possibility and encouragement for ongoing contact between juvenile and family, and with continued provision of necessary services "to the end that the juvenile may be reunited with the family as soon as practicable" ("Noncriminal," 1977, pp. 55-60).

The standards also mandate that "a broad spectrum of services should be provided which are reasonably designed to assist a juvenile in conflict with his or her family to resolve their conflicts" ("Noncriminal," 1977, p. 52). These services should be both of a crisis-intervention and continuing-service nature; they should be locally controlled, readily accessible within the community, and responsive to the needs of juveniles, family and community ("Noncriminal," 1977). Specific alternatives mentioned by the standards include alternative residential placements, psychiatric, legal, educational and other continuing services, publicized crisis switchboards and walk-in service centers.

Experience indicates a significant amount of success where such community-based alternatives and/or diversion programs from the court system have been attempted. Santa Clara County's Pre-Delinquent Diversion Program ("Noncriminal," 1977), the Alameda County Family Crisis Intervention Unit, and the Marin County Children's Treatment Center ("California Runaways," 1975) are notable examples of very diverse kinds of programs which seem to be working well. In short, the JJSP's basic thrust—unhooking runaways and unruly children in general from the juvenile justice system and mandating local alternatives for family resolution of noncriminal family problems of youth—is a significant and promising step forward.

In legal, stat
criminal mist
gaining consent
As such, this writ
planning I find th
understanding re
of running away i
that the alternat
side at the same
to answer. Nevert
dynamics and tre
social policy alter
Thanks to the
continuing to lea
often precipitate t
long way toward
treatment.

As a family t
families who hav
a telling family
Several observatic
the developmen
of different styles
facts. These are d

The first and
there is no comm
research and progr
further work. For
without parental p
specific intent of r
studied by Brenne
community area
that runaway epis
a week with about
found to be either
classified as "multi
a majority (that is
reflective of spont

Perhaps most
other empirical co
reasonably well-pr
violent victimizati
cases. This may be
five percent of the
noncrisis runaway
percent of cases, p

Amazingly, in
have been sought
counsellors, or the

FAMILY TREATMENT RECOMMENDATIONS

In legal, statutory terms the recommendations of the Standards Project regarding noncriminal misbehavior and the runaway phenomenon are a welcome addition to a growing consensus of opinion regarding the rights and needs of minors and their families. As such, this writer heartily endorses them. However, in the area of social policy and planning I find them sketchy at best. This reflects the confused state of research and understanding regarding the phenomenon of running away. While the dejudicialization of running away is seen as a wise and prudent response, questions still arise concerning what the alternatives will be and how we will protect the safety and rights of all involved, while at the same time providing effective help. These questions are, at present, difficult to answer. Nevertheless, family therapists and those involved in learning about family dynamics and treatment can and should have a prominent place in the development of social policy alternatives.

Thanks to the work of Stierlin (1973, 1974) and others (Brennan et al., 1978) we are continuing to learn more about runaways, and the family relational dynamics which often precipitate the running reaction. Our enhanced knowledge in these areas will go a long way toward helping to guide planning into constructive and effective channels of treatment.

As a family therapist, the question not infrequently arises of how to work with families who have "running away" as an identified problem without polarizing or labelling family members and in a way which enhances important family resources. Several observations are made here to address this question and to offer some guidelines for the development of more effective treatment alternatives. While there are a number of different styles and kinds of runaways, new research highlights some noteworthy facts. These are documented and discussed by Brennan et al. (1978).

The first and most obvious thing to note about the runaway phenomenon is that there is no commonly accepted definition of running away in the literature. Further research and program development will need to standardize a definition which will guide further work. For our purposes, two criteria are used: "These are youth gone from home without parental permission for more than eight hours and/or gone from home with the specific intent of running away" (Brennan et al., 1978, p. 87). Of all the runaway episodes studied by Brennan et al., a large percentage of the youth stayed within their general city or community area, and the most prevalent destination was a relative's or friend's house. Most runaway episodes were brief, a great majority of the runners returning home within a week with about fifty percent returning within three days. A majority of runaways were found to be either first-time runners or very occasional runners with only a minority classified as "multiple runaways." This lends credence to a conclusion of the research that a majority (that is, two out of three) of episodes are not well planned, but are in fact reflective of spontaneous, impulsive behavior.

Perhaps most important from the dynamic or treatment points of view are some other empirical conclusions (Brennan et al., 1978). A large majority of runaways are reasonably well-protected and have safe accommodations at night, and serious sexual or violent victimization while on runaway seems to occur in less than three percent of all cases. This may help to explain why present runaway houses seem to serve only about five percent of the running population, most of whom are the multiple episode, habitual, serious runaways. While the child usually returns home on his/her own in about forty percent of cases, parents are by far the most successful in finding those who do not. Amazingly, in about forty percent of the cases studied some kind of help seems to have been sought before running, either from family doctors, local clergy, school counselors, or the like (Brennan et al., 1978). And, once the child has returned, there is

UNIVERSITY OF ALABAMA ARCHIVES LIBRARY

UNIVERSITY OF ALASKA ANCHORAGE LIBRARY

minimal use or provision of aftercare or follow-up services either for the runner or the family as a whole.

This sampling of the newest research on runaways adds substantial support to the Standards Project's recommendations for locally maintained, easily accessible, voluntarily activated and responsive runaway alternatives, operating before, during and after runaway episodes. Such alternatives and the people involved with them, however, will need to be sensitive and competent in the area of family relational dynamics.

The "runaway reaction" is a clear signal that the critical family relational atmosphere of trustworthiness and trustability, of mutual and reciprocal give-and-take, of a balance of fairness in the relations among family members has broken down. Running away from home is a stark indicator that the normal bonding forces among family members have become attenuated and that the child is alienated from the family trust matrix (Brennan et al., 1978). In the opinion of this writer, only a treatment oriented toward rebuilding trust and renegotiating a balance in the give-and-take among members of the family through courageous movement toward family resources can effectively address the deep-flowing relational dynamics of these families over the long term. If running away is an epiphenomenon of powerful relational issues in the family, then a family oriented treatment attuned to the ebb and flow of familial loyalty and trust is the best way to meet the real issues of runaway families.

The notion of transactional modes which indicate deep family loyalty dynamics and intergenerational legacies, developed by Stierlin (1973), is helpful in understanding the runaway reaction as a truly family affair. These family modes are posited by Stierlin as explanatory principles for the different kinds of runaway events. "In the intergenerational interplay, the transactional modes operate as the covert organizing transactional background to the more overt and specific child-parent interactions" (Stierlin, 1973, p. 58). The Binding Mode is an interactional style between parents and children which operates to keep the latter tied into the parental orbit. Where this mode holds sway children do not run away, or only run abortively. The Expelling Mode is a style of enduring neglect and rejection of children. It is a centrifugal force that pushes children into premature separation. Under its influence children tend to run away casually and repeatedly. Where the Delegating Mode predominates, binding and expelling forces blend such that the delegated child, although sent out, remains tied to the sender. The delegate has a mission to fulfill for the sender, and thus when and how the running episode occurs depends largely on the mission(s) the delegate is expected to fulfill. Here we find most runaways who for some time manage to survive in the runaway culture, but eventually return home.

Stierlin's theoretical and explanatory work in the area of runaway family modes leads naturally into family treatment and program development along the lines of contextual family therapy (Boszormenyi-Nagy and Spark, 1973). This form of family therapy has been most attentive to relational and intergenerational loyalty issues and to family resources for building trust and trustworthiness, elements central to the family transactional modes involved in the runaway phenomenon. Family therapists and researchers trained to sensitivity in these areas can and do have much to offer in the public debate over effective treatment for runaways and their families.

SUMMARY AND CONCLUSIONS

Our investigation into present social and legal responses to running away has been guided by a deep conviction about the principle of family integrity and about the efficacy of family treatment. Following these convictions, our study has presented three main theses. First, present methods of intervention into the problem of running away are most

Harmful
controll
percent
inappropri
offense j
and effe
devising

Kazormen
Brennan,
Heath
California
Goldstein,
1973.
Goldstein,
Institute o
Project
relati
Ballin
Juvenile J
section
Kerlin, H.
56-62
Kerlin, H.
ways
governal

harmful than helpful, and new modes of help need to be developed which are locally controlled, voluntarily activated, community based, and readily accessible. Second, the present social and legal structures for dealing with runaways and their families are inappropriate and inadequate, and runaway behavior should be divorced from the status offense jurisdiction. Third, a contextual family therapy approach is likely to be a critical and effective method for comprehending and treating the runaway phenomenon, and for devising alternative societal responses to children and families in conflict.

REFERENCES

- Bocormeny-Nagy, I. & Spark, G. *Invisible loyalties*. Hagerstown, MD: Harper and Row, 1973.
- Brennan, T., Huizinga, D. & Elliott, D. S. *The social psychology of runaways*. Lexington, MA: D.C. Heath, 1978.
- California Runaways. *The Hastings Law Journal*, 1975, 26, 1013-1067.
- Goldstein, J., Freud, A. & Solnit, A. *Beyond the best interests of the child*. New York: Macmillan, 1973.
- Goldstein, J., Freud, A. & Solnit, A. *Before the best interests of the child*. New York: Macmillan, 1979.
- Institute of Judicial Administration and American Bar Association. *Juvenile Justice Standards Project* (Volumes cited: Standards for juvenile justice: A summary and analysis, Standards relating to noncriminal misbehavior, Standards relating to rights of minors). Cambridge, MA: Ballinger, 1977.
- Juvenile Justice and Delinquency Prevention Act of 1974, 88 Stat. 1109-43 (codified in scattered sections of 18.42 U.S.C.A. (Supp. 1975)). The Runaway Youth Act is Title III of the full act.
- Scierlin, H. Family perspective on adolescent runaways. *Archives of General Psychiatry*, 1973, 29, 56-62.
- Scierlin, H. *Separating parents and adolescents: A perspective on running away, schizophrenia, and waywardness*. New York: Times Books, 1974.
- Ungovernability: The unjustifiable jurisdiction. *The Yale Law Journal*, 1974, 83, 1383-1409.

UNIVERSITY OF ALABAMA ARCHIVAL LIBRARY

Offered: 5/14/84
Referred: Finance

Original sponsor: Liska

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE
2 CS FOR HOUSE BILL NO. 631 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL
6 For an Act entitled: "An Act relating to runaway children."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 47.10.140(f) is repealed and reenacted to read:

9 (f) It is unlawful for a minor to evade the person having legal
10 custody of the minor. A peace officer, upon receiving a request to
11 locate a minor who is evading the person having legal custody of the
12 minor, shall make all reasonable efforts to locate and detain the
13 minor and shall either return the minor to the person having legal
14 custody or, if the minor does not wish to return to the person having
15 legal custody, take the minor to an office specified by the Department
16 of Health and Social Services or to a facility or contract agency of
17 the Department of Health and Social Services in the community. Imme-
18 diately upon detaining a minor under this subsection, the peace
19 officer shall advise

20 (1) the minor of the right to social services under AS 47.-
21 10.142(b); and

22 (2) the person having legal custody of the minor, if the
23 person's identity is known, of the minor's detention.

24 * Sec. 2. AS 47.10.142(b) is amended to read:

25 (b) A minor who has left home and is evading the person having
26 legal custody of the minor [HIM] may obtain the services of the de-
27 partment. The department shall assess the situation and furnish the
28 minor with the social services it considers appropriate to protect the
29 well-being of the minor and to preserve the minor's [HIS] family life

1 if preserving it is considered desirable under the circumstances. If,
2 after assessing the situation, considering the wishes of the minor,
3 and furnishing appropriate social services, the department considers
4 it necessary, the department may take emergency custody of the minor.
5 If the department determines there is cause to believe that a minor
6 delivered to it by a peace officer under AS 47.10.140(f) will not
7 voluntarily accept and participate in social services the department
8 considers appropriate to furnish, the department shall take emergency
9 custody of the minor and shall detain the minor until a hearing is
10 held by the court under (d) of this section.

Introduced: 2/13/84
Referred: Health, Education and
Social Services, Judiciary and
Finance

1 IN THE HOUSE

BY LISKA

2 HOUSE BILL NO. 631

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to runaway children."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 47.10.080 is amended by adding a new subsection to
9 read:

10 (1) Notwithstanding any other provisions of this section, a
11 minor who is habitually absent from the home or foster home to which
12 the minor has been released by court order, without the consent of the
13 minor's parent, guardian, or other legal custodian, is a ward of the
14 state and shall be ordered committed by the court to the custody of
15 the department for placement in an appropriate juvenile institution.

16 * Sec. 2. AS 47.10.084(c) is amended to read:

17 (c) When there has been transfer of legal custody or appointment
18 of a guardian and parental rights have not been terminated by court
19 decree, the parents shall have residual rights and responsibilities.
20 These residual rights and responsibilities of the parent include, but
21 are not limited to, the right and responsibility of reasonable visita-
22 tion, consent to adoption, consent to marriage, consent to military
23 enlistment, consent to major medical treatment except in cases of
24 emergency or cases falling under AS 09.65.100, and the responsibility
25 for support, except if by court order any residual right and responsi-
26 bility has been delegated to a guardian under (b) of this section.
27 However, a parent has no responsibility for support of a minor child
28 who refuses to voluntarily reside with the parent and whose legal
29 custody has been transferred from the parent by court decree, unless

1 custody of the child has been transferred from the parent because of
2 abandonment, abuse, or neglect of the child by the parent.

3 * Sec. 3. AS 47.10.140(f) is repealed and reenacted to read:

4 (f) A peace officer, upon receiving a report that a minor is
5 evading the person having legal custody of the minor, shall make
6 reasonable efforts to locate and detain the minor for the sole purpose
7 of either returning the minor to the person having legal custody or,
8 if the minor prefers, taking the minor to an office specified by the
9 Department of Health and Social Services or to a facility or contract
10 agency of the Department of Health and Social Services in the com-
11 munity. Immediately upon detaining a minor under this subsection, the
12 peace officer shall advise

13 (1) the minor of the right to social services under AS 47.-
14 10.142(b); and

15 (2) the person having legal custody of the minor, if the
16 person's identity is known, of the minor's detention.