

S B

g e

Senate Health, Education and Social Services Committee

Legislation Checklist

Bill number: SB 86

Sponsor: DeVries

Date referred to committee: 1/23/85

Synopsis completed: 1/28

Fiscal note:

Further referrals: Judiciary [SA waived, Jvd added
P. 122 Senate found]

CONTACTS:

Offered: 3/27/85
Referred: Judiciary

Original sponsor: DeVries

*Died Sen France
CS HB 19 (Jud) used as vehicles
(identical)*

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 86 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to runaway and missing minors."

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

8 * Section 1. AS 47.10.140(e) is amended to read:

9 (e) Except for temporary detention pending a detention hearing
10 [OR TEMPORARY DETENTION UNDER (f) OF THIS SECTION], a minor may [NOT]
11 be detained only [EXCEPT] by court order.

12 * Sec. 2. AS 47.10 is amended by adding a new section to read:

13 Sec. 47.10.141. RUNAWAY AND MISSING MINORS. (a) Upon receiving
14 a request to locate a minor evading the minor's legal custodian or
15 otherwise missing, a law enforcement agency shall make reasonable
16 efforts to locate the minor and shall immediately complete a missing
17 person's report containing information necessary for the identifica-
18 tion of the minor. As soon as practicable, but not later than 24
19 hours after completing the report, the agency shall transmit the
20 report for entry into the Alaska Public Safety Information Network and
21 the National Crime Information Center computer system. As soon as
22 practicable, but not later than 24 hours after the agency learns that
23 the minor has been located, it shall request that the Department of
24 Public Safety and the Federal Bureau of Investigation remove the
25 information from the computer systems.

26 (b) A peace officer shall take into protective custody a minor
27 described in (a) of this section if the minor is not otherwise subject
28 to arrest or detention. The peace officer shall honor the minor's
29 preference to either (1) return the minor to the legal custodian or

1 (2) take the minor to an office specified by the Department of Health
2 and Social Services or a facility or contract agency of the depart-
3 ment. If an office specified by the department or a facility or
4 contract agency of the department does not exist in the community, the
5 officer shall take the minor to another suitable location and promptly
6 notify the department. A minor under protective custody may not be
7 housed in a jail or other detention facility. Immediately upon taking
8 a minor into protective custody the officer shall advise the minor
9 orally and in writing of the right to social services under AS 47.10.-
10 142(b), and, if known, the officer shall advise the legal custodian
11 that the minor has been taken into protective custody.

12 * Sec. 3. AS 47.10.140(f) and (g) are repealed.

SEARCH - QUERY
00001 CSHB ADJ 631

HB0631 -P00 DOCUMENT= 7 OF 9

BILL = HB0631
CHAMBER = S
DATE = 07/24/84
PAGE = 03683
YEAR = 84

BILL HB0631
PAGE 03683
DATE 07/24/84
CHAMBER SENATE

TEXT MESSAGE DATED AND RECEIVED JULY 3:
RE: CS FOR HOUSE BILL NO. 631 (JUD) AM
AN ACT RELATING TO RUNAWAY CHILDREN.

DEAR SENATOR KERTTULA:

I HAVE TODAY VETOED COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 631 (JUD) AM, PERTAINING TO RUNAWAY CHILDREN.

THIS BILL WOULD HAVE MANDATED WHOLESALE INCARCERATION OF RUNAWAY CHILDREN WITHOUT REGARD FOR INDIVIDUAL CIRCUMSTANCES OR AVAILABILITY OF APPROPRIATE FACILITIES. IT WOULD HAVE MANDATED A REGRESSIVE, PUNITIVE RESPONSE TO FAMILY PROBLEMS PROBLEMS THAT ARE BEST ADDRESSED THROUGH POSITIVE STATE AND LOCAL PROGRAMS.

THIS BILL WOULD HAVE PLACED AN ADDITIONAL BURDEN ON LAW ENFORCEMENT AND SOCIAL SERVICE AGENCIES, AS WELL AS THE COURTS, YET IS WAS NOT ACCOMPANIED BY AN APPROPRIATION. IN FACT, THE BILL WOULD HAVE MADE ALASKA INELIGIBLE TO RECEIVE FEDERAL FUNDS UNDER THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT, P.L. 93-415.

FINALLY, THIS BILL WAS INARTFULLY WORDED. BY FOCUSING ONLY ON EMERGENCY DETENTION, IT WOULD HAVE SWIFTLY CREATED REVOLVING DOORS IN THE LIMITED FACILITIES THAT NOW EXIST. THE MANDATORY LANGUAGE OF THE BILL WENT FAR BEYOND THE DISCRETIONARY AUTHORITY CONTEMPLATED BY THE SENATE IN ITS LETTER OF INTENT (1984 S.J., P. 3567).

UNDER EXISTING LAW, BOTH PEACE OFFICERS AND STATE SOCIAL WORKERS CAN TAKE EMERGENCY CUSTODY OF RUNAWAYS IF CONDITIONS WARRANT. ALTHOUGH I RECOGNIZE THAT ALASKA HAS A SERIOUS RUNAWAY PROBLEM, WHOLESALE INCARCERATION UNDER CSHB 631 (JUD) AM IS NOT THE SOLUTION.

SINCERELY,
/S/ BILL SHEFFIELD
BILL SHEFFIELD
GOVERNOR

END OF DOCUMENT

CHAMBER = S
DATE = 06/08/84
PAGE = 03567
YEAR = 84

BILL HB0631
PAGE 03567
DATE 06/08/84
CHAMBER SENATE

TEXT (CS FOR HOUSE BILL NO. 631 (JUD) AM) (RUNAWAY CHILDREN) WHICH WAS HELD FROM JUNE 5 WAS BEFORE THE SENATE IN THIRD READING. SENATOR HALFORD OFFERED THE FOLLOWING:

LETTER OF INTENT
CSHB 631 (JUD) AM

IT IS THE INTENT OF THE SENATE THAT THE DEPARTMENT OF PUBLIC SAFETY AND THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES IN IMPLEMENTING THE PROVISIONS OF THIS ACT ENSURE THAT MINORS NOT BE EXPOSED TO YOUTH CORRECTIONAL FACILITIES EXCEPT IN THE MOST EXTREME CASES. THE DEPARTMENT SHOULD NOT TAKE CUSTODY OF A MINOR THROUGH ACTION OF AS 47.10.140(F) UNLESS ADEQUATE SERVICE FACILITIES ARE AVAILABLE. UNDER NO CIRCUMSTANCES SHOULD MINORS BE DETAINED IN AN ADULT CORRECTIONAL FACILITY. SENATOR HALFORD MOVED FOR THE ADOPTION OF THE LETTER OF INTENT ON CS FOR HOUSE BILL NO. 631 (JUD) AM. SENATOR SACKETT ASKED UNANIMOUS CONSENT. WITHOUT OBJECTION, THE SENATE LETTER OF INTENT WAS ADOPTED.

THE QUESTION BEING: "SHALL CS FOR HOUSE BILL NO. 631 (JUD) AM (RUNAWAY CHILDREN) PASS THE SENATE?" THE ROLL WAS TAKEN WITH THE FOLLOWING RESULT:

END OF DOCUMENT

BILL = CSHB631(JUD)AM
ROOT = HB0631

BILL ROOT:
HB0631

BILL NUMBER:
CSHB631(JUD)AM

INTRODUCED:
5/14/84

REFERRED: FINANCE

ORIG SPONSOR:
LISKA AND LINDAUER

SPONSOR: BY THE JUDICIARY COMMITTEE

BILL HEADING:
IN THE HOUSE
CS FOR HOUSE BILL NO. 631 (JUDICIARY) AM
IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE - SECOND SESSION
A BILL

TITLE: FOR AN ACT ENTITLED:
"AN ACT RELATING TO RUNAWAY CHILDREN."

TEXT: BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
* SECTION 1. AS 47.10.140(F) IS REPEALED AND REENACTED
TO READ:

(F) IT IS UNLAWFUL FOR A MINOR TO EVADE THE PERSON HAVING LEGAL CUSTODY OF THE MINOR. A PEACE OFFICER, UPON RECEIVING A REQUEST TO LOCATE A MINOR WHO IS EVADING THE PERSON HAVING LEGAL CUSTODY OF THE MINOR, SHALL MAKE ALL REASONABLE EFFORTS TO LOCATE AND DETAIN THE MINOR AND MAY EITHER RETURN THE MINOR TO THE PERSON HAVING LEGAL CUSTODY OR, IF THE MINOR DOES NOT WISH TO RETURN TO THE PERSON HAVING LEGAL CUSTODY, TAKE THE MINOR TO AN OFFICE SPECIFIED BY THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES OR TO A FACILITY OR CONTRACT AGENCY OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES IN THE COMMUNITY. IMMEDIATELY UPON DETAINING A MINOR UNDER THIS SUBSECTION, THE PEACE OFFICER SHALL ADVISE

- (1) THE MINOR OF THE RIGHT TO SOCIAL SERVICES UNDER AS 47.10.142(B); AND
- (2) THE PERSON HAVING LEGAL CUSTODY OF THE MINOR, IF THE PERSON'S IDENTITY IS KNOWN, OF THE MINOR'S DETENTION.

* SEC. 2. AS 47.10.142(B) IS AMENDED TO READ:

(B) A MINOR WHO HAS LEFT HOME AND IS EVADING THE PERSON HAVING LEGAL CUSTODY OF THE MINOR ~~WHICH~~ MAY OBTAIN THE SERVICES OF THE DEPARTMENT. THE DEPARTMENT SHALL ASSESS THE SITUATION AND FURNISH THE MINOR WITH THE SOCIAL SERVICES IT CONSIDERS APPROPRIATE TO PROTECT THE WELL-BEING OF THE MINOR AND TO PRESERVE THE MINOR'S ~~WHICH~~ FAMILY LIFE IF PRESERVING IT IS CONSIDERED DESIRABLE UNDER THE CIRCUMSTANCES. IF, AFTER ASSESSING THE SITUATION, CONSIDERING THE WISHES OF THE MINOR, AND FURNISHING

APPROPRIATE SOCIAL SERVICES, THE DEPARTMENT CONSIDERS IT NECESSARY, THE DEPARTMENT MAY TAKE EMERGENCY CUSTODY OF THE MINOR. IF THE DEPARTMENT DETERMINES THERE IS CAUSE TO BELIEVE THAT A MINOR DELIVERED TO IT BY A PEACE OFFICER UNDER AS 47.10.140(F) WILL NOT VOLUNTARILY ACCEPT AND PARTICIPATE IN SOCIAL SERVICES THE DEPARTMENT CONSIDERS APPROPRIATE TO FURNISH, THE DEPARTMENT SHALL TAKE EMERGENCY CUSTODY OF THE MINOR AND SHALL DETAIN THE MINOR UNTIL A HEARING IS HELD BY THE COURT UNDER (D) OF THIS SECTION.

ARCH - QUERY
002 RUNAWAY ADJ CHILDREN

HB631JUD DOCUMENT# 2 OF 3

BILL = CSHB631(JUD)

ROOT = HB0631

BILL ROOT:

HB0631

BILL NUMBER:

CSHB631(JUD)

INTRODUCED:

5/14/84

REFERRED: FINANCE

ORIG SPONSOR:

LISKA

SPONSOR: BY THE JUDICIARY COMMITTEE

BILL HEADING:

IN THE HOUSE

CS FOR HOUSE BILL NO. 631 (JUDICIARY)
IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE - SECOND SESSION
A BILL

TITLE: FOR AN ACT ENTITLED:

"AN ACT RELATING TO RUNAWAY CHILDREN."

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

* SECTION 1. AS 47.10.140(F) IS REPEALED AND REENACTED
TO READ:

(F) IT IS UNLAWFUL FOR A MINOR TO EVADE THE
PERSON HAVING LEGAL CUSTODY OF THE MINOR. A PEACE OFFICER,
UPON RECEIVING A REQUEST TO LOCATE A MINOR WHO IS EVADING
THE PERSON HAVING LEGAL CUSTODY OF THE MINOR, SHALL MAKE
ALL REASONABLE EFFORTS TO LOCATE AND DETAIN THE MINOR
AND SHALL EITHER RETURN THE MINOR TO THE PERSON HAVING
LEGAL CUSTODY OR, IF THE MINOR DOES NOT WISH TO RETURN TO
THE PERSON HAVING LEGAL CUSTODY, TAKE THE MINOR TO AN
OFFICE SPECIFIED BY THE DEPARTMENT OF HEALTH AND SOCIAL
SERVICES OR TO A FACILITY OR CONTRACT AGENCY OF THE
DEPARTMENT OF HEALTH AND SOCIAL SERVICES IN THE COMMUNITY.
IMMEDIATELY UPON DETAINING A MINOR UNDER THIS
SUBSECTION, THE PEACE OFFICER SHALL ADVISE

(1) THE MINOR OF THE RIGHT TO SOCIAL
SERVICES UNDER AS 47.10.142(B); AND

(2) THE PERSON HAVING LEGAL CUSTODY OF THE
MINOR, IF THE PERSON'S IDENTITY IS KNOWN, OF THE MINOR'S
DETENTION.

* SEC. 2. AS 47.10.142(B) IS AMENDED TO READ:

(B) A MINOR WHO HAS LEFT HOME AND IS EVADING THE
PERSON HAVING LEGAL CUSTODY OF THE MINOR ~~WHICH~~ MAY OBTAIN
THE SERVICES OF THE DEPARTMENT. THE DEPARTMENT SHALL
ASSESS THE SITUATION AND FURNISH THE MINOR WITH THE SOCIAL
SERVICES IT CONSIDERS APPROPRIATE TO PROTECT THE WELL-BEING
OF THE MINOR AND TO PRESERVE THE MINOR'S ~~WHICH~~ FAMILY LIFE
IF PRESERVING IT IS CONSIDERED DESIRABLE UNDER THE
CIRCUMSTANCES. IF, AFTER ASSESSING THE SITUATION,
CONSIDERING THE WISHES OF THE MINOR, AND FURNISHING

APPROPRIATE SOCIAL SERVICES, THE DEPARTMENT CONSIDERS IT
NECESSARY, THE DEPARTMENT MAY TAKE EMERGENCY CUSTODY OF THE
MINOR. IF THE DEPARTMENT DETERMINES THERE IS CAUSE TO
BELIEVE THAT A MINOR DELIVERED TO IT BY A PEACE OFFICER
UNDER AS 47.10.140(F) WILL NOT VOLUNTARILY ACCEPT AND
PARTICIPATE IN SOCIAL SERVICES THE DEPARTMENT CONSIDERS
APPROPRIATE TO FURNISH, THE DEPARTMENT SHALL TAKE EMERGENCY
CUSTODY OF THE MINOR AND SHALL DETAIN THE MINOR UNTIL A
HEARING IS HELD BY THE COURT UNDER (D) OF THIS SECTION.

END OF DOCUMENT

Introduced: 2/12/85
Referred: Judiciary

BY RODEY, V.FISCHER,
KERTTULA, HALFORD,
STURGULEWSKI, FAIKS,
AND ZHAROFF

1 IN THE SENATE

2

SENATE CONCURRENT RESOLUTION NO. 5

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

Relating to printing pictures of and

6

information about missing children on

7

milk cartons.

8

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9

WHEREAS thousands of children in the United States are abducted each

10

year; and

11

WHEREAS a lack of coordination among law enforcement agencies in

12

different jurisdictions has made it difficult to locate missing children

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taken across state lines; and

14

WHEREAS milk carton manufacturers have developed a program to print

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the pictures of missing children and information about them on millions of

16

milk cartons across the country; and

17

WHEREAS the program provides wide dissemination on a product that has

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a short shelf life, allowing frequent rotation of pictures and information;

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and

20

WHEREAS the program already has been responsible for the return of

21

some missing children;

22

BE IT RESOLVED by the Alaska State Legislature that milk producers and

23

distributors in the state are respectfully requested to participate fully

24

in the program and encourage others in the dairy industry to participate.

Alaska Juvenile Crime Commission



**What is our
responsibility
as community
members
in the effort
to prevent
child exploitation
and juvenile
delinquency?**

The Problem- Child Exploitation

General Summary

The Alaska Juvenile Crime Commission is committed to the goal of measurably decreasing the growing problem of child exploitation and resultant delinquency in order to create a safer state and community for children and families.

One half of all of the serious crimes committed in Alaska are committed by juveniles. The key to the problem, the Alaska Juvenile Crime Commission believes, lies in the exploitation of children by adults. It is our hope to better understand and guard against the growing phenomenon of runaway, exploited, and murdered children.

Of the approximately 1.8 million children who are reported missing each year 90 percent are likely to be runaways. Included in this group are 50,000 missing children presumed to be victims of 'strangers.' These crimes of predatory cruelty are usually committed by pedophiles, pornographers, black-market baby peddlers or childless psychotics bidding desperately for parenthood. Only a few cases are solved. Few stranger-abducted children are recovered alive.

The past five years have

seen increased public and professional concern about an insidious form of child abuse - the exploitation of children for sexual stimulation and criminal purposes. Media attention to the problem by the "Chicago Tribune" and "Time Magazine" and the CBS television program "60 Minutes," among others, have produced graphic and alarming reports about a situation too disturbing to fully comprehend. Additionally, Congressional hearings on the subject, culminating in new federal legislation, have given the problem national attention.

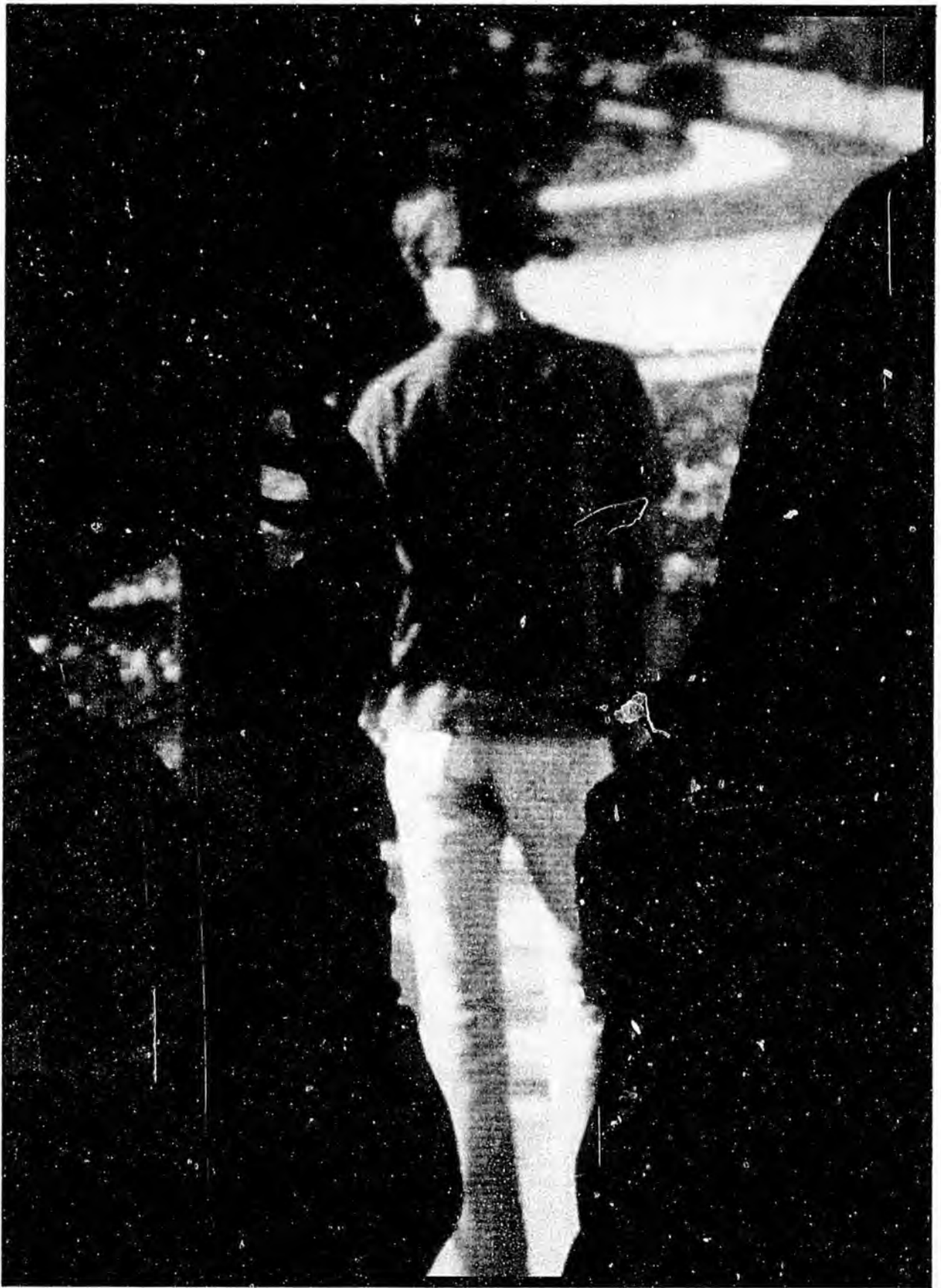
Children are being sexually exploited throughout the country in a variety of ways. Most commonly, they are used as prostitutes or models for the production of pornographic photographs and films.

Larger numbers of juveniles run away from home each year; they are becoming more mobile and are increasingly forced to survive on the streets. This "child liberation" which is a product of societal change generally, has a devastating by-product, the increased vulnerability of young people to various kinds of exploitation and made them more likely targets for adult exploiters and violent criminals.

Organized crime has discovered these children and

youth to be a highly marketable commodity. Hardcore adult criminals have also found juveniles to be saleable for a variety of criminal activities and sexual abuses limited only by the imagination and resources of the criminal minds involved.

Tremendous damage is done to the children. They come to view themselves as objects to be sold, rather than people. The bitter attitude towards adults who required them to sell their bodies causes a lifelong rebellion against authority; they become cynical and exploitive in their relationships. Society must address the question, "do exploited children graduate to more sophisticated criminality?" Deputy Director of the Center for missing and Exploited Children, John Rabun, said "When a child has been coerced or seduced into giving his only true possession - his body, he loses his self-respect and his morality." If he doesn't care about himself, how can he care about somebody else? Such a child could be destroyed psychologically and may never be a productive member of our society. Most victims of child exploitation will not only become a drain on society but will have a good chance of acting out in a violent manner.



Joining the Ranks of Runaway Juveniles

Progress Report

by
the Alaska
Juvenile Crime
Commission

Goals will be achieved by providing ongoing community education and avenues of involvement for individuals and businesses interested in achieving a safer environment for children and the rehabilitation of exploited and emotionally damaged children and delinquent juveniles.

The Commission is currently giving direction and aid for families involved in exploited or juvenile problems. Identifying and soliciting help from appropriate organizations is often bewildering to emotionally distraught parents or youth. The Commission, by its existence and media visibility, has inherited quite a number of complicated cases. Trained volunteers and investigators aid where time and funds permit.

In 1983 the Commission unveiled findings that rings of juveniles, controlled by adults, were engaged in burglaries and prostitution in Anchorage.

Problem: Dramatic increase in sexual assault arrests of individuals in child care

services.

Action: AJCC actively supported bill permitting youth service businesses and organizations to check employees for sexual molestation records.

- Records check passed into law, 1983.

- Petitioned school districts and private child care to utilize the FBI record check.

Fairbanks and Anchorage School Districts initiated finger print checks June 1983.

Problem: Parents and community lacked information on the specific problems of child exploitation and methods of prevention.

Action: AJCC developed the 'Family Protection Packet' for parents. Packets include a brochure on International Marketing of Children, specific prevention methodology, Parenting Checklists, How to Report Suspected Child Abuse, and How Child Service Organizations Can Protect against employing child exploiters.

The Commission has appeared regularly in the news and media. The Commission also created informational public service messages on child exploitation which have played in major cities nationwide and have won national recognition.

Problem: Commission identified need for law enforcement task force unit with special training and intensive investigation techniques to impact crime involving child exploitation.

Action: The Commission created the special Unit for the Investigation of Criminally Exploited Children through the law enforcement community and the state.

- The law enforcement unit plan adopted 1984. Funded July 1, 1984.

- The Commission joined in a co-effort with the FBI to provide intensive training seminar on child exploitation to law enforcement and community members statewide. The FBI hosted Agent Ken Lanning. The Commission hosted John Rabun, Deputy Director of the Center for Missing and Exploited Children, Washington, D.C. and William Spaulding, Exploited Child Unit, Louisville, July 23-27, 1984, Anchorage, Alaska.

Problem: State laws did not adequately address the phenomenon of child exploitation.

Action: Commission actively informed community and state about the problem and the need for legislative action.

- Child prostitution law passed 1983.

- Child pornography law passed 1983.
- Punaway law enabling law enforcement to place juvenile runaways in protective custody passed by legislature — Vetoed by Governor Sheffield.

Problem: Lack of shelters for runaway and exploited children.

Action: AJCC currently consulting with community groups for privately sponsored shelters. Shelters will be a 1985 priority of the Commission.

Problem: School Suspensions: Practice of suspension to the streets for discipline brought over 1600 suspensions in the Anchorage School District in one semester.

Action: Commission joined other groups in petitioning for in-district suspension. Anchorage School District instituted in-district suspension June 26, 1984.

Problem: Alaska did not have consistent information on problems and solutions developing nationally on child exploitation.

Action: Commission formed informational links with state and national organizations creating exchanges of information and have projected our efforts in Alaska into national visibility.

Why should you become involved?

Every two days as many children disappear as lives were lost when Korean Airlines Flight #007 was shot down.

50,000 children disappear each year and their cases remain unsolved at the end of the year.

About 150,000 children each year, victims of custody battles, are abducted by the non-custodial parent.

Each year more than 1,000,000 children are reported as 'runaways' or 'throwaways.' Some become victims of crime, others become criminals.

Every year hundreds of children are found dead and can't be identified. They are buried in John and Jane Doe graves.

The above statistics were provided by Action, Washington, D.C., in cooperation with the Department of Justice.

The Alaska Juvenile Crime Commission has generated concern about the socially destructive and financially costly aspects of escalating juvenile crime. Nationally, communities and law enforcement agencies are

gearing up to cope with a newly identified phenomenon, that of the exploited child in juvenile crime patterns.

If this new and cruel crime against children is allowed to continue unabated, the end result will be shattering. Based on newly unfolding statistical information, the emotionally scarred and damaged young people of today will become the trained burglars, murderers, drug pushers, and prostitutes of tomorrow. We are facing a potential for ever-increasing numbers of exploited and troubled youths, each with a life span of 40 to 50 years in and out of prison. Add to this cost the high-risk emotional problems and statistical second generation sex abusers, further burdening Alaska's already over-crowded health, social, and correction systems.

This mounting problem is not without a solution. Crime Commission members are donating thousands of hours and professional expertise to this tremendous problem. As a non-profit organization, we rely solely on funding from private citizens and businesses. Your financial support of this commission will make Alaska a healthier and safer environment for all children and families. With your help we can make a difference.

Excerpts of a Letter from a juvenile offender to his former counselor

For some reason I have been feeling good about myself lately. I've been thinking about how it is out there and what's been happening.



I've spent a lot of time here in McLaughlin and not much of it was joyful. It's time now for me to spread my wings and survive on my own, to know what the real world is about. I've learned quite a bit of stuff here in this place and will never forget some of the stuff that has happened to me. I've learned how to step back and look at my problems from all directions, learned how to be a better parent to my kids, instead of how my parents treated me when I was small. I know what to expect out there now more than I did before. To look at myself in a positive way instead of not counting on myself to do things, I've learned to worry about myself instead of my parents or other relations in the family. I like myself better now than I did when I was taking drugs and getting into trouble. I watch the world go by while I'm in here and then call myself a dummy.

How I miss walking through the bike trails, smelling the flowers, hearing the birds sing, I miss it. Golden leaves remind me of being with a girl, walking through the trails, feeling the last of the sun's warmth upon my skin. Sometimes I wish I could be carried away on a cloud soaring over the earth looking on the land. For some reason I've been feeling good about myself lately.

Thank You

THE ALASKA JUVENILE
CRIME COMMISSION IS A
NON-PROFIT
AUTONOMOUS BODY OF
PRIVATE CITIZENS
POSSESSING A SPECIAL
INTEREST OR EXPERTISE
IN THE FIELD OF JUVENILE
CRIME AND CHILD
EXPLOITATION.

HISTORY

The need for a statewide
Juvenile Crime Commission
was identified by individuals
appointed by the Mayor to
serve on the Juvenile Crime
and Narcotics Committee of
the Anchorage Crime
Commission. The Anchorage
Crime Commission was
chartered to address only
those crime problems
impacting the Municipality.
The Alaska Juvenile Crime
Commission was formed on
March 19, 1983.

Board Members

Marroyce Hall,
Director/Chairman
Alaska Juvenile Crime
Commission
Board of Directors
Child Exploitation/Organized
Crime
Chairman, Anchorage Crime
Commission, Juvenile Crime
& Narcotics

Levi Gudde, Vice Chairman
Alaska Juvenile Crime
Commission
Legislative Committee
Private Investigator, Security
Management

Mark Ernst, Treasurer
Alaska Juvenile Crime
Commission
Anchorage Crime Commission
Juvenile Committee
Anchorage Crime Commission
Executive Board

Nancy Sullivan, Secretary
Alaska Juvenile Crime
Commission
Anchorage Crime Commission
Juvenile Committee
Study Guide Committee

**Denise Nagy, Recording
Secretary**
Alaska Juvenile Crime
Commission
Research and Interview
Committee, Court Watch

Dave Duncan
Alaska Juvenile Crime
Commission
Print and Design Committee

**Alyce Hanley, Anchorage
School Board**
Alaska Juvenile Crime
Commission
Anchorage Crime Commission
Juvenile Committee
Informational Resource and
Study Guide Committee

Paul Edgar,
Alaska Juvenile Crime
Commission
Anchorage Crime Commission
Legislative Committee
Projects Identification

Margret Behrend,
Alaska Juvenile Crime
Commission
Anchorage Crime Commission
Juvenile Committee
Interview and Material
Research

Ermalee Hickel, Former First Lady of Alaska
Alaska Juvenile Crime Commission
Anchorage Crime Commission Juvenile Committee
Committee Consultant and Project Liaison

Joe Hoffbeck
Alaska Juvenile Crime Commission
Anchorage Crime Commission Juvenile Committee
Law Enforcement
Law Enforcement Expertise Liaison for the Committee

Barbara Gudde
Alaska Juvenile Crime Commission
Anchorage Crime Commission Study Guide Committee

Myrna Klingel
Alaska Juvenile Crime Commission
Anchorage Crime Commission Juvenile Committee
Research and Report and Study Guide Committee

Marlene Poulson
Alaska Juvenile Crime Commission
Study Guide Committee

Gail Dail,
Alaska Juvenile Crime Commission
Volunteer Coordinator
Anchorage Crime Commission Juvenile Committee

Cheri Kersbergen
Alaska Juvenile Crime Commission
Interview, Court Watch and Research Committee

Sue Dolman
Alaska Juvenile Crime Commission
Community Resource and Research

William Sharrow, Brig. Gen., Retired
Alaska Juvenile Crime Commission
Media and Research Committee
Special Assistant to Don Young

Special Consultants to the Alaska Juvenile Crime Commission:

John Rabin
Deputy Director, National Center for Missing and Exploited Children
Washington, D.C.
Head of the Louisville Exploited Child Unit
Expert for the Gacy trial, the Atlanta murder trial, and also the Rodriguez trials.

Dr. Vincent J. Fontana, National Consultant
Medical Director, New York Foundling Hospital
Professor of Clinical Pediatrics, New York University, College of Medicine
Author of "Somewhere a Child Is Crying"



President Ronald Reagan speaking at the opening of the National Center for Missing and Exploited Children. Commission Director, Marroyre Hall attended the ceremonies at the invitation of the president.

STATISTICAL PROGRESSION OF SEXUALLY ABUSED MALE JUVENILES INTO CRIMINAL BEHAVIOR

THE FOLLOWING FIGURES APPLY TO SEXUALLY EXPLOITED MALE JUVENILES WHERE THE SUSPECT IS OTHER THAN A FAMILY MEMBER. SIMILAR FIGURES COULD PROBABLY BE APPLIED WHERE FEMALE JUVENILES ARE VICTIMS. INFORMATIONAL SOURCES INCLUDE ANCHORAGE POLICE DEPARTMENT, F.B.I., ALASKA STATE TROOPERS, LOUISVILLE EXPLOITED CHILDRENS UNIT AND McLAUGHLIN YOUTH CENTER.

ASSUMPTIONS

1. THE AVERAGE ADULT MALE ABUSER WILL SEXUALLY EXPLOIT FIVE CHILDREN IN A ONE YEAR PERIOD.
2. SEXUAL ABUSE IS A SIGNIFICANT CONTRIBUTING FACTOR TO SUBSEQUENT DELINQUENT BEHAVIOR.
3. 50% OF THE MALE JUVENILES SO AFFECTED WILL ACT OUT IN A DELINQUENT MANNER.
 - a. Each of this 50% of sexually assaulted youth will commit [average] 10 felony crimes in a one year period.
 - b. Anchorage has approximately 3200 burglaries per year.
 - c. 39.8% of all forceable entry burglaries and 30.7% unlawful entry burglary arrests were male juveniles. 42% of all auto thefts were juveniles.
 - d. Average police time expended per burglary is 8 hours. [Police] [Add costs: court, probation, Mc Laughlin, support services].
 - e. 80% OF ALL JUVENILES [MALE] WHO SEXUALLY ABUSE OTHERS, HAVE BEEN SEXUALLY ABUSED THEMSELVES.
 - f. 50% of all male juveniles committing serious felony assaults [homicide and first degree assault] have been sexually exploited.
4. 20% of all boys admitted but not institutionalized at McLaughlin Youth Center have been sexually exploited. [One thousand boys are admitted to Mc Laughlin each year but not institutionalized.]
5. 60% OF ALL THE BOYS INSTITUTIONALIZED AT MYC HAVE BEEN SEXUALLY EXPLOITED.

PROJECTION OF ESTIMATED COST OF ACTIVITIES BASED ON KNOWN STATISTICAL FACTORS. (Cost covers only police man hours and actual dollar cost as a result of burglary property loss as an indicator of cost to the community.

COMPUTATION #1

- 1..... Sexual Exploiter.
- 2.5..... Males exploited (by the exploiter above) act out in a delinquent manner.
- 25..... Burglaries committed by the above juveniles in one year.
- \$75,000..... Property loss as a result of the 25 burglaries.
- 200..... Police man hours expended on these burglaries.

COMPUTATION #2

- 1600..... Burglaries committed by juveniles in Anchorage each year.
- 800..... Burglaries committed by sexually exploited juveniles each year in Anchorage.
- \$2,400,000... Property loss by sexually exploited juveniles in Anchorage each year.
- 6400..... Police man hours/year expended for burglaries committed by sexually exploited juveniles.
- 3.08..... Police Officers committed full time to investigating burglaries committed by sexually exploited juveniles.

COMPUTATION #3

ASSUMPTION: 23% of institutionalized boys sexually abuse someone else.

- 18.....Boys in MYC in one year have sexually abused someone else.
- 15.....Of these boys have been sexually exploited themselves.

COMPUTATION #4

ASSUMPTION:

Each sexually exploited boy institutionalized at MYC for a term of one year or more have usually been exploited by more than one exploiter.

- 48.....Boys have been sexually exploited in one year.
- 48.....Exploiters are involved.
- 48.....Exploiters have exploited 5 or more boys.
- 120.....Boys exploited by these exploiters will act out delinquently.

- 48.....Boys will be institutionalized as a result.
- 1200.....Felony crimes will be committed in one year by the boys.
- 9600.....Police man hours will be expended investigating these crimes.

- 4.6.....Police Officer detailed full time to these crimes committed by these sexually exploited boys.

COMPUTATION #5

ASSUMPTIONS:

1 EXPLOITER EXPLOITS 60 BOYS IN A 4 YEAR PERIOD. (Rodriquez)

- 30.....Boys will act out delinquently.
- 1200.....Felony crimes will be committed by these boys in a 4 year period.

- 1.2.....Police Officers will work full time for four years investigating these crimes.

ASSUMPTION:

EACH OF THE 30 BOYS COMMITTING THESE CRIMES WILL SPEND 5 YEARS IN JAIL IN A 10 YEAR PERIOD.

- 150.....Years in jail spent by victims of this one exploiter.

ASSUMPTION:

Of the 1200 crimes committed, 1000 will be burglaries.

- \$3,000,000.... PROPERTY LOSS IN 4 YEARS AS A RESULT OF THIS ONE EXPLOITER.

COMPUTATION #6

ASSUMPTION:

1. 200 boys admitted to MYC each year have been sexually exploited.
2. 200 additional boys not admitted to MYC have been exploited.
3. 400 additional boys have been exploited but have not displayed subsequent significant delinquent behavior during the year.

400.....Boys exploited who have acted out delinquently.
4000.....Felony crimes committed.
32,000.....Police man hours expended in investigation
15.4.....Police Officers investigating these crimes.

COMPUTATION #7

ASSUMPTIONS:

80.....Boys have been exploited each year.
200.....Will engage in a criminal lifestyle.
10.....Felony crimes will be committed by each boy each year.
60%.....Of those crimes will be property crimes with average dollar loss of \$3,000.00.

23%.....Will sexually abuse others during that period.
200,000.....Felony crimes committed.
120,000.....Property crimes committed.
\$36,000,000. Property loss.
46.....Sex offenders created.

ASSUMPTION:

Each of the 200 boys will spend 5 years in jail as a result of their crimes.

1000.....Man years of jail time over a 10 year period for each years victims of sexual exploitation.
10,000.....Man years each 10 years for victims of sexual exploitation.
100.....Exploiters.
250.....Kids/year (Delinquent)
2500.....Felony crimes (80% property crimes).
2000.....Property crimes.
\$6,000,000.... Property loss.
9.6.....Officer full-time investigating victim's crimes.

COMPUTATION #8

ASSUMPTION:

Of the 46 sexual offenders created in one year, 25% will begin to sexually exploit juvenile males within 10 years.

10 years from now =

11.....New and additional sexual exploiters.
550.....Juvenile males sexually exploited by these additional exploiters in subsequent 10 year period.

137.....Of those exploited will lead a criminal lifestyle.
13,700.....Felony crimes will be committed by the juveniles so exploited in 10 year period.
34.....New sexual offenders will be created, at least 25% of whom will enter the exploiter cycle.

CONCLUSIONS:

FROM THESE VERY CONSERVATIVE STATISTICAL PROJECTIONS THE FOLLOWING CONCLUSIONS CAN BE INFERRED:

Sexual exploitation of juvenile males is a significant and highly contributing factor to subsequent delinquency and criminal behavior.

The cycle of victim progressing to criminal and to sexual offender/exploiter, if not broken, will lead to a geometric type progression of criminal behavior, dollar loss to society, and inability of law enforcement to contain criminal behavior.

Dollar loss noted in these statistics applies only to burglary crimes and does not include dollar loss due to other crimes such as larceny, robbery, fraud, etc. that would probably greatly exceed that mentioned.

Dollar loss to society in the form of increased jail requirements, law enforcement expenditures, court system costs, social service expenditures, etc. is not considered and is astronomical in comparison to dollar loss figures from burglary crimes alone.

Crimes that will result against persons such as assault, homicide, robbery, etc. are not addressed.

Sexual exploitation of children also covers categories not addressed in these projections such as female prostitution, male prostitution and incestuous crimes that probably equal if not exceed in dimension the projections listed here.

Sexual exploitation of children is a hidden problem that has been a significant and root cause of today's crime problem and that if left unaddressed and not diminished will geometrically progress into an out of control causational factor of criminal behavior to a greater impact on our state and future.

Superseded

SB 86

JAN 31 1985

DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER - SB86

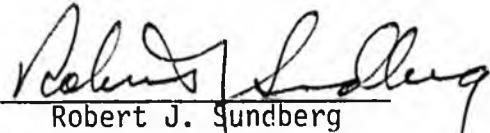
NEUTRAL

January 25, 1985

SB 86 - "An Act relating to runaway minors."

The legislation requires law enforcement agencies to make a reasonable effort to locate runaways.

Recently increased emphasis has been placed on efforts to locate missing persons and a specialized unit has been established within our Criminal Investigation Bureau to coordinate these efforts. No substantial change in our operations are anticipated as a result of passage of this legislation.


Robert J. Sundberg
Commissioner

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 86
 Title: An Act Relating to
Runaway Minors
 Sponsor: Senator Devries
 Requestor: Sen. State Affairs
 Date of Request: 1-29-85

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Administration of Justice
 BRU, Program or Subprogram(s) Affected: Alaska State Troopers

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE						
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FUNDING: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Francis C. Allan F.C.A. Phone: 269-5691
 Division: Alaska State Troopers Date: 1/25/85
 Approved by Commissioner R. J. Sundberg Date: 1-30-85
 Agency: Department of Public Safety

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84

POSITION PAPER

COMMITTEE SUBSTITUTE FOR SPONSOR SUBSTITUTE
FOR SENATE BILL NO. 86 (HESS)

"An Act relating to runaway and missing minors."

This bill would mandate minimum levels of effort by law enforcement agencies to locate runaways or missing children and to take such children into protective custody when they are located. The bill also requires law enforcement agencies to complete reports on missing children which contain information necessary to identify such children and to disseminate these reports through state and national law enforcement computer networks.

Existing Practice

Under present law police agencies are allowed but not required to take action to locate reported runaways or missing children. Law enforcement agencies have discretion to detain runaway youth for the purpose of either returning them to their parents or legal custodian or taking them to an office of the Department of Health and Social Services. Under this discretionary statute police agencies may, and often do, refuse to respond to a parental request unless a court issues an order for detention of a runaway youth. In most instances, parents do not know the procedures required to obtain a court order. They must either seek the aid of an attorney or the Department of Health and Social Services, to whom they are generally referred by police agencies, in order to obtain these orders. This causes frustration on the part of parents, needless preparation of formal court documents, and unnecessary delays in law enforcement action to locate runaways.

The Department of Health and Social Services is presently mandated to assess the circumstances of runaway minors who request services and those of runaways who are detained by law enforcement, and to provide appropriate services to protect the youths and reunite them with their families. The department may assume emergency custody of runaways who request services or who are detained by police officers, if custody is necessary to protect the youth.

Effects of CSSSB 86

This bill mandates minimum levels of effort by police to locate runaway or missing youth and eliminates the discretion of police agencies to refuse such requests or wait until court orders are issued before making attempts to locate the youth.

Dissemination of reports on and identifying information about runaway or missing youth is also mandated. Upon receiving a request to locate a child police must complete a report and insure that it is entered into

state and national law enforcement computer networks. The bill also requires police to take protective custody of runaway or missing youth when they are located and clarifies ambiguity in existing law by clearly stating that a child under protective custody may not be housed in a jail or detention facility. Upon taking a youth into protective custody a police officer must advise the youth orally and in writing of the youth's right to social services and must inform the legal custodian that the minor has been taken into protective custody. Peace officers are then required to return the child to his or her legal custodian or, if the child prefers take them to an office, facility, or contract agency of the Department of Health and Social Services. Where no such office or facility exists in a community and the minor refuses to go home, a peace officer may take the minor to another suitable location and immediately inform the Department.

Department Position

The Department supports this bill as a means of insuring efforts are made to locate runaway and missing youth. The bill will also increase the likelihood of finding runaway and missing youth through the prompt dissemination of information about these youth through state and national law enforcement computer systems. In addition this bill would eliminate ambiguity in existing law concerning detention of runaways in jails or juvenile detention facilities and would insure that immediate, but nonpunitive protective action occurs when runaway or missing youth are located by police. The bill maintains an important provision of existing law which avoids returning children to abusive situations by requiring police to take runaway or missing youth to the Department for services if the youth prefers. This allows investigation of allegations of abuse or neglect and promotes reunification of families through mediation services when no neglect or abuse is found.

Though this bill does not address all aspects of the runaway problem it represents significant improvements which can be made within existing fiscal constraints.

RECOMMENDED: Michael L. Price
Michael L. Price, Director
Division of Family
and Youth Services

DATE: March 28/85

APPROVED: John R. Pugh
John R. Pugh, Commissioner
Department of Health
and Social Services

DATE: 3/31/85

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CSSSSB No. 86
 Title: An Act relating to runaway minors
 Sponsor: Sen DeVries
 Requestor: _____
 Date of Request: 3/27/85

FISCAL DETAIL

Agency Affected: Health and Social Services
 Program Category Affected: Social Services
 BRU, Program or Subprogram(s) Affected: Social Services and Juvenile Custody BRU's

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-
CAPITAL		-0-				
REVENUE		-0-				

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME		-0-				
PART-TIME		-0-				
TEMPORARY		-0-				

ANALYSIS: Attach separate page if necessary

See Attached

Prepared By: Michael L. Pryde *Michael Pryde* Phone: 465-3170
 Division: Family and Youth Services Date: 3/26/85

Approved by Commissioner: J. A. G. G. *J. A. G. G.* Date: 3/31/85
 Agency: Health & Social Services

Distribution (by Agency preparing fiscal note):

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

IV. ANALYSIS

A. Assumptions

This bill would result in an increase in the number of runaway youth referred to DFYS for assessment, investigation, counseling and placement services. A definitive estimate of this increase cannot be made however. Inadequacies in DFYS' computerized information system and lack of standardization in collection of information by law enforcement result in substantial underreporting of the number of runaway and missing youth. Estimates are that only one-fourth of all cases are reported or known.

Differences in policies and actions taken by state and local police agencies to locate and detain runaways under present discretionary law make estimates of increases in these activities under provisions of this bill impossible.

Field staff estimate that referrals of runaways to DFYS under this bill may double or even triple with increased activity by police and public demand for police action. However, given the lack of data this fiscal note assumes increases in the demand for services could be met by the increased child protection staff levels requested in the Governor's FY 86 budget. The fiscal note assumes full funding of the Governor's request including improvements in DFYS' management information system to allow collection of information on the true impact of this bill. Absent full funding of requested new social work and clerical positions it is estimated that 3 - 5 social work positions would be required to provide additional services to new referrals which will result from this bill.

B. Program Summary

N/A

C. Computations

N/A

D. Economic Impact

N/A

E. Impact on Local Governments

N/A

19-0

HB 19

HB 19 MISSING AND RUNAWAY CHILDREN. (REP. PHILLIPS)

THIS BILL IS A PART OF THE CHILD PROTECTION PACKAGE, AND IS IDENTICAL TO SB 86, DEVRIES' BILL THAT PASSED THROUGH SENATE H.E.S.S. (WE WAIVED HB 19).

THE BILL WOULD REQUIRE THAT REPORTS OF MISSING OR RUNAWAY CHILDREN BE TAKEN IMMEDIATELY AND WITHIN 24 HOURS ENTERED INTO BOTH THE STATE (A.P.S.I.N.) AND F.B.I. (N.C.I.C.) COMPUTER SYSTEMS. THE BILL WOULD DISALLOW HOUSING OF RUNAWAY OR MISSING MINORS IN JAIL FACILITIES, AND REQUIRE THAT THE LEGAL CUSTODIAN BE NOTIFIED IMMEDIATELY IF THE MINOR IS TAKEN INTO PROTECTIVE CUSTODY BY THE STATE.

DEPT. OF PUBLIC SAFETY CURRENT PRACTICE IS TO ACCEPT MISSING PERSONS REPORTS AND ENTER THEM AS "LOCATES" IN THE STATE COMPUTER, AND AFTER 48 HOURS TRANSFER THEM TO THE "MISSING PERSON" LIST. THERE IS NO REQUIREMENT THAT THE NAMES ALSO BE TRANSFERRED TO THE F.B.I. COMPUTER. JOHN WALSH'S RECOMMENDATION WAS TO IMMEDIATELY TAKE THE REPORT (AS HB 19 PROVIDES), AND TO REQUIRE THAT IT GO IN THE F.B.I. SYSTEM (AS HB 19 PROVIDES).

CURRENT STATUTE ALLOWS RUNAWAYS TO BE HOUSED IN JAIL FACILITIES IF THE FACILITY IS APPROVED BY THE DEPT. H&SS AND IF THE RUNAWAY IS KEPT OUT OF CONTACT WITH ADULT CRIMINALS. NOTIFICATION OF LEGAL CUSTODIAN PROVISION IS THE SAME AS IN SB 19.

House-passed version

Offered: 3/20/85
Referred: Finance

Original sponsors: Phillips, Goll
and Larson

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2

CS FOR HOUSE BILL NO. 19 (Judiciary)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to runaway and missing minors."

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

8 * Section 1. AS 47.10.140(e) is amended to read:

9 (e) Except for temporary detention pending a detention hearing
10 [OR TEMPORARY DETENTION UNDER (f) OF THIS SECTION], a minor may [NOT]
11 be detained only [EXCEPT] by court order.

12 * Sec. 2. AS 47.10 is amended by adding a new section to read:

13 Sec. 47.10.141. RUNAWAY AND MISSING MINORS. (a) Upon receiving
14 a request to locate a minor evading the minor's legal custodian or to
15 locate a minor otherwise missing, a law enforcement agency shall make
16 reasonable efforts to locate the minor and shall immediately complete
17 a missing person's report containing information necessary for the
18 identification of the minor. As soon as practicable, but not later
19 than 24 hours after completing the report, the agency shall transmit
20 the report for entry into the Alaska Public Safety Information Network
21 and the National Crime Information Center computer system. As soon as
22 practicable, but not later than 24 hours after the agency learns that
23 the minor has been located, it shall request that the Department of
24 Public Safety and the Federal Bureau of Investigation remove the
25 information from the computer systems.

26 (b) A peace officer shall take into protective custody a minor
27 described in (a) of this section if the minor is not otherwise subject
28 to arrest or detention. The peace officer shall honor the minor's
29 preference to either (1) return the minor to the legal custodian or

1 (2) take the minor to an office specified by the Department of Health
2 and Social Services or a facility or contract agency of the depart-
3 ment. If an office specified by the department or a facility or
4 contract agency of the department does not exist in the community, the
5 officer shall take the minor to another suitable location and promptly
6 notify the department. A minor under protective custody may not be
7 housed in a jail or other detention facility. Immediately upon taking
8 a minor into protective custody the officer shall advise the minor
9 orally and in writing of the right to social services under AS 47.10.-
10 142(b), and, if known, the officer shall advise the legal custodian
11 that the minor has been taken into protective custody.

12 * Sec. 3. AS 47.10.140(f) and (g) are repealed.

JUSTICE

When Children Go to Jail

they are sick or pregnant. Dr. William Friend, a Seattle surgeon, even voices the heretical opinion that by using the kits, "the American housewife can often identify a number of diseases before the doctor can." But others find the new attitude of "patient, diagnose thyself" downright dangerous. "A lot of people don't appreciate how difficult it is to make good diagnoses," complains Dr. Allan Chernov, medical director of the Bay Pacific Health Plan in San Bruno, Calif. "You can't do it yourself based upon a simple home test." Instead, says Chernov, diagnoses require careful analysis of everything from physical exams to family histories.

One of the biggest controversies to date concerns venereal disease. In 30 states a man can buy a "semi" home test named V.D. Alert, which contains materials and instructions for sending in a sample of urethral discharge for analysis. Within 48 hours of mailing the sample, the man calls a toll-free number to find out whether he has gonorrhea. The problem, explains Dr. Thomas Halpin of the Ohio Department of Health, is that the company has yet to report any cases to health officials. Because some men may not get proper treatment on their own and others who are cleared of gonorrhea may still have syphilis or other sexually transmitted diseases, says Halpin, "we have to worry that innocent people may get these diseases passed to them." A Food and Drug Administration review group recently recommended that another home gonorrhea test not be approved for that reason. (The FDA has yet to make a final decision on the test.)

More Accurate: Another concern is the reliability of home tests. Early pregnancy kits were incorrect up to 25 percent of the time, causing panic or surprise for a number of women. Newer tests are considerably more accurate, but doctors still worry that diseases might go undetected and untreated if people begin to diagnose themselves. "You should go to the physician even if the test is negative to find out if there are other causes for your symptoms," advises Tom Tsakeris, deputy director of the FDA laboratory that evaluates the devices.

Home diagnostic tests are most valuable, doctors say, when they plug major gaps in current medical care. More than 60,000 Americans died of colorectal cancer last year; yet most would probably have survived if the illness had been diagnosed in its early stages. By detecting blood in feces, one symptom of the disease, home tests could bring people in for treatment before the cancer becomes fatal. The case for other home kits may be less clear cut, but their obvious benefits are winning them grudging acceptance among doctors. "It's the real world, and the tests are already out there," says Dr. Sidney Winawer, chief of gastroenterology at New York's Memorial Sloan-Kettering Cancer Center. "Now people need to be educated to use them properly."

JOHN CAREY with MARY HAGER in Washington, RICHARD SANDZA in San Francisco, EILEEN NORRIS in Chicago and SUSAN KATZ in New York

If there's one thing the bleedingest heart and the hardest nose can agree on about youth crime, it's this: whatever else should be done with kids who get in trouble, they shouldn't be put in jail with adults. Federal law requires some sort of segregation by age, and most states pay at least lip service to that goal. But in this area, too, the law's reach exceeds its grasp: depending on whose figures are used, at least 27,000 and at most 500,000 youths are tossed into adult clinks every year. It is a frightening experience and can be far worse. Kids behind bars with grown-ups may be sexually abused. Occasionally, they are tortured,

profess surprise that it exists. A spokesman for Ed Edelman, chairman of the Los Angeles County Board of Supervisors, said his boss thought that those in jail consisted of "big drug dealers, or gang members." Edelman ordered his own investigation.

Nationally, horror stories abound. In February a federal judge permanently enjoined Ada County (Boise), Idaho, to keep all but the most violent juveniles out of its jail. The ruling was prompted by the 1982 murder of a 17-year-old boy who was jailed for owing \$73 in traffic tickets; his cellmates tortured him and finally beat him to death. In a West Virginia jail a truant was mur-



A 13-year-old runaway in a Tennessee cell: The first few hours are the most dangerous

even murdered. Some become suicidal: last August a 15-year-old California girl arrested for assaulting a police officer hanged herself after four days of isolation in the local jail. Fearful of further injuries, groups in California last week filed four suits arguing that for jails, at least, separate and better is the appropriate policy.

Indeed, the problem may be most severe in California. Lawyers estimate that nearly 100,000 youngsters each year are held in local jails and police lockups around the state. Nearly all are charged with minor offenses; few ultimately go to jail after court proceedings. Some youths are guilty of nothing more than being abused by their parents: they are locked up for their own protection. Still, "the conditions in which they are kept are often like something out of Dickens," says Mark Soler, executive director of the Youth Law Center in San Francisco. "Small, dark cells. Little human contact. Hours of boredom and depression. And, in the worst cases, physical abuse by jail staff and other inmates." California officials usually minimize the problem—or

dered by an adult inmate; in an Ohio jail a teen-age girl was raped by a guard. All of which leads Paul Mones, legal director of the Public Justice Foundation in Santa Monica, to call jailing of youths "the most insidious form of child abuse, because it is state-sanctioned."

A Taste of Jail: Perhaps, but according to federal officials the system deserves credit for a vast improvement. "Since 1974, we've made a lot of headway," says Alfred S. Regnery, administrator of the Office of Juvenile Justice and Delinquency Prevention. Relying on 1983 figures, he reports that the number of juveniles held in jail with adults was down to 27,552, a 71.8 percent drop over the previous four years. Moreover, he suggests, it may be impossible to eliminate the problem entirely. He cites the case of a Texas judge whose county had just built a new jail and lacked money to open a separate facility. "What are we supposed to do," Regnery recalls the judge asking, "build an entire building so that a kid can have a bed one night out of three?" And personally Regnery finds himself in a bind. While his

JUSTICE

office is charged with promoting the separation of youths and adults, he agrees with those who "allege that the kids are better off in a regular jail if you can get them in with the right adults."

Even Regnery's critics admit that some progress has been made. Even in California, most of the kids held in adult jails are released within six hours; by some counts, only about 10 percent were held longer. Typically a police officer brings a juvenile into a precinct house or county jail. There the kid is booked, the cop fills out a report and the kid waits in a cell to meet a probation officer. Then the parents are called or the probation officer decides to "divert" the child—either way, ending the detention. But Mark Soler says those first few hours in a cell are the most dangerous. Often the children

are upset; they are held in isolation cells where there may be little to do but bang their head against the wall. They are scared. In December 1982, 15-year-old Robbie Horn hanged himself in a Kentucky jail where he had been held for 30 minutes. His offense: arguing with his mother. Some parents do not recognize the dangers, hoping that a taste of jail will cause their youngster to be "scared straight." That was the case in Boise with the brutally tortured and murdered 17-year-old. "We had no idea it would turn out like this," his parents said later.

What's really at work in this issue is what



A teen suspect in adult solitary: The wrong place

can be styled the Stop Sign Effect: try persuading city-hall bureaucrats to put a sign at a dangerous intersection; then watch them scramble after a youngster is run over. As soon as a child gets sodomized in an adult jail, says Jerry Miller, head of the National Center on Institutions and Alternatives, almost "everybody becomes a corrections reformer." The question now is whether lawsuits and legislation are enough, or must a few more youngsters die first?

ARIC PRESS with RICHARD SANDZA
in San Francisco and NIKKI FINKE GREENBERG
in Washington

Mobile Homes: New Rules of the Road

Few topics have so confounded the U.S. Supreme Court as the rules for police searches. With too-deliberate speed, the justices built one doctrinal line for house searches and another, more complicated one for car searches. Briefly, cops need warrants to go into houses but not necessarily to search autos—they, after all, can be driven away. This term, the high court reached a new height in Loophole Heaven, in answer to the singular question: which rule should apply to the search of a mobile home? Last week the court put the minds of law professors at ease when it announced that, by a vote of 6 to 3, the rules of the road will govern.

That technical decision may have some practical effect. Drug dealers, particularly in the West, often operate out of mobile homes, not because they can use them for a getaway but because they are a lot cheaper than a ranch house. Still, Chief Justice Warren Burger may have had Humboldt County, Calif., in mind when he wrote, "... to fail to apply the [car rule] to vehicles such as a motor home ignores the fact that [it] lends itself easily to use as an instrument of illicit drug traffic." Writing in dissent, Justice John Paul Stevens thought that view a bit crabbed: "Although it may not be a castle, a motor home" resembles a hotel room or vacation cabin and the court should respect the "highest... expectations of privacy associated with these abodes."

Fans of the Fourth Amendment need not despair that the sport is over. Burger carefully limited his ruling to a mobile home parked in a lot—not to those installed in a trailer park. In such a case, is the home more like a house than a car? Stay tuned.

TRANSITION

MARRIED: Princess Yasmin Aga Khan, 35, daughter of actress Rita Hayworth and the late Prince Aly Khan, and Greek shipping heir Basil Embiricos, 36; both for the first time, in New York City, May 15. Muslim and Greek Orthodox ceremonies will be held in Paris next month, but the couple decided to have a civil ceremony now partly because of the failing health of Hayworth, who is suffering from Alzheimer's disease.

EXPECTING: Fashion model Jerry Hall, 29, and rock superstar Mick Jagger, 40, their second child, in August. The unmarried couple have a 14-month-old daughter, Elizabeth Scarlett.

Actress Candice Bergen, 39, and her husband of almost five years, director Louis Malle, 52; their first child, in October.

DIVORCE ASKED: By singer Marie Osmond, 25, from former Brigham Young University basketball star Stephen Craig

28, a fellow Mormon; after almost three years of marriage and one child, in Provo, Utah, May 14.

DIED: Actress and comedy writer Selma Diamond, 64; of lung cancer, in Los Angeles, May 13. Diamond provided gags for "The Milton Berle Show," "The Perry Como Show" and "The Adventures of Ozzie and Harriet." She also appeared in a number of movies, including "It's a Mad, Mad, Mad, Mad World," and recently played a wisecracking bailiff who often had a cigarette dangling from her lips on the TV series "Night Court."

Actress Margaret Hamilton, 82, who frightened generations of children as the cackle-voiced, green-

skinned Wicked Witch in the classic 1939 film "The Wizard of Oz"; of an apparent heart attack, in Salisbury, Conn., May 16. Hamilton appeared in dozens of other films, among them "Guest in the House" and "State of the Union"—often portraying what she called "the cantankerous cook or the acidulous aunt with a corset of steel and a heart of gold." Yet she remained indelibly linked in moviegoers' minds with her role as the Wicked Witch.



Hamilton in 'Wizard of Oz'

Author-director Abe Burrows, 74, who wrote "Guys and Dolls," "How to Succeed in Business Without Really Trying" and many other hit musicals; of pneumonia, in New York, May 17. Once a nightclub comic, Burrows's credits also include screenplays, songs and radio scripts.

COMMITTEE REPORT
SENATE

FURTHER: JUDICIARY

1/24/85

Date 2-24-85

Mr. President

The Committee on NESS considered SSSB 86

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ relating to runaway and missing minors, and to child abuse and child neglect.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SSSB 86
- new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

Edna Hill

W. J. ...

William Stung...

MEMBERS HAVING
OTHER RECOMMENDATIONS

Chairman _____

Chairman recommendation _____