

SCR

2

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I



Alaska State Legislature

Senate

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Official Business

Senate Finance Committee

TO: Senator Paul Fischer, Chair
Senate Committee on Health, Education and Social Services

From: Senator Rick Uehling

Subject: SCR 2 "Establishing a Children's Law Task Force"

Date: February 27, 1987

I have asked staff to provide the following background and analysis of SCR 2, "Establishing a Children's Law Task Force."

The Background

SCR 2 would establish a Children's Law Task Force to review current Alaska laws and regulations relating to children. Like the 1975 Children's Code Task Force, the Children's Law Task Force will report back to the Legislature necessary changes to the State's current laws and regulations and the way they are implemented.

During the past several years new attention has been focused on the many problems of children in all age groups in today's society. Issues such as child abuse and child sexual assault have been in the forefront of the media and received Legislative action. Meanwhile, new issues seem to arise continually: How should runaways be treated? How should our foster parent's program be run? How should we respond to rising teenage pregnancies? Are our State agencies taking too much or too little action in child abuse cases? Are we providing adequate health and medical benefits for the children of low income parents?

The Legislature is continually being asked to help address the answers to these questions. With representation from those with backgrounds of involvement with children and children's issues, the Task Force will be able to take a comprehensive holistic approach to the many problems and issues surrounding the State's current Children's laws.

One note, there is presently a large amount of material and research specific to Alaska available on the subject and this presents the Legislature with an invaluable opportunity to take advantage of this material and research while it is still current.

The Analysis

The resolution enumerates what issues Children's law addresses, mentions how parents and other concerned parties have expressed concern about those laws and how they are administered, and then states that a comprehensive review of those laws is needed to determine how the State may best address those issues and create an environment that fosters the development of children into responsible, healthy and productive citizens.

The resolve section establishes a Children's Law Task Force consisting of the Chairs of the Senate and House Judiciary and Health, Education and Social Services Committees and other persons involved with the children's issues who are appointed by the the President of the Senate and the Speaker of the House.

The term of the Task Force would begin on July 1, 1987 and end on o.1 January 10, 1989, at which time it would submit a report to the Legislature of its findings and recommendations. The Legislative Affairs Agency shall provide administrative and legal support and the Task Force would be allowed to hire one staff person.

II

A SPECIAL REPORT ON THE
DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF FAMILY AND YOUTH SERVICES

August 15, 1986

Audit Control Number

06-4261-86-S

Commissioner, Department of
Health and Social Services

John Pugh

Deputy Commissioner, Department
of Health and Social Services

Connie Sipe

PURPOSE AND SCOPE OF THE REPORT

In accordance with a Legislative Budget and Audit Committee special request and Title 24 of the Alaska Statutes, a special review of the Department of Health and Social Services, Division of Family and Youth Services (DFYS) was conducted to determine if the Division's performance is acceptable in terms of economy, efficiency, and effectiveness.

We reviewed the entire range of DFYS activities focusing primarily on juvenile intake, detention and correctional facilities; child protection investigation and case management; and foster parent licensing, training, and support.

The policy and audit approach by the Division of Legislative Audit for performance reviews can best be described as "audit by exception." This methodology focuses audit effort on areas of an auditee's operations that have been identified by a preliminary survey as having a high degree of probability for needing improvements.

Therefore, by design, finite audit resources are used to identify where and how improvement can be made, and little time is devoted to reviewing well-run operations or programs. Consequently, this report highlights those areas needing improvement and does not emphasize those operations and programs that are properly functioning.

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ORGANIZATION AND FUNCTION

Title 47 of the Alaska Statutes charges the Department of Health and Social Services with responsibility for providing a range of services designed to remedy or prevent abuse, neglect and exploitation of children, youth and adults. In addition to protective services for the general population at risk, the Department is responsible for providing care and protection for juveniles committed to their custody by the Superior Court. To meet these statutory responsibilities, the Department created the Division of Family and Youth Services (DFYS) in 1980 by combining the Division of Social Services with the youth section of the Division of Corrections.

DFYS' wide range of activities can be broadly separated in those of Family Services and Youth Services.

Family Services

Social services are provided by 138 line staff working out of 33 field offices across the state. Communities without a field office are served on an itinerant basis by the nearest office. Family Services is supervised out of five regional offices in Nome, Fairbanks, Bethel, Anchorage, and Juneau. Family Services provides protective, information and referral, and family counseling services to their clients.

Protective services are provided to both children and adults when a Report of Harm is received by DFYS. These reports alleging abuse or neglect can be made by anyone, but certain health care and other professionals are statutorily mandated to report suspected harm. Once a report of harm is substantiated, DFYS line staff provide services not only to the victim, but to the victim's family as well.

DFYS' prenatal program funds private organizations to provide socially and economically deprived pregnant women with services such as counseling, foster home and residential care, adoption assistance, parenting skills training, and transportation.

Ways in which DFYS serves their clients include providing or arranging for community-based counseling, foster and residential care, emergency shelter, and homemaker services. DFYS' philosophy emphasizes providing services in the least restrictive manner and attempts to do so as early as possible recognizing that behavior not firmly engrained is easier to modify.

DFYS licenses and monitors foster homes, residential care facilities, day care centers, and homes.

Youth Services

Youth Services is responsible for providing a variety of diversion, intervention and rehabilitation services to juveniles found delinquent by the courts. In its three regions, Youth Services employs over 230 staff who operate Alaska's youth correctional facilities and perform field services throughout the state.

In December 1984, DFYS replaced the court system in Anchorage, Fairbanks, Palmer, and Kenai in deciding whether to seek a judgement against a youth accused of a crime. This gave DFYS statewide responsibility for this intake decision. Court system intake positions were transferred to DFYS when the responsibility changed.

In addition to performing intakes, Youth Services' probation officers make recommendations to the courts for adjudicated youth, and monitor youth on probation, both formal and informal. Services offered to rehabilitate youth on probation include supervision, counseling, advocacy, and arranging for specialized services.

Nonprofit organizations serving troubled youth are funded through preventive youth service grants. Youth Services recruits and licenses foster homes for placement of youth in their care.

Youth Services operates a number of institutional facilities across the state for the detention and treatment of youth in their custody.

McLaughlin Youth Center located in Anchorage, has been in operation since 1968. It is currently a statewide facility and operates the only Closed Treatment Unit in Alaska providing treatment to seriously violent and out-of-control youth in a more restrictive and structured environment. Besides this eight bed unit, MYC operates four 20 bed cottages (three for boys and one for girls) and detention units for both boys and girls. School attendance is part of treatment for all youth without a high school diploma or GED. The school district operates a school within the facility.

Fairbanks Youth Facility has been in operation since 1981. It provides secure long-term treatment for boys and has a capacity of 12. Up to three youths from detention can be included in the treatment program while waiting for bed space to become available. Attendance at the district-operated school within the facility is required of youth in treatment. The facility includes an eight bed detention unit for both boys and girls which often operates beyond capacity. A 20 bed addition is currently being completed to replace the existing detention unit.

Nome Youth Facility is the least restrictive of the State's youth correctional facilities and has been in operation since 1981. It has a nine bed treatment capacity designed to serve male and female delinquent adolescents, especially youth from the Native population. Youth placed in this facility must be able to handle the responsibilities of an open community-based program as all residents are required to attend Nome's public school and hold a job in the community. The facility also houses a three bed detention unit used for both boys and girls.

Johnson Human Services Center in Juneau began operations in 1982. It is purely a detention facility for male and female adolescents. As with all of the detention facilities, youth are housed here pending adjudication, or following adjudication and classification to a correctional facility while awaiting available space. The 16 bed capacity has been exceeded occasionally. All residents are required to attend the school at the facility which is operated by the school district. Appropriations have been made to construct an addition for a long-term treatment program, but construction plans may be postponed or eliminated due to the State's current revenue situation.

Bethel Youth Facility is currently being completed and was scheduled to begin operations during FY 87. However, due again to revenue shortfalls, this facility will remain unopened for the immediate future. The facility is designed to serve both male and female adolescents in an eight bed detention unit and a twelve bed treatment program.

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AUDITOR'S COMMENTS AND SUGGESTIONS

DFYS does not provide services to runaway youths who do not want the agency's help. If a runaway is arrested for a crime they will generally receive the same services as other juvenile offenders. When a runaway receives DFYS services, the agency provides assistance to essentially the same extent that they serve abused/neglected children or juvenile offenders. As discussed in Recommendation No. 1 of this report, DFYS is not consistently providing child protection services to the extent required by statute. However, we found no discernible difference between either the services provided to runaways who wanted them and those provided the rest of the agency's caseload.

DFYS & Runaways

There are two basic ways that youth come into contact with the services provided by DFYS. The first way is the "report of harm" that DFYS receives that a youth, usually a younger child under the age of 12, is being neglected and/or abused. The second way is generally through an arrest by a peace officer who brings the youth to DFYS for further review and process. Arrests usually involve older youth, ages 13-18.

At present, DFYS generally does not become involved with runaway youth unless they are a reported victim of abuse or have been arrested. To the dismay of many parents, the act of running away from home is not a crime. Parents can ask law enforcement agencies to pick-up and locate their children; however, we have been told by DFYS probation officers that this duty generally receives low priority. If runaways are picked up by police DFYS will attempt to arrange a meeting with the parents, offer their services to provide some reconciliation, but the youth can refuse. Generally, until a runaway youth is either arrested for a crime or is reported as being abused or neglected, DFYS does not get involved in providing services, unless requested by the youth.

Youth Services & Runaways

Upon arrest juveniles are brought to DFYS by law enforcement officers for further screening. Using criteria established by DFYS, probation officers review various circumstances involved in the arrest such as: the severity of the offense, the age of the youth, prior record, probation status, and the availability and willingness of the parents to supervise and control the youth. Based on this review, the intake probation officer makes a determination on how the case should be processed. A key aspect in the processing of the case is the detention decision, involving whether the juvenile should be locked up pending further action.

In the vast majority of cases (some 80%) the decision is made not to detain. In our review of a sample of recent detention decisions we found that juveniles who were runaways were slightly more likely to be detained than non-runners for similar offenses. Runners are more often detained because it is sometimes difficult to locate their parents or other relatives, and they are less likely to appear in court for adjudication of their case.

Under DFYS criteria, the primary question that is involved in considering detention is: Is the youth a danger to themselves or others? Danger seems to be assessed as the probability of short-term physical injury rather than the prospect of any long-term physical or emotional harm. For example, if a 15 year old runaway girl is arrested for prostitution, it is likely that DFYS' intake officer would not feel she presented a danger to herself or others, although clearly she is doing long-term harm to herself. By expanding the definition of danger, DFYS probably could develop a basis for detaining more runaways and accordingly make some limited treatment available to them.

The DFYS intake officer would offer to provide the girl agency social services, she may be placed temporarily in an emergency shelter, and an attempt may be made to contact parents or relatives and setup a meeting aimed at reunification. However, if the girl refuses services, does not meet with her parents, is not formally prosecuted, and/or runs away from the emergency shelter, there is little DFYS can legally do. By expanding the definition of danger, DFYS probably could develop a basis for detaining more runaways and accordingly make some limited treatment available to them.

Some argue that runaways should be accorded different treatment as a preventative measure. Advocates argue that runaways develop criminal behavior to survive on the streets, and will grow into adult criminals. They argue runaways should be sought out by DFYS, detained if necessary, and provided appropriate counseling and treatment.

Given the other responsibilities of DFYS, such an approach would appear to us to be very difficult statutorily, logistically, and fiscally. As a practical matter, any such change in approach to runaways would require changes in statutes regarding juvenile criminal activity. Just redefining detention criteria so that more runaways would be locked up would not really provide for better service delivery. As cited in Recommendation No. 4 detention facilities are already overcrowded and, by design, provide limited treatment. Increased funding would be required to expand confinement facilities and provide more extensive treatment.

Social Services & Runaways

DFYS does provide certain services for runaway youth. Runaways are often referred to social workers by policemen, social service agencies, probation officers, or contact the agency directly. These youth do receive services from DFYS to the extent that the agency can provide them, if the youth wants them. For example, in Tok, runaways just coming into the State are sometimes sent to DFYS by troopers. The social worker may do things like: encourage the runners to call home; contact their parents or relatives who may be in the State; refer them DFYS offices in Fairbanks; but, if the runaway refuses to accept services DFYS must accept the youth's decision.

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FINDINGS AND RECOMMENDATIONS

Recommendation No. 1

The Division of Family and Youth Services (DFYS), in conjunction with the Legislature, should review statutes governing the agency's responsibilities and duties. The goals of such a review should be twofold:

- A. The determination of the extent of the State's role in child protection.
- B. Restructure DFYS' funding and statutes to better provide child protection services at the determined level.

DFYS social service offices are struggling to keep up with the reports of neglect and abuse of children, and comply with related statutory investigation requirements. In attempts to meet the 72-hour statutory requirement for initial investigation of child abuse reports, ongoing caseloads suffer. DFYS often must overlook the needs and care of children already in State custody in order to respond to new reports of abuse and neglect.

In Anchorage during April 1986, the number of reports of suspected harm increased by more than 50%. Social workers responsible for ongoing services to children were shifted to assist with the report of harm investigations. Still, many reports could not be investigated in the statutorily required time period.

In Juneau investigations of suspected abuse are typically initiated in a timely fashion, but children already in State custody often receive insufficient services because, out of necessity, investigative social workers must continue to be responsible for case management even after custody is assumed. Our review of Juneau case files indicates that after adjudication of custody, client contact is often infrequent and initiated by the client or care provider (foster parent, counsellor, etc.) rather than the social worker.

DFYS Efforts

These service deficits are not due to lack of effort or commitment by DFYS. Management is continually reallocating tight resources, "robbing Peter to pay Paul," in response to one crisis after another. Social workers typically donate many extra hours in an attempt to maintain some control of their caseloads.

DFYS has attempted various strategies to stretch the service dollar to improve the quantity and quality of services without reducing the groups of people served. More

cost-effective ways of purchasing services from residential care providers; reorganization of personnel structure and responsibilities; and proposals for an improved management information system all are among the strategies tried. Although some strategies have improved the level of services, in most cases funding has tended to follow the crises.

Administratively, DFYS management should continue efforts to improve the effectiveness and efficiency of available resources, by:

1. Upgrading its management information system. As discussed in Recommendation No. 2 of this report, and in previous reports, the current management information at DFYS does not provide adequate support and/or information to management or on-line social workers. (See Recommendation No. 2)
2. Increase the emphasis on home-based and preventative services. Presently, DFYS is in the process of expanding home-based programs, whereby services are provided to families in their homes, in order to protect children in their homes and hopefully avoiding more extensive and long-term intervention on the part of the State.
3. Management should continue to streamline policies in order to free staff time for carrying out their most important mandated functions. As an example, DFYS recently obtained a statutory change allowing day care centers to be licensed biennially rather than annually.

Statutory and Funding Changes

Reflecting a growing public concern, relatively recent changes in both State and Federal laws have significantly increased DFYS' responsibilities. In recent years, statutory changes have 1) required professionals to report all cases of suspected child abuse; 2) mandated duties such as adult protective services, licensing (foster parents, residential and day care) and services to certain runaways, and 3) required increased documentation of certain legal and casework procedures.

Ostensibly intended to better protect children and other vulnerable individuals, these statutes may actually have adversely affected DFYS' ability to adequately provide services to children already in State custody. In addition the rise in the general public's awareness and reporting of child abuse (a national trend), and the dramatic growth in Alaska's population during the past ten years have significantly increased the demand for DFYS services. DFYS budgets have not kept pace with this growth in demand.

However, given the present prospective funding levels, a fundamental reassessment of DFYS' statutory authority and service priorities should take place. For example, consideration could be given to amending statutes, that would:

- A. Reconfigure DFYS appropriations in order to shift funding, away from the provision of indirect discretionary programs, over which DFYS exercises little management control, to services that would allow the agency to provide more direct intervention and prevention services.
- B. Allow DFYS to determine which reports require Department of Law review. Presently, all reports of physical and sexual abuse are required to be forwarded to DOL for their review, whether or not the report is substantiated.
- C. Transfer DFYS services not directly related to child protection, such as adult protective services and day care licensing to other state agencies or local governments.

Statutes and funding priorities establish the limits of the State's responsibilities to intervene and protect children. Accordingly, the Legislature will have to play an active role in implementing statutory changes and/or reconfigured budgetary actions in order that the State's responsibilities for child protection are better aligned with the resources allocated for that purpose.

Recommendation No. 2

DFYS should develop a management information system to replace its current computerized payment system.

DFYS' current computer system was created in 1977 in response to Federal Title XX reporting requirements. It has been the subject of recommendations in each of this Division's last three reviews of DFYS. Problems with the system noted in previous audits which still plague DFYS include:

1. Inaccurate information due to time lags prior to data input. While there has been some improvement in timeliness of data entry as a result of on-line capability in a few offices, updating of data on the system remains a low priority. Personnel are generally entering licensing data on-line, however most social workers across the state, including those in the Anchorage Service Unit, are still manually completing forms and sending them to the central office for data entry. Documents filter into Juneau from across the state, creating a serious weakness in input controls.

2. Inability to provide any case management information. DFYS manually collects and maintains a large amount of information on each client. Except for a few items which have been retrofitted as "enhancements" to the current system, the only way to access this information is through time-consuming monthly hand tallies of individual case files.
3. Difficulty in extracting pertinent information maintained on the computer system. DFYS' data processing staff produces several standard reports monthly. Many of these go unused by managers due to lack of timeliness or mistrust of the underlying data. The need for any customized or historical information requires significant programming time.

DFYS' data processing staff has devoted much time and effort toward laying the groundwork for a new management information system. The requirements analysis which was completed in 1984 for SYSMIS (Social and Youth Services Management and Information System) was a major effort of the staff and included input from all DFYS personnel. Funding for this system in DFYS' FY 86 budget request was denied by the Legislature. The following year DFYS scaled down their request to a pilot project known as OVATS (Offender and Victim Automated Tracking System). Based upon the original requirements analysis, this system emphasized tracking of service outcomes and included office automation features. It was not included in the Governor's FY 87 budget request.

The emphasis on obtaining a new management information system has had a negative impact on maintenance of the current system. Production problems arise on a daily basis. Just recently, all programming for management reports was rewritten in a new software version on an emergency basis despite urgings from the Department of Administration for well over a year that users make this conversion. Staff estimated they currently have a 67 man-month backlog of information requests and problem reports concerning the system.

Certainly, the initial costs of a new system appear cost prohibitive in the face of declining oil revenues. However, we believe the cost of continued operation of the existing system justifies continued efforts to implement a new, scaled down version of SYSMIS. Costs of maintaining the current system go beyond retaining three Analyst/Programmers (at over \$150,000 annually), indirect costs such as ineffective use of staff time spent manually gathering and summarizing data; and the low morale and frustration which results. The difficulty in obtaining information has been a major obstacle in obtaining Federal funds under Title IV-E.

Legislative Audit continues to support a better management information system for DFYS. Ending the need for maintaining both an antiquated automated payments system and a manual information system would allow overburdened line staff to devote more time to actual social work. The need for timely, accurate, pertinent information is absolutely critical to the effective management of a division as large, complex, and geographically dispersed as DFYS.

Recommendation No. 3

DFYS should develop standardized foster care procedures and encourage compliance through improved training and supervisory review. In addition, DFYS should continue working toward improved relations with foster parents in order to sustain a more viable foster care program.

Foster care costs have increased by more than two-thirds in the last three years to over \$6.3 million in FY 86. Over the last five years, foster care expenditures have almost doubled while there has been little growth in residential care expenditures making foster care even more important to DFYS' service delivery system. The increasing use of foster care has also resulted in more difficult children being placed in the care of foster parents.

Our current review revealed several areas in foster care which would benefit from increased DFYS commitment:

1. Licensing activities are not in compliance with DFYS procedures due to lack of timeliness.
2. Complaints are not classified and investigated consistently and often are not adequately documented.
3. Augmented rates for specialized foster care are not being equitably administered.
4. Training provided varies across the state and is rarely documented in foster parent files.
5. Foster parents are not fully informed about liability and loss which may result from foster care.
6. Relations between DFYS and foster parents are often less than cooperative.

Many of these deficiencies were identified in a 1983 Legislative Audit report. Management should review the situation in each area and act according to DFYS priorities.

Foster Home Licensing

Besides ensuring some minimum level of safety, the licensing of foster homes is important in order to match the abilities and interests of foster parents with the needs of placements. This theoretical matching of homes and children has been subjugated by the reality that there are not enough slots for all the children needing placement.

Licensing activities are behind, as evidenced by:

1. Over 30% of the homes reviewed were issued licenses which were more than one month retroactively effective.
2. Over half of the homes in our review did not have a home study performed prior to licensing. (The home study is a time-consuming licensing prerequisite to ensure compliance with foster care standards).
3. Of the 75 homes with foster care placements reviewed, more than 60% were either without a current home study or license during the time a child was in the home.
4. As of June 1986, over 25% of foster care licenses have been expired for over one month.

A major factor that contributes to the situation is DFYS licensing priorities. Licensing duty priorities are not conducive to the timely licensing of foster homes. Investigations of complaints is the first priority while processing new foster home applications ranks last in a list of 15. As a result, emergency licensing of foster homes is the rule rather than the exception.

We recommend management reassess licensing duty priorities and personnel practices in order to make the licensing process a more timely and meaningful one. The annual review of licensing files by supervisors, as proposed in DFYS' response to our 1983 audit report, would aid in identifying and correcting current discrepancies in foster home license files. During our file review, only a few Youth Service foster parent files, most notably the Southcentral Region, evidenced any such review.

Complaint Investigations

Licensing complaint investigations have long been a point of contention between foster parents and DFYS. Many foster parents view the process as arbitrary, covert, even vindictive. DFYS views it as necessary for the protection of children, even supportive of the foster home in that compliance is encouraged.

While our review noted problems of inconsistent treatment and poor documentation, overall we found investigations of complaints to be reasonable and fair. The only examples of investigations with questionable motives and dispositions were performed by a Palmer licensing worker no longer employed by DFYS.

Procedures for complaint investigations are outlined in the Community Care Licensing Manual. Despite the statewide applicability of these procedures, our review of complaint investigations found wide variations in how complaints are handled both between and within offices. Investigations often do not result in any constructive resolution. Investigator recommendations for bringing the home into compliance are not consistently made nor implemented by DFYS. Recommended licensing actions are not being taken and are often overridden by placement decisions when they are taken.

Documentation of investigations varied from adequate to non-existent. Evidence that the investigated party had been notified was often missing from the file. Standardizing the use of the Notification of Complaint form would not only improve documentation, but would also alleviate foster parent protests that DFYS never tells them why they are being investigated.

We found only the Southcentral Family Services office maintains a complaint log. We were told at Youth Services in Fairbanks that they had been instructed to discontinue logging of complaints. We feel the information which can be gained from an independent listing of complaints more than offsets the increased paperwork. Accordingly, we recommend all DFYS offices maintain complaint logs similar to that discussed in DFYS' response to our 1983 audit recommendation.

We reiterate our 1983 recommendation that DFYS train licensing personnel in their complaint investigation procedures and conduct supervisory reviews for compliance. DFYS has adequate procedures in place for complaint investigation; now it needs some training and monitoring to achieve adequate implementation of these procedures.

Specialized Foster Care

Our 1983 audit report recommended executive and legislative support for specialized foster care. We continue to support the concept of paying augmented rates to foster parents for providing care to children who would otherwise be in more expensive residential care. While not appropriate for all children, an augmented rates program allows many to be

placed in a less restrictive foster home setting. This lesser restrictive placement, coupled with the cost savings involved, makes specialized foster care in the best interest of both the children and the State.

Augmented rates are not being equitably administered by DFYS. Family Services' Child Protective Service Manual defines augmented rates as "an increased payment which is paid for extra costs incurred in caring for children who have special problems." Interpretations of what constitute extra costs are made by line staff resulting in inequities such as:

1. Different amounts of augmentation for foster children with the same special problems.
2. Some foster parents are compensated for their time, while others are reimbursed only for defined costs.
3. Foster parents who complain the most tend to get the most augmentation. In some cases, the foster parent sets the rate DFYS pays.

Youth Services has their own augmented rates program. Youth are assessed for placement level of difficulty with Level I being standard rate and Level III being the most highly augmented rate. To care for Level II and III youth, foster parents must meet certain training and experience requirements. We found that both youth and foster parents are being consistently assessed across the state, however, the rates paid are not consistent. Payment for a Level III youth in the Northern Region is 250% of the standard rate; while in the Southcentral Region, DFYS pays 300% of the standard rate for a Level III youth.

In order to develop a more equitable augmented rates program, we recommend DFYS initiate changes to both the Family Services and the Youth Services programs. Family Services should update its 1978 criteria to more specifically define which extra costs will be reimbursed as augmented rates. This would reduce the current latitude line staff and foster parents have which results in negotiated augmented rates. Youth Services should make payment for a Level III youth constant across regions. Given Alaska's current revenue picture, we advise bringing the Southcentral Region in line with the Northern Region.

Foster Parent Training

The extent of foster parent training by DFYS varies across Alaska. It ranges from comprehensive, formal programs in Southcentral Alaska to almost nonexistent in other areas of the state. Some areas require attendance at established

foster parent orientation classes prior to licensing, while others use a home visit and an informal review of the regulations as orientation for foster parents.

During FY 86, DFYS contracted with the Alaska Foster Parent Association to provide statewide ongoing training. The contract required DFYS to jointly participate in implementation, however, DFYS did little to facilitate the successful completion of this contract. The training that was provided was geographically limited and of questionable value to some of the purported beneficiaries.

Foster parents who want training have been obtaining it through their local foster parent associations, college classes, and training sponsored by DFYS. In recent years, DFYS has been considering the possibility of requiring a certain amount of training to receive and maintain a foster care license. Those foster parents receiving augmented rates under the Youth Services program are currently required to have a certain amount of training. In our review of foster home license files across the state, we found only Southcentral Youth Services files to reflect a record of training received.

Increased DFYS commitment to foster parent training would not only promote better relations between foster parents and DFYS, but would also provide DFYS with a more qualified pool of foster parents. A multi-media self-study program such as that being developed by Southcentral Youth Services may be a cost-effective method for providing statewide training. Maintaining a record of training received in each foster home file would make it easier for those making placements to match the child's needs with the qualifications of the foster home.

Foster Parent Liability

Liability is currently an extremely volatile issue for foster parents. In 1981, DFYS made efforts to define areas of responsibility for various types of liability or losses resulting from foster care. The Foster Parents' Handbook tells foster parents that they are protected by the State against legal actions for accidental injury to the child and against suit for damages caused to third parties by the child.

In an effort to address foster parents' current concerns over liability, DFYS has contacted the Attorney General's Office and the Division of Risk Management. Discussions with Risk Management confirm that in the absence of gross negligence, foster parents will be protected by the State

for both injury to the child and to third parties. However, this assurance is not echoed in a recent memo from the Attorney General's Office which concludes:

foster parents will generally be shielded from liability for injury to a child where they have attempted, in good faith, to conduct themselves reasonably. There is no insurance protecting a foster parent from the negligence of a child. And, except for the possible protection of AS 34.50.020 there is no protection against suit by third persons against foster parents because of negligent conduct of a child.

The foster care regulations make clear that this liability insurance "will not cover matters for which foster parents are normally expected to have insurance, such as fire insurance for their home." The implication that foster parents' insurance will cover their loss if the foster child burns their home is true only if the act was accidental. As DFYS discovered in their 1981 efforts, deliberate acts by foster children are generally not covered by homeowner's insurance policies.

We recommend that DFYS, in conjunction with the Attorney General and the Division of Risk Management, develop some cohesive guidelines in the area of foster parent liability with regard to third party damages. Once determined, this information should be included in the Foster Parents' Handbook, as should some warning of the limitations of common homeowner's insurance. Foster parents need this information in order to make informed choices in accepting and rejecting placements.

Relations With Foster Parents

In our 1983 audit we noted that DFYS neglected to maintain a cooperative relationship with the foster parent community. In a March 1986 letter to the president of the Alaska Foster Parent Association (AFPA), the director of DFYS states "It would be less than candid of me to not admit that there has been a history of conflict and resentment between AFPA and the division."

The training contract for fiscal year 1986 was a disappointment for both parties. This contract emphasized "joint" responsibility for both DFYS and AFPA, but neither was satisfied with the other's performance. The quality and quantity of training which resulted would likely have increased if DFYS and AFPA had been more cooperative in implementing the terms of the contract.

We feel that the rift between DFYS and AFPA is diminishing. With DFYS' encouragement, there has been an influx of more moderates on the AFPA Board of Directors. DFYS efforts such as the June 1986 Foster Care Working Group encourage foster parent input and interaction with DFYS. With adequate follow through, such efforts could be major steps toward rebuilding a good working relationship.

DFYS needs the different perspective offered by foster parents. Despite their relatively low membership, AFPA is the only statewide organization of foster parents. Given the crucial role that foster care plays in DFYS' service delivery, a better relationship with foster parents in general, and AFPA in particular, will benefit all concerned.

Recommendation No. 4

DFYS should comply with the American Correctional Association (ACA) national standards in order to receive accreditation for its juvenile confinement facilities.

In May the three juvenile confinement facilities which house both detention and treatment programs were reviewed by the American Correctional Association (ACA). DFYS arranged the reviews in order to receive accreditation by the ACA, a national organization of correctional professionals. The review, for which DFYS had been preparing for four years, involved a thorough review of their physical plants; policies and procedures; and general program.

The ACA review committee compared these facilities with national standards developed for detention, training school, and community residential care facilities. To receive accreditation a facility must be in compliance with 100% of the mandatory standards and over 90% of the non-mandatory standards. The review committee's reports for all three of the facilities commented positively on the quality of life within the facilities, especially regarding the communication between staff and residents and the dedicated nature of personnel. Other major ACA findings are presented below:

Detention Overcrowding

The detention units at both McLaughlin Youth Center (MYC) and Fairbanks Youth Facility (FYF) were found to be continually operating over capacity. MYC, with a design capacity of 50, had an average daily population of 68 in FY 85; FYF, with a capacity of 8, had an average daily population during the first four months in 1986 of 12.8 recording highs of over 20 youth. The overcrowding was a major concern of the ACA review committee which they felt needed immediate relief.

FYF is completing a new 20-bed detention addition which is slated to open during FY 87 which should eliminate its overcrowding. MYC has recently contracted an architect to design the remodeling necessary to alleviate its overcrowding.

Fire Safety

Mandatory fire safety standards were not completely met at all three facilities. These were of most concern at MYC and the Nome Youth Facility (NYF). FYF has addressed its fire safety deficiencies, making the necessary changes to achieve compliance. NYF and MYC must complete more extensive physical repairs and renovations to come in compliance with ACA's mandatory standards. Compliance with the fire safety standards is the major obstacle preventing MYC from receiving accreditation.

Training

All facilities were found deficient in the area of training. Although training standards are non-mandatory, we feel the common deficiency is significant. (See Recommendation No. 5) Both MYC and FYF were weak in the training area, and NYF did not meet any of the training standards, which seriously reduced its overall rating. According to DFYS Nome needs additional training funds to achieve full compliance with ACA standards.

Fairbanks Program

The ACA audit committee found that at the Fairbanks facility the detention philosophy dominated and influenced the treatment program resulting in a overly restrictive environment. The accreditation team felt that this environment hindered the youths' development by providing little opportunity for them to try out the new behaviors acquired through treatment. Fairbanks addressed this finding immediately by revising their four step program allowing residents to earn the privilege of participation in supervised activities in the community at an earlier point in treatment.

FYF has completed the improvements necessary to achieve compliance with national standards and will likely receive ACA accreditation by the end of FY 87. MYC and NYF may require additional funding to achieve compliance, therefore, their accreditation does not seem likely in the near future.

Recommendation No. 5

DFYS should take steps to improve and increase training of social workers and personnel working in youth detention facilities.

Since FY 81, DFYS' budget for training personnel has been significantly reduced from more than \$500,000 to less than

\$100,000 for FY 86. Much of the previously larger training budget was the result of Federal monies, which have not been available to DFYS in recent fiscal years. With the reduction in available training funds, it has been more difficult for DFYS to provide the necessary ongoing training that is needed to promote informed and consistent casework decisions. Currently, DFYS primarily provides orientation training for newly hired social workers and specialized training in newly established policy and procedures. For example, over the past year social workers received training in the new emergency custody procedures.

The significant reduction in DFYS' training budget has been largely beyond the control of the division. However, we feel that there are two particular areas where DFYS should make an effort to develop and provide more training: 1) oversight and management skills for supervisors, and 2) individuals working with confined juveniles should receive specialized training.

It was our observation, particularly in the Anchorage area, that social worker supervisors often dealt with their subordinates in a discordant manner. For example, when proposed reorganizational changes were being considered in Anchorage, supervisors elected not to inform the social workers. The workers felt that the supervisors were conspiring against them and that were not treating them as professionals. It is management's prerogative to reconfigure the delivery of services; however, better supervisory skills on the part of middle management could have increased cooperation on the part of social workers.

In the accreditation reviews of DFYS' youth facilities (See Recommendation No. 4) the reviewers cited the lack of specialized training and continuing education opportunities for staff at the facilities. There were also other criticisms that any training that was provided, particularly in the area of health-related situations, was not documented in employee files.

When program funding must be reduced, it is tempting to cut back in training rather than reduce direct service staff. However, in a division that is as widespread as DFYS, training is critical part of the communications needed to maintain uniform casework standards and decision-making in accordance with statutes and division policy.

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DEPT. OF HEALTH AND SOCIAL SERVICES

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December 15, 1986

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Legislative Auditor
Division of Legislative Audit
P.O. Box W
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DEC 15 1986

LEGISLATIVE
AUDIT

CONFIDENTIAL

Dear Mr. Wilkerson:

Thank you for the opportunity to respond to the preliminary audit report on the Division of Family and Youth Services (DFYS). I believe our agency's perspective on the issues raised in the report will help legislators better understand these issues, their interrelationship, and their relative importance to addressing the statutory goals of the agency.

Although we do not completely agree with the auditors' conclusions and recommendations, we commend them for identifying and focusing on the fundamental issue which influences every aspect of agency performance--resources available to carry out the agency's statutorily defined mission. Given the broad scope of the review of DFYS, it would not have been surprising for the report to focus on a variety of specific problems of lesser importance while overlooking the most basic issue affecting agency services.

We agree with the conclusion implicit throughout the audit report that most of the services deficits and problems attendant to DFYS mandated service activities are related directly or indirectly to insufficient resources available to the agency to carry out its responsibilities.

This has been clearly demonstrated in a variety of inter-agency studies and confirmed by several reviews of DFYS by the Division of Legislative Audit over the past few years. DFYS options for dealing with the limitations of agency resources in a systematic way are presented in the response to recommendation number one of the legislative audit.

For purposes of clarity and ease of understanding, comments concerning specific audit findings and recommendations are organized in accord with the organization of the audit report.

Auditor's Comments and Summary

While we generally agree with auditors' assessment of services provided by DFYS, certain inaccuracies require clarification, and additional explanation is necessary to fully understand issues raised in the report.

It is true that services are generally provided to runaway youth in conjunction with the youth's identification as a victim of abuse or neglect or consequent to an arrest. However, services may be and are provided to runaways who are neither victims of abuse or neglect nor alleged juvenile offenders. DFYS may intervene to provide services to runaway youth on an involuntary basis. DFYS may assume emergency custody or initiate Child in Need of Aid proceedings if a child is ". . . habitually absent from home or refusing to accept available care . . ." DFYS is not required to defer to the refusal of a runaway to accept services, although as a practical matter, if no other reason for intervention exists and the youth is not in danger of immediate or serious harm, DFYS services are generally restricted to short-term attempts at family reconciliation or referral for these or other services. More intrusive interventions rarely occur in such instances because of the pressing need to serve more vulnerable youth.

Runaway youth would be a difficult group to serve adequately even if DFYS had sufficient resources. Most runaways are not readily identifiable as victims of abuse or neglect (although many are victims), and often these youth are not receptive to services. Moreover, their behavior and circumstances do not usually place them in the type of clear or immediate danger of serious harm generally necessary for the assumption of emergency custody or other high levels of agency intervention. Given these facts and DFYS' mandates and resource levels, it is almost inevitable that higher priority will be accorded other more vulnerable youth.

We agree fully with auditors' conclusions that re-criminalization of runaways would not provide better service and would be far more expensive than providing appropriate noncoercive services. It is far more productive to provide preventive and noncoercive intervention services than to address complex and longstanding problems through coercive measures such as detention (although such measures are available under present law with appropriate limitations). Alaska's difficulty has been that needed levels of noncoercive treatment and family reconciliation services have not been available because of lack of resources.

Even appropriate use of judicial intervention, such as court ordered in-home treatment plans or temporary out of home placements for runaways, has not been effectively utilized because resources necessary to initiate court action and carry out treatment have been lacking.

As auditors astutely perceived, simply detaining more runaways would not solve the fundamental systematic resource problem, but would only force shifting of resources from one area of focus to another. Implementing a more coercive approach would undoubtedly require additional detention facilities (already overcrowded), and restrictive services such as detention are far more expensive than noncoercive services. Also, detention of runaways would not address the underlying problems precipitating runaway behavior, and would not eliminate the need for family reconciliation and treatment services.

The criteria used by DFYS' delinquency intake officers in making preliminary detention decisions follow statutory guidance, criteria established in

Alaska's Rules of Court, case law, and nationally established standards. These criteria focus on immediacy of risk and stress physical harm rather than the potential for emotional harm, for several reasons. An assessment of risk of physical harm, difficult though it may be, is generally far easier to make on an objective basis than is risk of emotional harm. This is particularly true when the assessment is made on the basis of limited information, which is generally the case in intake detention decisions. Focusing on objective, factual criteria for assessing risk reduces the possibility for abuse of discretion and overuse of detention. Also, because detention screening occurs prior to a court proceeding, it is appropriate that the focus of the decision be on immediate rather than long-term risk. An assessment of risk on a long-term basis (such as risk of emotional harm) should appropriately be the subject of more complete inquiry made by the court.

Little impact on potential long-term physical or emotional harm is likely to occur from a decision not to detain a youth pending court inquiry if other less restrictive alternatives are utilized. In fact, national standards to this effect were developed as a result of findings that the risk of harm to youth is greater if the youth is detained than if the youth is released on a short-term basis pending court proceedings. (This is particularly true when youth are detained in adult jail facilities, as many are in smaller communities in Alaska.)

DFYS' overall response to runaways is most influenced by two factors: agency resources and statutory mandates. The critical failure in Alaska's approach to runaways has not been in the law or philosophy underlying the law but in the resources devoted to addressing the problem.

Under present economic conditions, additional resources are unlikely to be made available to provide services to runaways and their families at needed levels. However, service improvements can be made through development of better techniques for assessing and prioritizing services for runaways. Well defined criteria for runaways will be developed and implemented as DFYS' intake policies are regularly reviewed, and during the implementation of a new case management system. These screening criteria should provide guidance for assessing the risk of harm presented by the youth's behavior and circumstances, and will establish priorities for intervention ranked with those established in other child protection cases.

Implementation of these criteria will help utilize existing resources more efficiently and effectively. However, it will not alter the fact that expanded services for runaways will require additional resources whether the approach used is coercive, such as incarceration, or more preventive in nature.

As the auditors recognized, assignment of increasingly stringent statutory responsibilities to an agency will not expand or improve services unless the fundamental inadequacy of agency resources is also addressed. Service priorities will be shifted to address more rigorous requirements, but this will occur at the expense of other services. As DFYS' responsibilities have increased in several service areas in response to public policy changes or

perceived problems in service provision, other service areas have suffered. This is manifested clearly in the case of runaway youth and would not be changed simply by requiring use of already overcrowded detention facilities for coercive treatment of runaways.

Recommendation No. 1

The Division of Family and Youth Services (DFYS), in conjunction with the Legislature, should review statutes governing the agency's responsibilities and duties. The goals of such a review should be twofold:

- A. The determination of the extent of the State's role in child protection.
- B. Funding for DFYS to adequately provide child protection services at the determined level.

Response

The division agrees that a DFYS review of statutes governing the agency's responsibilities and duties in conjunction with the Legislature would be a valuable undertaking. Legislators should have a sound understanding of and ownership of those critical statutes, particularly those addressing child protection. Recommendation No. 1 sets the goals for such a review as determining the State's role in child protection and then funding the determined level. It is laudable that auditors are proposing coming to grips with the disparity between child protection mandates and State personnel resources available to meet those mandates. The division will present several options for addressing the limitations of agency resources that recognize declining revenues, as opposed to prematurely considering reducing statutory protection for vulnerable populations.

DFYS Efforts

The audit recognition of DFYS efforts to improve effectiveness and efficiency are appreciated. Certainly DFYS will continue the three management strategies outlined on page 12 of the audit. Legislative support is required to implement all three strategies, i.e., funding support for a management information system (MIS); approval of the consolidation of the Child and Youth Custody and Purchased Services BRU's to allow for the gradual shift of funds from restrictive and costly out-of-home care to services which will make the child's home a safe environment; and support of adequate levels of state office staff to streamline policies, train, and to effect other staff time savings.

Statutory and Funding Changes

As auditors noted, certain changes in Federal and State laws have added responsibilities to and imposed additional administrative requirements on DFYS. The difficulty encountered by the agency in implementing the changes has not been that these responsibilities or accountability measures are

unnecessary, or unreasonable. In fact, we generally support the changes as appropriate to meet the need for protection of vulnerable persons and as prudent means to ensure proper accountability and investigative or casework practice. The problems in carrying out new responsibilities or meeting additional accountability requirements are attributable almost invariably to inadequate State personnel resources.

The "tool" for the delivery of child protective services is not equipment or machinery. Direct personal attention from a qualified professional is the primary agency tool for facilitating improvements in a home environment. People who abuse and neglect their children and the child victim are in need of intervention attention from another individual. This can only occur if the state agency has been staffed with a professional to provide the intervention attention.

DFYS has historically been understaffed to fully meet its responsibilities, but has managed to meet those responsibilities at marginal levels with little public or official interest or attention until recently. Unfortunately, recent increased public awareness, higher expectations, and increased service needs have not resulted in commensurate increases in staff resources, in large part because enhanced public awareness and concern have occurred at a time when total state resources are declining. In the past, even when resources were relatively abundant, other priorities have taken funding precedence over fundamental protective and rehabilitative services provided by DFYS staff. While this pattern has changed somewhat in recent years, obtaining necessary resources in the face of state government contraction and extreme competition among government agencies would require assignment of higher priority to these services by the Legislature than has previously occurred.

DFYS recommends consideration of the following options for addressing the disparity between DFYS statutory mandates and state personnel resources to carry out those mandates:

- Assignment of a high priority to fully fund DFYS statutory mandates as discussed immediately above.
- Reconfigure existing resources through the budget process to allow for increased levels of home-based services. Under a desirable scheme for resource allocation, client needs would be identified and met at the earliest possible time in the least restrictive setting and at the lowest cost. Under a desirable configuration for resource allocation, the greatest amount of resources would be allocated to provide early intervention in the client's own home. The current scheme and configuration is opposite what it should be. If one-half the funding currently allocated to costly care in foster homes and residential child care facilities were redirected to purchase or create agency staff to provide intensive early intervention, home-based and permanency planning services, more children would be protected in their own homes during family crises, fewer children would be removed from their homes, and fewer children and families would progress over time to the most costly

restrictive care and services. Keeping families together is a priority of state and federal statutes; a child should remain in the child's own home if safety can be assured. As mentioned under "DFYS Efforts", consolidation of the Child and Youth Custody and Purchased Services BRU's would allow flexibility to shift funds from more restrictive and costly out of home care to services which will make the child's home a safe environment.

- Divert a significant portion of legislatively designated or competitive preventive services grant funds to create new staff positions within DFYS, thus enabling DFYS to meet statutory mandates. Focus remaining legislatively designated and preventive services grants to better fulfill primary DFYS statutory mandates. In recent years, the Legislature has placed millions of dollars into discretionary community-based social services, including large grants to Anchorage and Fairbanks. Many of these programs are designed to prevent child abuse, neglect, and delinquency, or to enhance the quality of life of "at risk" Alaskans. While well intentioned, these programs are not statutorily mandated, and many do not effectively assist the division in meeting statutory mandates. For example, refocusing of designated and competitively awarded grants on intensive home-based services could free social workers' time to better meet the deficient areas of responsibilities noted in the audit, i.e., investigation of reports of abuse within 72 hours and ongoing case management functions.
- DFYS management will implement a case management system as part of an approach to deal with the limitations of agency resources in a systematic way. This will involve reviewing agency goals and responsibilities, determining resources needed to meet the goals and responsibilities, establishing service priorities and standards, and allocating existing resources among services in keeping with the priorities established and the services' standards. This effort will make it possible for DFYS to clearly inform the administration, legislators, and the public of the service levels which can occur at various levels of funding. Perhaps, most importantly, it will enable DFYS to provide information on the activities and services which cannot be performed. This will help public and official expectations with the reality of funding levels. This effort will provide a firm and rational basis for legislative decisions concerning the agency's statutory responsibilities and the levels of funding provided to carry out those responsibilities. However, prior to implementation of a case management system to provide basic information, major legislative changes would be premature.

DFYS agrees with the audit finding, "DFYS budgets have not kept pace with growth in demand." DFYS also agrees with the need for a "fundamental reassessment...of service priorities" and will accomplish that reassessment through the case management process already begun. DFYS, however, strongly disagrees that a "fundamental reassessment of DFYS' statutory authority... should take place given the prospective funding levels." The primary issue affecting the quality of service delivery within the division is lack of staff resources, not whether the scope of statutory authority is too broad.

Before considering any statutory change that would increase risk to vulnerable Alaskans, and before considering any budget reduction of DFYS staff who are carrying out statutory mandates, redirecting or refocusing non-mandated social services must responsibly be considered as a response to the current revenue crisis. As detailed above, there are at least four options other than "fundamental statutory reassessment" which should be explored.

Following are considerations regarding the specific "examples" for amending statutes that were cited in the audit:

- A. The DFYS strongly supports Recommendation A to reconfigure DFYS appropriations away from the provision of indirect discretionary programs to permit DFYS management control to deliver "direct intervention and prevention services." This recommendation aligns with DFYS options for addressing the disparity between statutory mandates and State personnel resources to carry out those mandates discussed earlier. The DFYS would clarify, however, that funding "primary" prevention programs directed at children who have not been harmed should not take priority over funding intervention and restorative services to children who have been harmed. Other states utilize creative funding mechanisms, such as a children's trust fund, to dedicate resources for primary prevention services. Alaskan constitutional restrictions to such a concept would need to be examined in considering a trust fund approach.
- B. Auditor's Recommendation B would allow DFYS discretion in forwarding copies of physical and sexual abuse reports to the Department of Law for review. The division has not completed any objective analysis of whether or not the requirement to forward all reports of abuse is necessary or appropriate for prosecution purposes, nor has the division discussed the recommendation with the Department of Law. An analysis would more appropriately be left to a disinterested agency.
- C. Auditor's Recommendation C would transfer services not directly related to child protective services, such as adult protective services and day care licensing, to other state agencies or local governments. If day care licensing transfer to another agency were accomplished without transfer of division budget and personnel, the result would substantially decrease division workload and would be favored. However, this recommendation assumes that there are agencies which have the resources, motivation, and administrative capability to assume this function. The reality is that without additional resources, the transfer of responsibilities from one agency to another results in the "robbing Peter to pay Paul" principle. If funding were made available through an increment, current provisions which allow for contracting the investigation responsibilities for day care licensing could be implemented.

The division agrees that adult protective services could be assessed for transfer to another agency, including the initial assessment of harm. Adult services have been separated from services to children, youth, and their families, previously, and so transfer is a possibility. It may be appropriate for the division to retain investigation of elder abuse

because the discipline is similar to child protection and because of the availability of division staff in five social services regional and 34 field offices. After initial assessment, service responsibilities including ongoing case management could be contracted to private agencies if DFYS retained adequate resources to do the initial assessment and investigation. It should be noted that the division does perform investigations on a voluntary basis for adults who are under the age specified in the Elder Abuse Reporting statute. Younger adults who have physical and mental health problems and who are younger than age 65 occasionally require protective services. Without a clear statutory mandate, the division will consider curtailing services to adults younger than age 65.

Recommendation No. 2

The Division of Family and Youth Services should develop a management information system to replace its current computerized payment system.

The Department agrees completely with this recommendation. Development of such a system is essential, not only to effective management, but, more importantly, to effective service delivery.

As auditors noted, much data processing staff time must now be diverted to maintenance of DFYS' outmoded payment system while essential client, service, and case management information must be manually collected by direct service staff. The DFYS management has long recognized that continuation of this approach to information management was untenable. The severe limits and inherent inefficiencies of the existing system, and the need to reduce the amount of time direct service staff spends on activities related to information gathering led to a 1983 review of the division's information needs. Analysis of these needs and of the relative costs and benefits of altering the existing system to meet those needs versus development of a new system showed clearly that development of a new system was the more beneficial and prudent approach. DFYS developed a plan for addressing both short- and long-term needs which called for:

- immediate efforts devoted to maintaining operation of DFYS' payment system (since its failure would have meant complete loss of management data and, because of the magnitude of payments involved, manual payments would be virtually impossible to accomplish);
- making such additional alterations to the existing computerized system as could be readily accomplished to improve its functioning and usefulness, both as a payment system and to provide at least minimal client and service information essential to management decisions and client services;
- development and funding of a comprehensive management information system which would provide a variety of management information essential to division functioning, and accomplish the limited functions of the old payment system.

Based on a system-wide effort to identify information needs, DFYS submitted a capital improvement project (CIP) request in its FY 86 budget request to develop and implement a comprehensive management information system. Although included within the departmental and Governor's budget request, the project was not funded by the Legislature. In FY 87, the division included within its budget request a scaled down capital improvement project to develop and implement an offender and victim automated tracking system, a project of smaller scope than the original project and with a slightly different focus. This project was not included in the Governor's FY 87 budget request.

In its FY 88 budget request, the division is seeking funding for a client tracking and office automation project. This several phase project would ultimately result in development of a complete system for tracking juvenile offenders and victims of child abuse, and standardization and automation of office support functions. It would also increase staff efficiency and productivity.

Development of the new management information system would occur in phases and must be integrated as an essential element of another major division initiative mentioned earlier, development of a comprehensive case management system. Completion of these two initiatives will accomplish many of the recommendations made to DFYS by the Legislative Audit Division and others. For example, review of DFYS' governing statutes, implementation of uniform policies and procedures, and implementation of a monitoring system will all occur as an integral part of these projects.

Because of failure to receive funding for prior capital improvement projects to fund a management information system, DFYS has contracted for a review of past efforts and present needs to ensure that the current CIP addresses shortcomings noted in past projects which influenced funding decisions. DFYS is presently in the process of reviewing a draft report from Wolfe and Associates outlining a recommended approach to meeting the needs for management information system within the guidelines of the FY 88 Capital Improvement Project request.

Unfortunately, deficiencies in the existing system have been compounded by the recent reduction of resources and will make maintenance of the existing system more difficult. Cutbacks in the FY 87 budget require that a key data processing position be held vacant, and changes in the data processing environment will necessitate devoting approximately 90 percent of remaining data processing staff time to language conversions essential to maintain operation of our existing system.

We agree with auditors that the true costs of maintaining the current system extend far beyond data processing staff costs. These more-difficult-to-measure costs include decreased management effectiveness due to lack of essential planning information and ineffective use of direct service staff time. The drain on direct service staff time is compounded over time as decisions are made which directly affect services. For example, when the Sheffield Administration undertook its major child protection initiative,

DFYS staffing requests were held to only thirty-five positions on the basis that implementation of the requested new management information system would free staff time for direct service provision and offset the need for additional staff. However, because the MIS request was not funded and caseloads have increased, staff shortages were exacerbated despite the addition of the 35 positions.

In recognition of DFYS' critical need for a comprehensive management information system and need to capture the maximum federal funds, I have made funding and development of this system a departmental priority. I am also assigning the newly organized Department of Health and Social Services data processing group to aid DFYS staff in their development efforts and will make other department level resources available as necessary to ensure success.

Recommendation No. 3

The Division of Family and Youth Services (DFYS) should develop standardized foster care procedures and encourage compliance through improved training and supervisory review. In addition, DFYS should continue working toward improved relations with foster parents in order to sustain a more viable foster care program.

DFYS generally agrees with auditors' identification of issues to be addressed to improve Alaska's foster care system. Much progress has been made to address problems since the 1983 Legislative Audit on Foster Care. In 1984, a systematic approach to achieving goals was jointly developed by foster parents and DFYS. Nearly one hundred issues in nine categories were identified for research, planning, and resolution. It was the consensus of foster parents and DFYS staff that five years would be needed for resolution of identified issues. There have never been "dedicated" resources for central management staff to oversee administration of the foster care program. State office management and program development staff are limited, comprising less than three percent of the DFYS budget. Despite the staff shortages, in the last year and one half, substantial action was taken to improve the foster care system and relationships with the Alaska Foster Parents Association (AFPA). New actions include:

- ° quarterly meetings with AFPA and state office personnel;
- ° follow-up contact between quarterly meetings on a weekly or more frequent basis;
- ° revision of the policy and procedure manual to include: a copy of case plans for foster parents; two weeks notice, when possible, to foster parents before removing a child from the home; and notification to parents when there are changes in case plans;
- ° adoption of several forms suggested by AFPA;
- ° case plan revisions including suggestions from AFPA;

- notification to all care providers of revisions to policy and procedures;
- consistent standards for parent support payments finalized in regulations;
- grievance procedure readied for promulgation in regulations;
- resolution of late payment issues;
- specialized foster care program being explored and developed including technology dependent infant program, and the Alaska Youth Initiative program;
- initiation of Youth Services specialized foster care program on a pilot basis;
- a new policy to fill vacancies with persons holding an MSW or BSW degree resulting in fifty-two professionals with a Master's degree in Social Work or a closely related field;
- training programs for foster parents provided jointly by AFPA and division staff;
- a comprehensive inventory of all children in DFYS custody in out of home care, information on each child's placement history, and a preliminary analysis; and
- specialized regional positions designated, monitoring procedures drafted, and piloting begun to ensure the systematic review of all children in foster care as required under Public Law 96-272 and Alaska statutes, and, on a limited basis, to perform case file monitoring and licensing file monitoring.

Foster Home Licensing

The DFYS agrees that licensing activities are behind. Here, as well as in Child Protective Services, staff resources have not kept pace with growth. To meet Child Welfare League standards, time devoted to the licensing of foster homes would need to be doubled. The audit correctly notes the importance of the licensing function and the need for additional recruitment efforts. However, with little likelihood of additional revenue and increased field staff to carry out these functions, expectations must be adjusted accordingly. State Office program staff have planned or are working on a number of regulatory and policy improvements to address field staff shortages. The following improvements will be completed or nearly completed this fiscal year:

- finalize licensing regulation changes with the assistance of the Foster Care Working Group, scheduled to submit recommendations in December, 1986;

- reduce the number of licensing criteria to be measured to those critical to ensuring safe and appropriate care in order to reduce staff time necessary for licensing;
- streamline the procedures to make them similar to licensing other facility types to avoid worker confusion;
- revise licensing manual procedures to include a supervisory review of some licensing files each year; and
- prioritize new foster home applications in order to train experienced foster parents for specialized foster care and to meet child placement needs by age range, specialization, and location rather than by new applicant interest.

Complaint Investigations

The DFYS concurs with auditors' conclusion that complaint investigations are generally "reasonable and fair". However, the conclusion that despite the existence of policies and procedures addressing complaint investigations, there are wide variations in how complaints are handled both between and within offices, is disturbing but consistent with DFYS management perception. To improve consistency with limited resources, the following is the division's plan for addressing this problem this fiscal year:

- promulgation of revised licensing regulations, currently described by some as "vague", to provide clear guidance to workers investigating violations of those standards;
- review the findings of the Foster Care Working Group on complaint investigations scheduled for completion in December, 1986, and consider the recommendations for policy adoption;
- require logging complaint receipt date, level of danger, and disposition into the computerized system using the on-line capability (this is currently available, but not mandatory); and
- utilize supervisory staff for orientation and training of new workers in light of inadequate training funds.

Specialized Foster Care

In recognizing the need for specialized foster care, the division developed a Youth Services pilot project. With the implementation of Title IV-E of the Social Security Act (federal Public Law 96-272), it became apparent that the division would need to develop a consistent definition of specialized foster care to ensure federal claiming. We agree with the audit finding that there are inconsistencies and that there should be equitable augmented rates applicable to both the Youth Services and Social Services foster care programs. Revised foster care purchase regulations, with the December, 1986,

recommendations of the Foster Care Working Group, will contain criteria applicable statewide for augmenting foster care rates. Foster care purchase regulation changes are scheduled for completion this fiscal year.

It should be noted that licensing, complaint investigation, and specialized foster care policy improvements are dependent on State Office program development staff. Further, cuts at the management level would result in delays or elimination of policy improvements.

Foster Parent Training

The division has long recognized that foster parents need skills and training in order to care for difficult children, and often, also, to maintain their family life in a positive and fulfilling manner. During FY 86, the division contracted with the AFPA, for the first time, to provide joint statewide training. A national expert provided consultation to foster parents, division foster care specialists, and division management in a special "kick-off" session. In spite of this effort, there were problems--some due to the lack of specific language in the contract, and some due to forces beyond the control of either AFPA or the division; for example, underfunding of child protection positions created in HB 88 resulted in delay of the foster care specialist positions being filled. It was necessary to establish effective new relationships at the regional rather than the state level, both for AFPA and the division. Expectations and goals were, in retrospect, exceptionally high for both AFPA and the division. The division remains committed to teaming with AFPA and is continuing the contract with the expectation that the experience of the first year will allow greater gains. If proposed regulations to require foster parent training are retained through the public hearing process, training of foster parents will be documented annually in each file.

Foster Parent Liability

Participation in a national teleconference on provider liability issues would indicate that the problems in Alaska are highly similar to the problems experienced in other states. The Foster Care Working Group is studying liability issues and will make recommendations to the division. The Division of Risk Management has agreed to provide a written statement to clarify liability coverage for foster parents and is recommending a review of AS 34.50.020 for an assessment of need for statutory clarification. Improvement and clarity of licensing regulations may also clarify some liability issues.

Relations With Foster Parents

The audit recognition of improved relations between the division and AFPA is appreciated. The DFYS and the AFPA continue to be committed to working together for the benefit of children. There have been difficulties, as noted earlier, at specific times, but this is not unusual given the natural tension that occurs in attempting to meet competing interests: child, natural

parent, foster parents, and agency. The fact that the tension is recognized, and there exists an agreement to work together, is positive. Despite major differences on some issues, the two organizations continue to work together on a frequent and planned basis.

Recommendation No. 4

DFYS should comply with the American Correction Association (ACA) national standards in order to receive accreditation for its juvenile confinement facilities.

The division fully agrees. In fact, the process of accreditation of its facilities was initiated unilaterally by DFYS, to evaluate and strengthen detention and treatment services.

It should be noted that meeting these standards does not simply mean the minimum requirements for safety and adequate program services are met. Standards require documentation that institutions exceed basic standards. Compliance ensures that the services provided are of high quality and in accordance with nationally recognized and respected indicators.

The division has asked for and has received some capital funding for the costs associated with meeting these standards. The division still intends to meet these standards, within revenue limitations.

The youth services facilities serve only a fraction of the number of youth who enter the system, and the facilities do not function in isolation from other parts of the justice system. It is important to consider the impact of the other parts of the system--the police, courts, intake, diversion, and probation--on the institutions' functioning. Agencies must coordinate to form a sensible, practical scheme of services to meet the two major goals of rehabilitating youth and protecting the community. The long-range goal of DFYS is to achieve accreditation of all aspects of its Youth Services system--intake, community services, and institutions. Accreditation of facilities was the initial step.

The division is aware of other aspects of the Youth Services system which must be addressed before accreditation is feasible. Among these are lack of adequate resources, such as specialized probation staff and community support services. Other factors beyond DFYS control include: 1) lack of control over the numbers of clients entering the system, especially institutions; 2) necessity of addressing unusual and increasing demands made on the system including individual treatment decisions made by the court, meeting federal criteria, serving children requiring specialized treatment, increasing demands from the public to arrest and incarcerate youth offenders and non-offenders such as runaways.

The complexities of treating juvenile offenders, assisting their families, and protecting the community in the context of shrinking social services dollars and multiple agency involvement impact DFYS' ability to provide the high levels of DFYS' institution services necessary to achieve accreditation.

December 15, 1986

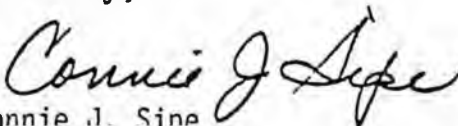
Recommendation No. 5DFYS should take steps to improve and increase training of social workers and personnel working in youth detention facilities.

The division shares the concerns of the audit team regarding the need for adequate funding for training of DFYS staff. With its statutory mandates to provide protective services to children, delinquent youth, and to license facilities, division staff assume responsibility for dealing with sensitive and complex human issues which require unique specialized skills and understanding of complex laws and regulations.

As identified in the interim report, training funds have been drastically reduced, resulting in the ability to provide only orientation and minimal training regarding Alaska statutes and the policies and procedures of the division. Specialized intervention and treatment skills have been deleted from the training plan. With this evident lack of comprehensive training, the state is in a liable position, and more importantly, the quality of services for Alaska's youth and children is compromised.

DFYS has also identified the need to focus more attention on the inclusion of field supervisory staff in planning and training. All supervisors met in a management training session this year. It is recognized that supervisory staff are an essential link to the field's direct delivery of client services. Their inclusion in the overall philosophical direction of the division as expressed in policy and procedure is essential. Additional emphasis will also be made on training of institutional staff to work more adequately with confined juveniles. Meanwhile, training will focus primarily on basic knowledge and skills essential to job functioning. This will be accomplished through limited scheduled training sessions for selected staff groups and through direct supervision.

Sincerely,



Connie J. Sipe
Acting Commissioner

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STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

AUDIT DIVISION
POUCH W
JUNEAU, ALASKA 99811-3300

December 15, 1986

Members of the Legislative Budget
and Audit Committee:

We have reviewed the Department of Health and Social Services, Division of Family and Youth Services (DFYS) response to our preliminary report. Our comments follow:

Auditor's Comments and Summary

In his response, the Commissioner indicates that DFYS has the statutory authority to intervene and provide services to runaway youths and that the agency is not required to defer to the refusal of the runaway. It should be emphasized that the report reflects the current DFYS policy and practice regarding service to runaways. Virtually everyone we spoke to during the course of our review, from the Commissioner to the local social worker in Tok, indicated that DFYS intervened in a limited and passive way when dealing with runaway youths who were not per se victims of abuse and neglect.



Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit

I I I

November 20, 1986

Post Office Box
Juneau, Alaska 99802

RE: Ombudsman Complaint J86-0338

Dear :

As I told you by phone, I received a response to my findings and recommendations from the director of the Division of Family and Youth Services, Mike Price. I have discussed the release of information with Mr. Price, the Attorney General's office, and the Director of the Division of Legal Services. This letter contains only the information about the investigation, findings, recommendations, and the agency's response that I am legally permitted to release at this time. Because the division's attorney believes that much of the material in my original report is confidential, and the law is clear that unauthorized release of confidential material is a misdemeanor, I have omitted most of the details.

I have enclosed the pertinent laws governing the release of confidential information for your information; you may wish to consult with an attorney if you want to obtain additional information.

Your allegation, as Ombudsman Assistant Dave Haas received it, was:

The Division of Family and Youth Services performed inefficiently in not thoroughly pursuing allegations of child abuse.

The investigation revealed there were inefficiencies in the way this case was handled by DFYS in four separate areas: mandatory reports, contacting those who reported concerns about this child, internal message handling within the division, and documentation in the file. I therefore found your complaint justified. However I cannot infer from this investigation and finding whether or not the actions DFYS took or the ultimate fate of the child would have been any different if no "inefficiencies" had occurred.

I submitted my findings on this matter to the director along with my findings in another case, in which the division was accused of overreacting to a report of harm. These two cases dramatically point to the challenge the division faces: criticism for failing to take enough action in some cases, criticism for taking too much in others.

November 20, 1986

In an effort to help improve the division's response to reports of concern and harm in the future, I offered recommendations to DFYS, including the following:

1. This investigation substantiates the facts that DFYS social workers have an enormous responsibility and that they are subject to severe criticism for their actions or inactions. My first recommendation is that the division place a high priority on initial and continuing training for social workers. The difficulty and significance of risk assessment in child protection clearly warrants a substantial level of training. I therefore encourage you to refer to this Ombudsman recommendation in your future budget submissions, if you think it is appropriate, to justify a training budget that is adequate.

2. Staff should file both the report of abuse and DOL report whenever required.

The value of the report required by AS 47.17.025 was questioned by several social workers and assistant attorneys general; it may be appropriate for me bring this statute to the attention of the legislature and suggest a review to see if the requirement is achieving the purpose for which it was intended; I asked for the director's opinion.

3. The division's procedures manual should be clarified in several areas.

My opinion is that the manual has been improved and refined greatly in recent years, but there are several areas where the language and division performance are not consistent.

I recommend the division review the tenor of section 300.05.080 (f) (2)(E) and (F). If this is meant as a guideline, not as a mandate to interview all witnesses, regardless of their expected contribution, the current language should be modified. If it is meant to be a mandate, division staff should be so informed.

I also suggest the division add a guideline that staff normally interview the person who contacts the state about a report of harm as an initial step in the investigation, unless there is valid reason for not doing so (such as non-availability of the person who reported). The division should also add a specific reference to "boyfriends or girlfriends" in section 05.080, as an example of a regular member of a household.

4. The Juneau regional office should ensure that messages involving child abuse are handled in accordance with agency procedures. Also, the office should ensure there is better documentation (ROC notes) regarding calls made and what was said and about unsuccessful attempts to call.

5. The division should take an active role in annually communicating with other pertinent sectors of the community about reporting and investigating child abuse. The responsibility for protecting children is given to DFYS by statute, but in fact this is shared by others, including the families, persons required to report harm, and the public. The significance of the issue clearly warrants a statewide effort to establish and maintain good communication between these parties. I would like your comments on the value and practicality of a statewide forum, or series of forums that involve other agencies and groups in addition to DFYS.

One step might be for DFYS to make a presentation in the near future at the monthly medical meeting in Juneau. The subject should be child protection and abuse, including reporting requirements, standards and practices which might apply to the audience.

In the interests of maintaining a good working relationship with the medical community, medical personnel and others who report child abuse need feedback from the division. They should be recontacted.

We learned DFYS is administering a federal grant for child abuse training in the medical community. I understand this project is to include training at all hospitals in Alaska. As described, this project addresses one of the major conclusions of this investigation--that all sectors of society involved with child abuse need to be trained and reeducated so they can work together as effectively as possible. I strongly endorse this training.

6. The division should provide training in telephone procedures regarding reports of harm.

*

I also offered this statewide perspective of the division's role in preventing child abuse:

The impassioned nature of this complaint dramatically focuses attention on the DFYS role in responding to reports of child abuse. As a neutral reviewer, I have been careful to analyze these complaints as

November 20, 1986

objectively as possible, particularly since the Ombudsman's Office is providing a type of "post-fatality review" that has in some states warranted a special commission. One conclusion I reached during the course of my review of these investigations is that the division's role in preventing child abuse should be put into careful perspective. As you may know, a Mat-Su Physician, Dr. George Brown, recently received an international award for his work in preventing child abuse. I briefly discussed the role of DFYS with him, and he referred me to the booklet "Child Abuse" by Ruth and Henry Kempe. The following, quoted from the chapter entitled "A Community-Wide Approach," seemed particularly relevant to me:

Child abuse . . . is a very widespread problem, and the consciousness is growing that traditional child-protection agencies are simply not equal to it. It is no criticism of them to say that they have neither the funds nor the staff to make the necessary impact. Nor can they possibly bring to bear all the skills this multifaceted problem requires. What is needed, and what is now beginning to be created, is a new and more broadly based approach that will draw more effectively on the resources of the community. . . .

What are the basic ingredients of a community-wide plan? First, there must be recognition that putting the whole burden of responsibility on the social worker will no longer work and that a broadly based team effort--using experts from many disciplines--should take the place of that system. . . .

I am of the opinion that DFYS alone cannot adequately address this major social issue, particularly as the division faces budget constraints and unrelenting workloads. I am considering a press release upon closing this complaint, with the intent of reemphasizing the "shared responsibility" needed to address child abuse. It is my impression that the medical community, school systems, and other related sectors of society could support DFYS better if the communication were better between all groups; if this office can contribute to that, I intend to do so.

Michael Price, director of the division, responded to me on November 17. He stated in part:

This is in response to your . . . preliminary findings and proposed recommendations . . . Before responding to individual findings and recommendations, it is necessary to first set forth the position of the division regarding the

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fundamental system deficiencies responsible for situations which resulted in the filing of both of these complaints. While the division supports and agrees with specific recommendations in your report, there is a fundamental disagreement with the primary focus of causes contributing to the filing of both complaints. Your report emphasizes policy deficiencies and lack of training in relation to both situations and to inefficient operations systems within the Juneau office as the primary factors contributing to difficulties in service delivery. It is the position of the division that the lack of adequate resources is the major factor contributing to each of these cases, not policy issues or office systems. . . .

The usual clientload in the Juneau office has been averaging over 100 clients per worker, which is far above the standard of 50 clients per worker . . . the most relevant issue in the handling of the case was lack of manpower to enable the existing system to operate efficiently. While the division does plan to make recommended adjustments to policy and procedure and training, such change will not compensate for the failure to provide the proper ratio of staff to clients. Enclosed for your review is a brief comparison study of the agency clientload and staff available in 1983 and 1986. The enclosure shows that in Juneau, the adult and child protective services clientload grew from 373 in January 1983 to 725 in August 1986. This represents a 94% increase in the total clientload and a need for 7.5 additional Social Worker positions to meet a standard of 50 clients per social worker. These numbers were validated by an administrative review of all open client cases on November 5 and 6, 1986. The review resulted in the closure of 25 client cases; the remaining 700 client cases are actively being served.

The division has and is making efforts to carry the message to the public, the Legislature, and the Governor that the ability to carry out this agency's mandate to protect children in Alaska from abuse and neglect is seriously eroded because of inadequate resources. . . .

The division plans to implement recommendations made in relation to this case--others are beyond the ability of the division to unilaterally implement without necessary financial support.

Re: Recommendation #1

Response

In the past year, the division assumed responsibility for personnel functions related to recruitment and processing of applications for Social Worker positions in an effort to more quickly and efficiently recruit and hire and to upgrade the entry level requirements for new social worker appointments. The register point system was revised to give additional points to persons with Master of Social Work (MSW) and Bachelor of Social Work (BSW) degrees which has resulted in increased ability to hire persons with formal education in social work. Currently there are 39 social workers with the division who have MSW degrees, and 21 have Master's degrees in a related field. Eleven social workers have BSW degrees, and 54 have BA degrees in a related field. There is one social worker with a doctorate.

However, in addition to formal educational background, training of personnel in agency policy and procedure, state laws, and other issues relevant to Child Protective Services in Alaska is critical to an effective service delivery system. An MSW does not prepare personnel in these areas. In the past few years, funding for training in this division was dropped from one half million dollars to less than \$100,000 excluding the salary and benefits of the remaining staff position designated to coordinate training for the division's more than 500 employees. Training continues to be a priority for the division, and requests for adequate funding of a training component are documented each year. However, adequate levels of funding have not been included in final budget submissions or have not been appropriated at sufficient levels to enable the division to provide a solid training program.

Re: Recommendation #2

Response

Filing of the Report of Abuse with the Department of Law is a legal requirement that will continue to be reinforced with division staff in policy and training. The value of filing this report has also been questioned by a recent preliminary report of the Division of Legislative Audit. With diminishing state resources and the concomitant necessity to review priorities, it may be appropriate to present this issue to the Legislature for review. The division, however, has not completed any objective analysis of whether or not the requirement is

necessary to achieve its purpose. Such an analysis would more appropriately be left to a disinterested agency.

Re: Recommendation #3

Response

As recommended, the Intake Manual will be amended to make specific reference to girlfriends and boyfriends as examples of regular household members.

The manual language will clarify expectations with regard to re-interviewing the reporter of abuse or neglect. If the report is made directly to the division, and not through a second party as in the Fairbanks situation, and if the screener accepting the complaint follows current division procedures regarding information which must be ascertained to initiate an investigation, it would be an unnecessary duplication of effort to re-contact the reporter before beginning the investigation. Re-contact certainly should occur if new questions arise as the investigation proceeds. . . .

Re: Recommendation #4

Response

The division has recently completed a two level review of office procedures. As a result of the Regional Review, the following measures will be undertaken to improve weaknesses identified.

1. Reports of Harm

In order to ensure timely reporting to the Department of Law, the Juneau office has instituted a system where need for filing a Report of Harm is noted in the supervisor's intake report log along with the date the reports should actually leave the office. As an additional check, the actual "Report of Child Abuse" is routed through the supervisor. The date of the report is noted in the log and distributed.

2. Messages and Case Information Systems

A new "on-call" or night-intake message distribution policy was initiated in June of this year.

The "on-call" worker not logs all contacts in narrative format and includes the date and the time of the call. These reports or logs are then given to the supervisor the next working day for review. The log notes are then reviewed by the supervisor, and any further needed action is taken.

A review of the case filing system is also underway to ensure more timely filing of messages and other case documents and to ensure ready access to all recent information for staff who might be working with the case.

3. Weekly Intake Planning

The Juneau office has initiated a weekly intake planning session in order to further ensure that various messages and contacts are provided to the appropriate staff. All Reports of Harm are reviewed to ensure appropriate and timely action and efficient communication between workers.

State Office also conducted an extensive review of the Juneau office procedures which will result in broader recommendations for possible redistribution of workload for some positions and methods to enhance communication between the regional and the field offices.

A major finding reconfirmed the need for additional staff resources in the Juneau office. A plan for emergency transfer of an existing Social Worker III position in another part of the state to Juneau is being considered to assist with the workload until a new position can be made permanently available to the Juneau office.

Re: Recommendation #5

Response

In the past several years, the division has taken a very active role in public education. Two years ago

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the division received a grant which allowed development of a statewide campaign to improve identification and reporting of abuse and neglect by the general public. Sixty thousand brochures were printed and distributed to all professionals required to report. The brochures were designed to address the individual needs of the various professional groups. Television and radio spots were produced and aired, with the goal of increasing public awareness.

The division has also received funding for another year to continue statewide education of medical providers in the identification, diagnosis, and reporting of child abuse and neglect. The training provided this year was very successful, and the division agrees that continued efforts to educate the community about child abuse and neglect are very important. However, these efforts are possible only with continued funding made available specifically for training purposes and, therefore, state and national support is necessary to support such activities.

Re: Recommendation #6

Response

The manual section regarding procedures for receiving a report of harm will be revised to include this recommendation.

I intend to further review the director's response, and give additional consideration to the issue of confidentiality. I will then advise you whether I will close the case or take further action.

If you have any questions, please call me.

Sincerely,

RS

Robert Walton
Acting Ombudsman

RW:jjb
Enclosures: AS 47.17.040
7 AAC 36.020
7 AAC 36.060
21 AAC 20.360

IV

Alaska State Legislature

P O. BOX V
JUNEAU, ALASKA 99811
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ANCHORAGE, ALASKA 99503
(907) 276-7943



MEMBER
Labor and Commerce
State Affairs
Special Committee on
Telecommunications
Finance Sub-Committee

Minority Whip

Representative Virginia M. Collins

October 9, 1986

Steve Cowper
P. O. Box 17-0019
Anchorage, Alaska 99510

Senator Arliss Sturgulewski
4417 Old Seward Highway
Anchorage, Alaska 99503

Dear Mr. Cowper and Senator Sturgulewski:

Recently, I held a public meeting on Child Protection Laws in Alaska. The meeting was held at the Anchorage Legislative Information Office and was attended by over 100 concerned citizens from the Anchorage area as well as officials from the Division of Family and Youth Services and Attorney General's office. The purpose of the meeting was to gather information from DFYS and the general public on the effectiveness of Alaska's Child Protection Laws.

Enclosed for your information is a transcript of the meeting testimony which I think you will find very revealing. After reading the transcript, I'm sure you will agree that Alaska's Child Protection Codes may require a thorough review. That is why I am requesting that you make this issue a major consideration for your administration, in the event you are elected Governor.

Specifically, I am requesting your new administration make it a top priority to re-establish the Children's Code Task Force to review and make recommendations on state statutes, regulations, and policy dealing with runaways, juvenile waivers, housing for juvenile offenders and child sexual assault.

I appreciate your taking the time out of your busy campaign schedule to review this information. I look forward to your thoughtful consideration of my request and plan on contacting you again during the early days of your administration.

Good luck on the campaign trail.

Sincerely,



Representative Virginia Collins

Enclosure

cc: All State Legislators
Public Hearing Attendees:

Sharon Nahoney
Janice Lienhart
Karen Heiman
Joyce Walter
Lorri Boe
Tom Benson
Gladys Thompson
John Liska
Mr. & Mrs. William Cathers
Bob Griswold
Dick Illias
Loyd Walter
John Sivertsen
C. Sivertsen
Julie Taus
Diana Bement
Sue Harris
Catherine Stadem
Rob Wood
Elizabeth Kennedy
Sally Mead
Jeanne Winjum
Sande Csaszar
Maggie Mulhand
Helen Ormsby
Brunhilde Eska
Laurie Anderson
Thelma Langden
Charles Richner

Mr. & Mrs. James Troy
Mary Spellens
F. Millett
John M. Dahlen
Tom Barth
Sandy Ringstead
Joy Daniels
Ella Craig
Rob Walton
Frances Miles
Mrs. Doran Cosby
Andrew Linn
June Macc
Bill Quinn
Linda Radspinner
Joyce Settler
Robert Sutter
Robert Cole
Mark Piehle
Thel Davis
Rosalie Nadem
S. Keane
Alicia Iden
Lisa McLernan
Brent Gazaway
Janet Kowalski
Jeanne Johnson
Marj Hall
Bruce Melzer
Cecelia Kleinkauf

CHILD PROTECTION LAWS
Public Meeting
September 23, 1986

REPRESENTATIVE VIRGINIA COLLINS opened the public meeting by explaining that during the last two years, she has received a considerable amount of information and complaints about a number of departments. Of all the complaints she has received, most of them seem to focus on child protection laws and problems associated with them. Common among complaints from constituents have been charges that our child protection laws become too involved in families, take children away from the home and disrupt the family and, on the other hand, child protection laws do not allow children to be removed from their families and are kept in situations where they're abused over and over. After looking at all the information, Representative Collins questioned if the State Child Protection Laws are meeting the public's expectations and legislative intent. She went on to question whether DFYS had been given a charge that they cannot meet. She stated she called this meeting with the assistance of DFYS for the purpose of obtaining general public input on the problems confronting Alaskan families and how the system is dealing with them.

PAT KENNEDY, Attorney General's office, provided an overview of the child protection laws. There are several instances in which the State is allowed to intervene in the family in terms of child protection. They include some of the following:

1. When a child is evading the custody of the parent, a runaway.
2. When the child is abandoned by the parents, throw aways or castaways.
3. When the children have no one capable of caring for them, perhaps when a parent is incarcerated, placed in API, or for some other reason disabled.
4. When there is physical abuse either created by the parent or by conditions created by the parent.

5. When there is sexual abuse, either of that child or substantial risk that that child will be endangered from sexual abuse. Sometimes that means if one child in the family is sexually abused, the rest of the children in the family can be taken into custody on the grounds that they might become sexually abused.
6. When a child is not receiving medical care which is necessary for its health or safety.
7. When a child is in danger in some way such as, suffering from neglect, psychological abuse, emotional abuse, etc.

Ms. Kennedy went on to explain that when they take physical custody of a child away from a parent they are required to file a petition in court within 12 hours of taking custody and to go into court within 48 hours of that time to appear before the court and show cause why they should be allowed to continue that custody. The one exception is runaways because since runaways tend to run away for a variety of reasons, some of which are good and some of which are bad, they are allowed to take an extra 48 hours to try and get that child placed back into the family without attempting to go to court to tell them why they need to take physical custody.

There is a right to have an attorney for every parent involved in a child custody proceeding. They may request an attorney be appointed to represent them if they cannot afford one.

In Title 47.17, there was a mandatory guardian ad litem statute passed. If a child has been physically abused, sexually abused, or neglected, that child is entitled to its own guardian ad litem, a person appointed by the court separate from the Department of Health and Social Services and the Public Defender's Office. That person speaks for the best interest of the child.

The court has the authority to do one of three things: (1) keep the child in physical custody up to two years; (2) release the child to a parent, guardian or custodian with or without supervision; or (3) terminate parental rights. In order to do that, the state must ask the court and give everybody notice.

The most complaints that she hears from parents are about the runaways because parents say that the state

encourages runaways by taking them in. The Department of Health and Social Services has two charges by statute. One of them is to reunite families but the other one is to make sure the children are safe. If a child is on the streets, it is not safe.

SUE HARRIS, Division of Family and Youth Services gave a brief overview of the services and responsibilities that the Division's Social Workers have. Her Division is responsible to investigate all cases of abused or neglected children and take whatever action is necessary to protect those children. It may be crisis intervention, providing services to the child in the home, or it may be necessary to involve the court and petition for custody to place the child outside the home while they're working with the family so changes can occur so the child can be returned safely. If the child is in immediate danger, then the Social Worker can take immediate custody and follow up with a petition to the court.

Ms. Harris outlined the broad range of duties and responsibilities that confront her Division and Social Workers. Due to their shortage of clerical staff, Social Workers have to do much of their own typing, filing, filling out invoices, etc, which takes their time away from case work. In December of 1985, they opened 140 new child protection cases as compared to 93 cases in December of 1984. In April of this year, they opened 279 new child protection cases compared to 144 the previous April. The number of court cases has also increased proportionately and that is indicative of the number of severe abuse and neglect situations that are reported. Those cases have increased 35% over last year and 65% over 1984. As an example, during the first half of September of this year, they filed 33 new cases with the court as compared to 18 for the full month of September last year. Altogether, they have just over 3,000 open child protection cases in the Anchorage office, approximately 500 licensed facilities, and about 250 adult protection cases, for a total of a little more than 3800 individuals or facilities that they are responsible for in Anchorage. They have two positions that are responsible for taking all of the reports, providing information and referral, crisis intervention with runaways, and out of town support services for youngsters from other areas of the state that are in custody. After hours, they have two workers who are responsible for any emergency coverage between

4:30 p.m. and 8:00 a.m. and 24 hours a day weekends and holidays. They currently have 11 Social Worker positions vacant in the Anchorage office.

One of the problems in Anchorage is that although budget deficits are distributed state-wide, any personnel deficits end up having to be taken out of the Anchorage office. There is an over-extension of supervisors as well as the staff. Each of the Anchorage supervisors is responsible for 9 to 11 staff as compared to the national standard of 1 to 5 for child protection ratios. The staff pressures are enormous. A wrong judgment can mean permanent damage or death of a child.

REPRESENTATIVE COLLINS opened the meeting to public comment.

JANICE ^{EMBERT} SIEBART, Victims, testified that her parents were murdered a year and a half ago by a 15 year old girl. Ms. Siebart is very concerned that youngsters are not held accountable. Juveniles think they can kill people and, at the most, get sent to McLaughlin and get out when they're 20. Per the Alaska Supreme Court Statute, the police are not allowed to fingerprint or photograph young people. Yet, over 50% of our burglaries are done by people under 18. When youngsters get into the felonious phase, they have to be accountable.

The Alaska Statute also excludes the public from children's hearings, but when a person does this type of crime, it's very important for the victim to know what's going on and it is equally important for those young people to have to face up to the people they hurt. When our protection doesn't help us and it doesn't help them, it isn't working. Somehow, our laws need to be made so we can have the same rights as the criminal but our justice system somehow gets out of balance in these areas.

She would like to see Alaska have a central runaway screening place. If a runaway child could immediately be counseled with the family, this would really have a positive effect but it's impossible for the Department to do that. If a private group could get together with businessmen, it's a community problem that deserves our support. It would protect the public as well as the young people.

LORRI BOE explained the problems she's having with reporting sexual abuse of her four year old son. He's had to repeat his story to DFYS, to a private therapist, to a court appointed investigating therapist, to the Anchorage Police Department, to DFYS again, and he's still seeing a private therapist. She asked why he has to go through so much, repeat the same thing over and over, and no one will believe him.

PAT KENNEDY, Attorney General's office, responded that when there is sexual or physical abuse, two cases tend to run parallel, a civil case and a criminal case. It's confusing and suggested Ms. Boe should speak with a lawyer about the different kinds of evidence.

LORRI BOE also asked why it has to be such a lengthy process and have so many steps. It took nine months for Anchorage Police Department or anybody to understand.

SALLY MEAD testified that she works with a community based group that is involved in the delivery of services in cases of child abuse and neglect. She stated that there is a tremendous need and that, traditionally, services have been limited. That's part of what is contributing to the problem. She discussed the idea of a continuum of services including not only DFYS, Department of Law or the Police Department, but also provide provision for treatment kinds of services to these families. We need to look at the continuum as a whole; prenatal care for children, pregnant teens, runaway population, life skills, removing children from abusive homes and helping their parents. When we look at just pieces of it, we tend to break up the service delivery system and not have an impact on the whole problem. This is reflected in funding when, as an example, choices are made between child protection or day care assistance. She recommended that we need to look more at comparing services for children to other major areas, i.e., hydroelectric projects, and our priorities need to be looked at on those levels.

She offered a report that was produced through the Municipal Child Abuse Task Force that met over a year and a half period. This report was produced by a committee that was looking at the continuum of services in Anchorage. In terms of actually meeting the need that presently exists in Anchorage, it outlines what it

would take in terms of staff and money to meet the total need.

JOHN LISKA testified that he feels that Social Workers must be open minded in the problems that come before them. He strongly recommends that all Social Workers be licensed. Abuse should be more specifically defined in Title 47. The Title should be revised to include what the parents' rights are and what the children's rights are. There should never be a cloud of doubt held over honorable parents that are trying to raise their children right.

He also explained the original intent of the runaway children's bill. He recommended that the legislature screen things out and get to the bottom of the problem before more parents are damaged and it's not their fault.

WILLIAM CATHERS testified that he has a daughter who is "playing the system." She decided that she didn't want to stay with her parents because they were "too rigid" because they made sure she obeyed the rules of the home which were very modest. The state now has temporary custody of their daughter and during that time, they have not received any support from Health & Social Services; in fact, they have worked against them. He doesn't feel that Health & Social Services knows where is daughter is at all times. During the time she was in their home, they knew where she was. He stated that there is a severe problem in our system and it must be dealt with very quickly because the kids have a support group out there that tells them, "I did it this way, here's how you do it." Health and Social Services, as well as the Attorney General's office, "pounce" onto a situation where a child can speak. A child that cannot speak if they have a problem within their home, ends up back in the home to the tune of more abuse.

BOB GRISWOLD, Director of Alaska Children's Services, which provides residential services for children who are brought into state custody, testified that until we find some ways to meet the needs of children in the State of Alaska, we're not in a position to criticize very greatly the Department of Social Services. We are in the face of an epidemic we ought not to have been surprised about. We know enough about the dynamics of

families to know that when the stresses go up, and certainly they go up in economic downturns, then we'll get a lot more cases of abuse. We need to get a shift in the psychology in the legislature in Alaska to where we understand that when economic downturns occur, some programs have to be funded more heavily. He also mentioned that we need a commitment to standards: caseload standards, supervision standards, foster care support standards, residential facility standards, etc. All these standards need to be set and a commitment from the state to follow through on those regardless of what the economic situation is. There has to be a commitment to certain levels of care for children.

LOYD WALTER testified that he feels Social Workers are not doing a proper job. They are separating children from their families and doing it on the basis of the word of willful children. There are cases of abuse that need to be taken care of but they are not looking into these cases properly. They're not following the law as he understands it. It seems to him the Department presumes to impose a type of social order that he doesn't believe is even suggested in the law or is normal to the average citizen. He knows of five different cases where children are not being looked after. He explained how his step-daughter was taken from the home on her complaint that she had been abused. They did not investigate what had happened beyond the child's word for four months. They destroyed a home that could have taken care of this child. He knows four other similar cases and thinks something needs to be done. The law is basically good but it's the application and misdirection by the Department that needs to be fixed.

JOHN SIVERTSEN, attorney, testified that child abuse is the most rarely discovered of crimes and among the least likely to be prosecuted. The survivors of child abuse grow up to inflict society with juvenile crime, drug and alcohol abuse, juvenile prostitution, and even suicide. The situation cannot be remedied until we take a candid look at the problem. First, child abuse cuts across all social, economic, cultural and ethnic lines. Child abusers are not all sick people who require treatment. They probably fall into three categories: (1) parents who are simply inadequate; those who have not learned how to be parents; (2) parents who are, in fact, mentally ill; those whose mental disorders prevent them

from reaching minimal standards of parenting skills; (3) parents who are "evil," who sexually and physically exploit their children for profit and/or pleasure. Finally, child abuse is a crime. It may be a social problem or a mental disorder or a family dysfunction, but it's always a crime. We must stop tolerating these sorts of crimes. There are changes which could be implemented relatively immediately and would not cost an excessive amount of money.

All reported cases of child abuse should be investigated by professionals trained in fact-finding. It's time for Social Workers to learn some of the skills of a criminal investigator. Attorneys representing the government agencies must similarly be trained as prosecutors.

The current system of using the same Social Worker for simultaneously protecting the interest of the child and rehabilitating the parents must be replaced by separate teams. If needed, legislation must be changed.

A child in danger must be protected. Only when the safety of the child is assured can we begin the process of working with the abuser. This could mean removal of the abusive parent from the home and not the removal of the child.

Children have a short life as a child. We can no longer permit the endless cycle of removal, so-called rehabilitation, return to the family, continued abuse, removal, and more rehabilitation, and so on. This process goes on right now until the child either grows up or the parent commits a more serious assault on the child.

We must impose standards of parenting.

Confidentiality of child abuse proceedings must end. All must be held to strict standards and given a chance to reform.

Social Workers should be psychologically screened as are policemen.

We must know our resources and establish amount of tolerance; all people cannot be changed.

THELMA LANGDEN part-time Project Coordinator for the Child and Family Advocacy Project, a special program of Alaska Children's Services located in Anchorage, testified about her concerns that children and families have no one who is an advocate for them nor do they have an ombudsman to whom they can turn who is specifically assigned to be concerned with their problems. The Department of Health and Social Services does not see their role as that of an advocate. The only way they become an advocate is when something occurs as serious as the current situation of child neglect and abuse cases soaring in the last 8-1/2 months. She also pointed out that in the child abuse and neglect report to the Governor in September 1984, the Department of Health and Social Services pointed out very clearly the problems they were experiencing in serving the increased number of cases and the need for additional well-trained staff to respond to the increased need for services. Again, in an addendum to the report in January 1985, it was clearly stated the need for additional staff; 39 additional Social Workers were needed. The Governor's budget request was for 13-1/2 additional Social Workers. This staff increase was based on 50 clients per Social Worker. The recommended standards by the Child Welfare League of America is 20 families per worker; the American Humane Society recommends 20 to 25 child protection cases per worker, so it seems that our case workers in Alaska are expected to carry a very heavy, if not impossible, load.

Another area of concern to her is the preparation of the state budget. Each department prepares and submits to the Governor their budget for the upcoming year. When she served on the State Board of Education, they had the opportunity of reviewing that budget before it went to the Governor but for the interested citizen of the state, the opportunity to review the budgets of the various departments is not possible until very late in the budget preparation process. This past legislative session, the public teleconference held very late in the session on May 4, demonstrated that the public does want to be apprised early on as to the philosophy behind budget decisions and the rationale for cuts to some programs but not others. She feels that Alaskans do not know for sure what the commitment of the Executive and the Legislative branches are to the well-being of children and families. In 1972 an Office of Child Advocacy was created by statute to serve as an advocate of children and families. In 1977, the Legislature chose not to fund the Office so,

consequently, it ceased to function although the statute is still on the books.

She concluded by saying that she is very concerned about the total well-being of Alaskan families and asking what the state's commitment is to our families and children. How do concerned citizens and those involved in caring for troubled children and families get their message across to the appropriate decision-makers.

MARY SPELLENS testified that she is the adopted mother of a child who was severely abused in early infancy. She adopted through DFYS. She stated that she does not believe that DFYS under the way it is currently functioning, should be allowed to place children for adoption. When her child's behavior began to break down very severely, she took him to DFYS since she had adopted him with a subsidy for emotional disturbance and felt they were the logical people to go to for help. She got a very serious diagnosis from DFYS and at that point, the only way out seemed to be residential treatment. Her experience with DFYS was so intolerable that she would not like to see an innocent person put through what she was put through. She felt she was tormented and lied to by them. She returned a call to DFYS on a Friday morning and they said, "We're tired of screwing around with you. We're coming to take that kid away." They were going to take him on Monday morning at 9:00 against her will into a treatment facility that neither his therapist nor she thought would do him any good. She had spent her money over the summer on extra help for her child so by the end of the summer, he was doing pretty well and did not need a residential facility. It turned out, through her contacting lawyers, that they "cannot just come in take your kid." If she hadn't contacted everyone she knew who could help, she could have lost her child. She summarized by saying that her child still has no help; she has a terrible diagnosis and nothing is being done for him; and as far as she can see, nothing will be done unless we get this program called Kaleidoscope because, according to DFYS, although what he needs is relatively simply compared to the \$55,000 a year treatment facility they want to put him into, there's no way to organize it to get it for him. They just can't do anything about it. When Kaleidoscope comes along, that is a program that is supposed to organize services specifically directed at a child. Meanwhile,

without that, she says anybody who adopts a child from the state of Alaska had better have a real deep pocket for lawyers.

THEL DAVIS, Executive Director/Program Director from the Alaska Coalition to Prevent Shoplifting, and Director of the Juvenile Anti-Shoplifting Program, and retired school principal, said that there are three agencies that she would like to commend on the mammoth job that they do: DFYS, Alaska Youth Advocates, and Alaska Juvenile Crime Commission. She commented on what she hears the juveniles telling her what the problem is. They have indicated that when they sense abuse or perceive that there is abuse in their family, they have no safe haven to go to -- no non-threatening place where they and their families can go before the anger reaches the crisis stage. For instance, if a father and a son are having problems talking to each other, before it becomes a real crisis and abuse takes place, there needs to be a safe haven during the daytime where the children can go. This safe haven should not be called any threatening name, it should not have any police or legality connected with it, but it should be a social service center where the child and his/her parents can go and have an opportunity to talk. She feels that there does need to be a runaway shelter that is not threatening.

GLADYS THOMPSON, Social Worker, testified about her concerns with a number of issues. Child protection laws do not protect as long as there is no law in this state which makes running away illegal. Other states do have laws making running away illegal. Alaska seems to be hung up on it being against a person's civil rights to detain him unless he has been adjudged to have committed an illegal act or unless he is in danger to himself or others. It does not address the need for protection of these individuals. Juvenile is defined as psychologically, physiologically, and intellectually immature. It does not address the danger to him from others because of this psychological, physiological and intellectual immaturity. It is time the law be changed. A runaway is frequently an unhappy, emotionally upset, dependent juvenile who is possibly also physically or sexually abused. The juvenile also may be a school dropout or well on the road to becoming one. Often the parents are frantic having tried every avenue available to them, including psychiatric

counseling for the juvenile and the family. But a person who is on the run cannot be treated. He can just run, hide, lie, get sick, and not get proper medical care when he needs it. Sometimes he is lucky and finds one of a string of safe havens on a very temporary basis and he gets some care. Meanwhile, the police have been alerted to the child being missing as parents, friends, and relatives, as well as social service and other agency personnel keep looking for him. When he is found, he may refuse to return home so is placed in an unlocked shelter with caring people who try to reach him. If he is amenable to counseling, half the battle is won. And, if he has a loving, cooperative family, the rehabilitation of the juvenile may work. If he comes to the attention of DHSS, he may be able to be placed in a temporary foster home, a local institution, and receive other services that an agency can provide at a given time but many children and youth cannot be reached in this open environment. They may have come with longstanding and very severe emotional problems. Their families may not be loving and supportive and the youth may have become verbally and physically aggressive as a result. They need time and so do their families in order to heal the emotional wounds with treatment and specialized school programs. In order to do these things, a juvenile must be in a situation he cannot run from. In her opinion, this could be called a prevention rehab center. A facility for dependent and neglected children which would contain locked quiet rooms for temporary isolation when a juvenile becomes overwrought and unmanageable is desperately needed. It could use many of the services now offered at McLaughlin. Prevention is needed so our dependent and neglected children can be treated at least as well as those who have broken the law.

DFYS needs many things: an increased and outgoing visible public effort to obtain new foster parents and the training which these parents receive should be at least modeled on the ways the Youth Services Department trains their foster parents because they can seemingly deal with many more anti-social and aggressively acting out children. They need many more trained Social Workers with lower caseloads, many more trained supervisors, and much more clerical support. At the present time, the Department does not need decentralization at a time when there is understaffing and an austerity program in place. When the size of the staff is sufficient to do intakes, sexual and physical abuse, permanency planning, and ongoing family

case work, then, the agency could definitely go back to some type of home-based program which they have had and was quite successful. Another problem is when things like TASC get unfunded. Even when it was funded, dependent neglected children could not be taken care of there. The only children that were screened there were children who had committed crimes. Therefore, if you suspected that a child was getting into this sort of thing, a parent would have to take the child to a hospital or some other medical facility that was doing UA's.

MARJ HALL, Alaska Juvenile Crime Commission, testified that the primary problem they see is the runaway population. About a year ago, John Walsh, the father of Adam Walsh, was invited to Anchorage to make the problems of children visible and to discuss these problems with the legislature and, at that time, they did get a lot of visibility with the legislature. They looked at a lot of child protection legislation; some of which passed and some of which did not. Some inroads were made but unfortunately, the problems seem to be outrunning the solutions in virtually every field of juvenile problems. John Walsh will be coming back in October to again address the problems of runaways and what happens to our kids and why Anchorage, Alaska, needs to look at this problem not only from the standpoint of protecting children and the runaways but from the standpoint of protecting the public against what happens to runaways when they become street people. According to their research, Anchorage has four times more runaways than the average city of the same size nationally. According to the last survey on drugs in schools in Anchorage, 34% of our juveniles graduating indicated that they had had some use of cocaine. The national average that same year was 12%. Many of the kids that they get fall through the cracks, there's not even a place that they fit into. Because Social Services a lot of times must prioritize those kids that they think they can help, a lot of the other kids that are much farther down the road and much more trouble to society kind of fall through the system until they have committed enough crimes to get involved with McLaughlin or probation.

She hears from a lot of people that we don't have the money to take care of this problem; however, if our roads fall apart, if our libraries fall down, it's not going to make any difference if we haven't solved the

problems of the children at this state. We must look at what our assets and funds are and we must prioritize those funds based on what our real needs are. Our real need in Anchorage is to take care of the problem of drug-addicted, runaway street kids, of exploited and abused children because if we don't, we have nothing left.

REPRESENTATIVE PHILLIPS agreed that we need to make children our priority but the practical problem with the legislature is the concentration. As soon as something gets passed, the legislature gets distracted by other pressing issues.

THOMAS BARTH testified about his problems with DFYS and their failure to check into the living conditions and care of his daughter. They did not thoroughly investigate with individuals as they were court ordered, and they have not provided the medical attention as the court has ordered. He feels there is no check and balance in our current system. There are no follow-ups on complaints though he has supplied the DFYS with names and phone number. They protect the system, not our children.

REPRESENTATIVE COLLINS asked Pat Kennedy of the Attorney General's Office to explain the juvenile confidentiality law.

PAT KENNEDY provided a brief explanation of the confidentiality law. There are two or three parts to it. One is in 47.10 which is the Child In Need of Aid statute, and requires that anytime a child is under the age of 18 and has a court case, all persons to that case are required to keep that case confidential. If the child is a delinquent, at the age of 18 or 19 or whenever they leave the system, that record is sealed and is only open for good cause shown. All parties to a children's proceeding, and that would include the Attorney General's office, the Department of Health and Social Services, the guardian ad litem, and anyone else, are bound by the confidentiality statutes not to talk to someone who is not a party to that action about any part of that action. We can talk about how the process normally works but cannot talk about the facts of the case or about where the case is in the process.

47.17, the reporting statute, does allow release of information to other governmental agencies which have a child protective function, that is, release to police officers, S.I.D., people like that but, in general, they cannot talk even to legislators. However, the child himself has the ability to release information and since there is in most cases in Anchorage at least, a public guardian appointed to represent that child's best interest, it may be possible if that guardian on behalf of the child, waived the confidentiality requirement for the child to a particular person to release some information. To the best of her knowledge, that doesn't happen very often.

CHARLES RICHNER testified that most of the public is not aware that any child, at any time, in any way they want to, can refuse to go to their home. Most people think that if they go to the police and things are alright, the child will come home but that is not the case. A child can stay away from home for no reason for as long as they desire and the state will not only allow it, but will support it. Unless this is changed, he thinks we're fighting an uphill battle in dealing with runaways and children that are having problems with their families. There is no incentive for them to return home.

He also commented that the standards of abuse are treated differently in the private sector and in the public sector. He knows of a person who was charged with two counts of child abuse for having two children with him in a vehicle when they were caught DUI. A measurable risk to the children, there's no doubt about that; however, I think we're throwing our net a little bit wide. In the same state and in the same city, a foster home is providing a place for a 15 year old to smoke. When objection was raised to the court, it was completely ignored. He feels there is significant risk in both instances and if you're going to do one, you must do the other.

He said that although there is talk of a lack of funds, some of the funds are not being spent very wisely. In particular, the clothing allowance for children. His family was available to provide clothing; they gave all the clothing that was at the house for their 15 year old daughter to the foster home but, yet, the minute she was taken into state care, several hundred dollars in the form of a voucher was given to her for her to go

spend in whatever store she chose for clothes. This money could have been used for a much better purpose.

In his case, all parties involved agreed that their daughter and family needed help. They went to counseling that afternoon; their daughter didn't make it to counseling until a month later. The parents offered to provide that but were refused. They were told that it had to go through the court and there was no way they could speed things up. He doesn't see where immediate needs are being met. He feels we're falling short on the details and we're getting bogged down with "this is how we interpret the law so we're going to get you."

JANET KOWALSKI, Director of the Abused Women's Aid in Crisis Program which is a domestic violence agency, testified that she's heard a lot of people talk about putting families back together and she offered some suggestions in terms of making it easier for the kids to return home. She addressed the problems of the parents. Currently, this meeting is focusing on DFYS but there is also input from the correctional facilities here in town, the Public Safety Department, the court system and private nonprofit agencies which provide counseling and referral services. One of the things that is frequently overlooked is that the Division's primary mission is to investigate and monitor cases. They do offer treatment through contracts with private nonprofits but the emphasis on prevention and treatment with the Division is minimal. In terms of staffing and their requirements, they simply investigate and monitor and that leaves some pretty big gaps.

Basically, we have two kinds of parents: offending and non-offending. It's all too easy to focus in on the offenders and say we have these child abuse laws, let's get these people into jail. Is the law to protect the kids, to make families safer, or to remove the offending parent from the home. Looking at current presumptive sentencing laws for child abuse, there is absolutely no incentive built in for treatment. People simply serve their time, get out, and come back home, sometimes to re-offend.

When an offender is put in jail, the family is broken up. When the offender comes out of jail, if the family is put back together, they have not been provided with the skills that they need to improve their behavior.

If the value is in keeping families together, the entire system needs to be looked at.

It is very frustrating for her staff, as a shelter, when they deal with the Division because when things are reported, people may be in the shelter only overnight, so even if the Division calls back the next day, they may not be able to locate a family. As children are focused on, she asks that parents also be focused on to be sure they get the support, especially the non-offending parents, so that as we try to make a system that puts children back with their parents that they're simply not going into the same situation they had before the state began to interfere with the family. She'd like to see more support for programs like the Volunteer Guardian Ad Litem Program that OPA is trying to put together. It's a group of concerned people in the community who are meeting on their lunch hours and putting together a program to provide representation for children in court and currently they're using VISTA volunteers and it's not costing anything.

BOB SUTTER testified that he has two daughters that are part of the system. There are two kinds of kids; those that have offending parents and those with non-offending parents. The non-offending parent has a heavy load put on them by the system. One of his daughters has recovered to a large extent from chemical dependency and the other daughter is very much in the problem right now. The system doesn't recognize this child is having a problem. What happens is when these children get into the system, they lie very well and the system says, "oh, you poor little baby." The system needs to find out and recognize chemical dependency and differentiate between a child who is in an abused home and a child who is an abuser. Legislative action is needed as a priority.

CECILIA KLEINKAUF, Chair of the Department of Social Work at the University of Alaska, Anchorage, testified that she feels the issues being dealt with today fall into two categories. One is issues with the laws and the other issue is with the system. She recommends consideration by the legislature of the reactivation of the Children's Code Task Force. She was a member of that Task Force from 1973 to 1975. The charge given to the Task Force, which was jointly appointed by the

legislature and the Governor's office, was to review all the statutes related to children, to recommend revisions, updates, coordination, etc., in those statutes and that was done. It resulted in, at least partially, what is loosely referred to as a children's code. It's time that that is done again.

She feels Alaska needs badly to establish and maintain caseload standards for the people who work at the Division of Family and Youth Services. She advised the Legislature that a couple of other states have mandated those caseload standards now by court order. Alaska certainly faces that potential way to resolve this issue as well and she would like to see us beat the court to the punch. Standards of training and education for the people who go by the title Social Worker desperately need to be established and maintained. Many of the people who use the professional title Social Worker are not trained Social Workers. The State needs to establish and maintain those standards.

REPRESENTATIVE COLLINS stated she felt pretty overwhelmed. She had worked with several people in her district who were having problems with the system and the child protection laws as they are implemented and her reason for calling the meeting was she thought the problem might be greater. She hoped by having this meeting it would bring out some of these concerns. She is going to send a transcript of today's meeting to Governor Sheffield and also to the two individuals who are running for Governor and try to work with them to perhaps establish a Task Force. She wants to look at the whole issue and deal with it as a whole, not on a piecemeal basis. She agreed with those who had stated that it is more important to provide funding to our social service needs than it is to spend on the libraries. One of her concerns is that whenever times get tough, one of the first places that anybody cuts is social services and that was another reason she wanted to have this public meeting. We've cut back in this area as much as we can and already, to a degree, have wound up harming ourselves and the children we try to protect.

REPRESENTATIVE COLLINS concluded the meeting and thanked everyone for coming.

V

terview at his office that Soviet observers said his vessel never told his crew they were

from the Soviets to take 350 metric tons of tanner crab from Soviet waters, but no permission to

Cutter Midgett in August spent 27 hours aboard the 200-foot Japanese crab boat inspecting its

still being investigated. "There have been no fines levied yet," he said.

crews to stay out of the disputed area until the issue is resolved by the superpowers," Itoh said.

for a more extensive towing company from Anchorage.

She said zoning officer David Brennen had not been assaulted when Rollins allegedly approached Brennen with his outstretched hands as if to encircle Brennen's neck. She argued that Brennen must have been more angry than afraid that day because he never called one of the officers to arrest Rollins.

Assistant District Attorney Rhonda Roberson said Rollins had made his situation "much worse" that day by detonating the simulator.

In seeking a conviction, she relied on the testimony of an expert witness who said the simulator could be lethal and appeared to be in such bad shape it could have misfired before it had been thrown away.

Judge declines case, sends troopers' defamation suit to jury

JUNEAU (AP) — A defamation lawsuit against former KINY radio news director Joe LaRocca by three Alaska state troopers should be decided by a jury, a Juneau Superior Court judge says.

Judge Walter Carpeneti last week denied a motion by LaRocca and the owners of KINY to dismiss the lawsuit.

Carpeneti said that before dismissing the case, he had to weigh the evidence in the best possible

light for the troopers, who charge that LaRocca used "actual malice" on news broadcasts involving the troopers.

"This court concludes that there are genuine issues of fact in dispute from which a reasonable jury could find that Mr. LaRocca published the news stories, or some of them, about the plaintiffs with actual malice," Carpeneti said.

Actual malice is defined by the courts as reckless disregard

for the truth or knowingly publishing a falsehood.

The case involves 23 news reports and updates aired on KINY beginning Thanksgiving Day, 1984, and continuing the next three weeks.

LaRocca told the story of Juneau resident Michael Coherm, who was involved in a traffic accident with a troopers car driven by Robert Cox.

LaRocca said Coherm was cited by the troopers even though

nine witnesses said the automobile accident was caused by Cox. LaRocca also alleged a cover-up of the investigation by several troopers.

Troopers Cox, Sgt. John Murphy and Carl Schramm, all named in the broadcasts, filed a defamation lawsuit against LaRocca the following April. The suit also names KINY owners Ken Wiley, Charles Gray, Earl Reilly and Wallace Christiansen. In his opinion issued Sept. 16,

Carpeneti said virtually every fact in the case is under dispute. But the judge pointed to claims by the troopers that LaRocca ignored or distorted some facts in his news reports.

"It should go without saying that defendants dispute most of these assertions, and would draw some different inferences," Carpeneti said. "But it is for the jury, and not the court, to resolve such matters."

Family Services overload is a hardship for all concerned

By Catherine Stadem

Neither parents' rights nor children's protection needs are being met by the state of Alaska, citizens who have had dealings with the Division of Family and Youth Services and family court said Tuesday.

An overflow crowd of about 60 attended a public meeting on child abuse coordinated by Rep. Virginia Collins, R-Anchorage. The crowd wedged itself into the Legislative Information Office teleconference room and spilled into adjacent offices. Many people stood in the back of the room during the two-hour meeting.

One of the main problems, said Collins, is that the division may have been given a job it cannot handle.

Collins said she called the meeting because of the many citizen complaints she has received in the last year having to do with child protection.

"We seem to have a schizophrenic approach to these problems," she said. "We either overreact or we don't react enough."

Statistics released recently that show child neglect and abuse cases filed with the court have increased 34 percent over 1985 and 65 percent over 1984. The data was compiled by children's court master William Hitchcock.

Sue Harris, program administrator for the Anchorage region of the Division of Family and Youth Services, told those in attendance that her office is short-

staffed and overwhelmed by the increasing workload.

"We have so little clerical staff, the social workers often have to do their own typing and filing," she said.

Like a double-edged sword, Alaska's child protection laws and agencies may have the effect of destroying parents' rights while protecting children, some testified. Others argued that children's rights should not be secondary to parents' rights.

Tom Barth, a 45-year-old Anchorage crane operator, described his ongoing struggle with the division over the status of his daughter, whom he claims is being continually abused and sexually exploited by her mother and stepfather.

"There is no check and bal-

ance in our current system," he testified. "There are no follow-ups on complaints. I have supplied the DFYS with names and phone numbers, but they chalk it up as me being unstable. They protect the system — not our children."

Other citizens called the "child protection system" uncaring and inefficient.

One young mother, whose 4-year-old son told her he had been sexually abused, complained that there's no coordination between DFYS, the police department and private counseling agencies. She said the child has had to repeat his story over and over again. "Why does he have to go through so much?" she asked. "And nobody will believe him."

The mother said she knows the names of the individuals who have abused the boy, but said the authorities do nothing about it.

Other citizens told stories of teen-age children who seek state protection to avoid normal discipline at home.

Several parents testified that once the state wheels are in motion — for example, if a child claims abuse — the parents' rights are abrogated whether the child is telling the truth or not.

Rep. Randy Phillips, R-Eagle River, drew loud applause when he suggested that the only way the multi-faceted problem could be tackled would be to call a special session of the legislature. A special session, he said, would allow legislators to concentrate on child protection legislation.

John Sivertsen Jr., an attorney who testified as "a concerned citizen," proposed a 10-point plan to improve the state's child protection system.

"The truth is that, for many of our children, the family continues to be the most dangerous place in America," Sivertsen said.

At the end of two hours, Collins said, "I feel pretty overwhelmed." She told the crowd that transcripts of the meeting would be delivered to Gov. Bill Sheffield and gubernatorial candidates Arliss Sturgulewski and Steve Cowper.

She said that citizens unable to testify at Tuesday's meeting could contact her at 276-7943 and she would consider calling an evening meeting.

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Times photo by Douglas Van Reeth

display Saturday at the Anchor- and Art. Sixty-seven of the artist's etchings are on loan from Kunstler Haus in Vienna, Austria. They will be on display until Feb. 22.

Ball caucus brings big laughs

While the duo, who compose the smallest minority in Senate history, joke about their role in the legislature, it was a bitter pill to swallow when they were first cut out of Senate President Jan Faiks' coalition in December.

"I don't know what their logic was and at this point, I have to settle in and do the best job possible," says Szymanski, a first-term senator who moved up from the House in 1986.

Faiks has declined repeatedly to explain why her 18-member coalition does not include Rodey and Szymanski. "It was a caucus decision," she says.

Some senators have quietly speculated that Rodey was excluded because he was unwilling to cross over and support Sen. Tim Kelly, R-Anchorage, to lead the body at one point during Senate organization.

But there is no explaining Szymanski's position.

"What's new?" Szymanski says, with a shrug of his shoulders.

Despite their outsider status, the two

make the most of their roles as both the verbal — and comical — minority.

"Got any bills you want killed," Szymanski asks a lobbyist hanging around in the Capitol halls. "We'll sponsor them for you."

"That's right, the old kiss of death," Rodey says, referring to the long-standing majority practice of moving minority legislation slowly through the system.

Every morning, Szymanski and Rodey come trudging into the Capitol like two mischievous youths looking for a mud puddle to jump in. Not only are they the entire minority, they're roommates in Juneau.

"It works out great. It's kind of like we're having a caucus meeting 24 hours a day," Szymanski, the minority whip, says. "It's an open meeting, of course."

Minority leader Rodey has his complaints, however.

"He gets this dog before we come down here and it chewed up my athletic socks. I expect to be reimbursed," he says.

At which point, Szymanski threatens to
See Caucus, page A-8

Though budget cuts remain inevitable, legislators have gained new breathing room with contract oil prices now \$7 a barrel higher than they were last July and North Slope production up nearly 100,000 barrels a day.

The result is \$250 million worth of more-than-expected income this fiscal year and up to \$425 million more next year.

These brighter prospects have rendered the chances of a state income tax all but dead this year, House and Senate leaders say.

The oil industry, likewise, is almost certain to get the \$139 million worth of tax breaks due it in fiscal 1988.

Barring a sudden change in fortune, \$213 million worth of frozen state construction funds also will be turned loose, a move that would bring \$24 million to Anchorage.

House Speaker Ben Grussendorf, D-Sitka, said there are enough votes in both legislative bodies to put the capital projects on the street and block an income tax. Though many House members still think it's too early to give tax breaks to the oil industry, Grussendorf said a measure delaying them would land in the Senate "dead on arrival."

Senate Finance Committee Co-Chair Don Bennett, a Fairbanks Republican, cautions that the new sense of optimism in the capital is "speculative" because
See Oil, page A-8

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Birthday Game —
page B-2

Social workers carry twice national average case load

This is the first part of a three-part series.

By Catherine S'adem
Times Writer 2/18/87

In the past eight years, the number of children in Alaska receiving child welfare protection services has more than doubled while the staff handling those cases has increased only 67 percent.

Alaska social workers carry twice the national average case load.

Critics call the state's child protection system overburdened and ineffective; supporters say social workers are doing the best they can under the circumstances.

As a result of citizen com-



Protecting our children

plaints, the Division of Family and Youth Services — the agency charged with child protection — will soon be put under a microscope, say two state legislators.

Rep. Virginia Collins, R-Anchorage, and 10 co-sponsors introduced a resolution Jan. 24 proposing the establishment of a
... See Child, page A-7.

Child: Welfare workers said lacking in quality, quantity

Continued from page A-1

Children's Law Task Force. Rick Uehling, R-Anchorage, introduced a like resolution in the Senate Jan. 22.

Last fall, Collins took public testimony in Anchorage about the effectiveness of the child protection division. Dozens of people testified about their encounters with the system. Collins' conclusion: "What we need to do is look at children's services as a whole."

If the task force is formed, all statutes and regulations relating to children will be reviewed, she said. She predicted a several-month study and does not expect changes in the laws until 1988.

Legislators are not the only ones who think "the system" is ripe for change.

According to some child protection workers and observers of the system, change hinges on three things: more social workers, better qualified social workers and more accountability.

In Anchorage, about 25 social workers each handle an average of 146 cases — double the national average — at all times, according to Sue Harris, regional program administrator. There are seven open positions in Anchorage.

Harris, a 12-year division employee who began as a social worker, said her agency's major problem is lack of personnel. "If we had what's reasonable in terms of national standards, we'd have twice as many social workers."

A depressed economy does more than create unemployment, Harris said. "When you have people being laid off, when you have economic hard times, the demand for some kinds of services increases rather than decreases. So you get into a double bind in an agency like ours where you have budget reductions and at the same time have an increase in demand for services."

In the eight-year period from fiscal 1978 to 1986, Alaska's child population increased 25 percent and the number getting child protection services increased by 22 percent. This represents an annual average increase of 28 percent, said Frank Hickey, the division's acting director.

While the division struggled to keep pace with the increase since

1978, its staff increased by only 87 percent, Hickey said. Alan, during that period, the division was mandated to serve victims of elder abuse, further increasing their load.

Child neglect is the most prevalent reason for child protection services, Hickey said, accounting for 48 percent of the division's work load. Physical abuse cases account for 21 percent, and sexual abuse cases are about 15 percent.

In fiscal 1987, the Department of Health and Social Services budget is about \$31.3 million, which includes \$12 million from the federal government in matching funds. Of that, the division receives \$3 million. And of that, child protective services receive about \$28.7 million, according to Karen Perdue, assistant commissioner of Health and Social Services.

Others familiar with child protection issues say more personnel will not solve the basic problem.

"We used to have a better quality of social worker who understood the importance of family life," said Wayne Anthony Ross, an attorney in private practice with extensive background in family matters.

A Fairbanks critic of the system, Theresa Favero, president of Victims of Child Abuse Laws (VOCAL), also does not think newer, younger social workers are doing their jobs.

"(Some of) our social workers are very young, have never had children, and the ones I have knowledge of have been abused themselves. They are not dedicated so much as they are crusaders."

Social worker supervisor Dolly Coke, in the Anchorage office, is also concerned about the quality of social workers hired by the agency. However, she said she believes educational deficiencies are the root of the problem. "I think it's essential to have people who have gone through basic social work training," she said.

Not all have.

Coke must hire from a state-approved list, compiled by a merit system which scores applicants based on education and experience. This works well, she said. However, this system has only been in effect for about three years. Before the point system, workers without basic education and training may have been hired.

Under the old system, Coke said, "If you were a 45-year-old minister,

you would probably score higher than someone with a brand new master's in social work." Coke prefers hiring only those with a master's degree in social work, or a minimum bachelor's in social work.

As of November, the division employed 130 social workers throughout the state. Of those, 36 have master's degrees in social work; 11 have bachelor's in social work; 75 have other bachelor's or master's; and eight have only a high school diploma.

Once hired into a social worker position — entry level annual salary is about \$26,500 — the employee is generally there to stay, Collins said. "It's almost impossible to fire anybody once they get into the system," she said. "If someone isn't doing a good job now, there's almost no way to get them out."

Critics say accountability is also lacking.

"They (DFYS) have as much power as the IRS. They can do what they want, when they want," Favero said. She would like an overview panel or review board formed for parents and children to bring their complaints.

However, DFYS regional program administrator Sue Harris said the accountability is in place. Oversight from legislators, the state ombudsman, and the potential for lawsuits is more than enough, she said.

Marge Hall, executive director of the private non-profit Alaska Juvenile Crime Commission, disagrees. "One of the things definitely needed is a control over the programs, accountability."

Hall envisions a commission of professionals who could review DFYS cases "blind." By that she means without the children's identities revealed, which would avoid the statutory mandate to maintain confidentiality.

It is that need to maintain secrecy that gives child protection workers their power, Hall said. "One of the major problems now with agencies (concerned with children) is 'turfing,'" she said. "Turfing — refusing to share information — is endemic, she asserted.

Monday the series looks at child sexual abuse and examines the mixed messages families get from the criminal courts and social workers.



Times photo by Kim Foster

Dolly Coke, supervisor, Division of Family and Youth Services, studying case documents. She says she prefers to hire only those with masters degrees.

Family, youth agency can't please all the people all the time

By Catherine Stadem
Times Writer

This is the story of two families whose lives have become entangled with the state's child protection system.

One wants social workers out of its life; the other claims it cannot get the Division of Family and Youth Services to do its job.

Their gripes are typical. It seems that no matter what the Division of Family and Youth Services does or does not do, the agency charged with protecting Alaska's children and families cannot please everyone. The agency is unable to defend itself publicly because of confidentiality rules preventing it from commenting on specific cases.

Maureen Dilley's family was introduced to the state's child protection system about four years ago when one of her children — a 2-year-old daughter — accidentally burned herself with hot water in a bathtub.

"I was under the naive assumption that DFYS would come in and I'd explain," Dilley said. The young mother understood that the hospital where her daughter was treated was obligated to report the child's injury to the state.

Dilley claims the social worker assigned to the case would not listen to her side of the story.

Dilley appeared at a court hearing held to determine if the child had been subjected to abuse. The family had a court-appointed attorney.

"I went to court assuming everything would be fine," she said.

In order not to make waves and to be cooperative with the state apparatus, Dilley agreed to a "treatment plan," which was suggested by DFYS and would entail family counseling. She said she thinks that was her biggest mistake.

"When you agree to a treatment plan, it's like admitting guilt," she said wearily. "Imagine my shock when they told me she was in state custody."

Social workers took the child from the Dilley home. She lived in five foster homes over a two-month period before being reunited with her family.

Dilley felt like she'd been branded as a child abuser. "It's like wearing a scarlet letter," she said.

Now, wiser to the system, but still fighting it periodically, Dilley said she tries to keep calm when social workers call or ap-

Parents' group fights government for family autonomy

By Catherine Stadem
Times Writer

Government intervention in family life is a hotly debated subject in the United States.

A national group called Victims of Child Abuse Laws Inc. (VOCAL) has taken up the battle cry on the side of family autonomy. The organization boasts 6,500 members in 110 chapters nationwide. VOCAL has an active chapter in Fairbanks with about 75 members, said chapter president Theresa Favero.

VOCAL acknowledges many of the laws designed to protect children spring from sincere motivation and are needed in some instances. But, Favero said, the state often crosses over the boundary between "protection" and "intrusion."

Much of VOCAL's argument is based on a 1985 monograph by Douglas J. Besharov, of the American Enterprise Institute for Public Policy Research, that was published in the Harvard Journal of Law and Public Policy.

Besharov, a lawyer with the Institute and former director of the U.S. National Center on Child Abuse and Neglect, says that society has overreacted to news stories about child abuse and neglect.

"As a result," he writes, "the last 20 years have witnessed a nationwide expansion of child protection programs."

Government agencies, he claims, "have sought to protect all children in possible danger of future maltreatment, as if this were even remotely possible."

appear at her door.

"Once you're in their system, the normal rules of parenthood are suspended," she said. If any of her children forget their galoshes in rainy weather or fall down and get scraped, Dilley said she can expect to hear from a caseworker.

Once branded a neglectful parent, "every one of those events is reported by school nurses to DFYS," Dilley claims.

If it were not so traumatic to the family, it might be funny, she said. One day, her daughter painted red nail polish on her cheeks, then picked at the dried polish until it bled. Someone reported the incident to a social worker, Dilley said.

Another time, her two 9-year-old sons — the result of a blended family — had a fight. One boy told the school nurse his back hurt and explained to the nurse how he had been hurt. It was reported.

Dilley said a social worker interviewed her neighbors and

Besharov argues that laws, agency policies and public pronouncements have fostered the idea that children coming to the attention of protection agencies can be protected from future abuse. His thesis is that child protection professionals are so fearful of "letting a child die," they intervene into private family matters far more than necessary. This, he claims, often harms the children and families rather than protecting them.

The system has become overburdened with insubstantial cases, he says, which cripples the bureaucracy and prevents it from responding appropriately — and forcefully — to situations where children are in real danger.

Critics of Alaska's child protection system are saying precisely the same things.

Besharov's thesis is that programs — despite good intentions — set up a self-propagating cycle. When child protection agencies are criticized, "they assert that there should be a further expansion of child protective programs."

Agencies then recommend more frequent and extensive media campaigns to raise public awareness. This in turn increases reporting, which leads to an increase in numbers of unfounded reports.

And so the system perpetuates itself and gets deeper in debt.

Besharov acknowledges that the state has some obligation to protect endangered children. "But in seeking to protect helpless children, it is all too easy to ignore the legitimate rights of parents," he writes.

Innillord as a result of that incident.

She finally lost her patience and confronted the case worker. "Are you planning on going to court with us?" she said she asked. "They said, 'no, but we're concerned.'"

Dilley hired a lawyer who called the division and asked if action was planned against the family. Dilley said he was told no.

Shortly after that, she got a subpoena from the division asking for court-ordered physicals for the boys. She complied. "The physicals (results) came back, 'no abuse,'" she said.

Then there was a court-ordered hearing. Dilley said the agency wanted to call 67 witnesses. The Dilleys were pressured into agreeing to have a "family assessment," which is a report by a psychologist who talks to the parents and the children.

Again, DFYS wanted the family to agree to a treatment plan.

This time, she and her husband refused. It's currently a standoff, she said.

"I'm not against DFYS per se. We need child protection in the state, God knows," she said. "My basic problem with DFYS is they have too much latitude in what they do."

Dilley — an articulate blue-eyed blonde — has given much thought to improving the system. Her suggestions include stabilizing funding, having a stricter definition of what constitutes child abuse and holding foster parents accountable for the money they spend on a child. She also thinks anonymous reporting by neighbors — if proven to be substantiated — should make them liable for prosecution.

"I would like to see the system changed so that it works the way it's meant to. You never win with DFYS as it stands now. There's no such thing as a closed case."

Another Anchorage resident has been fighting as hard to get DFYS into his life as the Dilleys

It is accepted in our society that parents have the prime responsibility of caring for their children and have broad discretion in the manner in which they accomplish this, Besharov contends.

Unfortunately, our nation's "social work" response to problems of child abuse and neglect is built on a faulty premise, he asserts.

"Social work, in its purest form, is built upon the client's willing participation in the therapeutic process. If the client refuses to participate, the case is closed."

However, he points out, "in child protective practice" if the parent refuses services or cooperation, then the worker must decide whether the danger to the child is so great that "treatment must be imposed." This can lead to intrusion by the state, culminating in a worst case scenario in termination of parental rights.

Besharov concludes that legal standards — spelling out parental rights and state rights — must be improved. Several Alaska legislators and citizen activists are currently attempting to do that.

But the most important change Besharov recommends is the lowering of expectations about what social workers and judges can accomplish.

By trying to be all things to all children, agencies run a great risk of falling in two areas. First, social workers may intrude on the family's privacy; second, they may overextend themselves and not have time for children who are truly in danger.

have been resisting. Because of the sexual allegations in his case, the 40-year-old longtime Anchorage resident prefers his name not be used to protect his daughter, who will be called "Lisa."

Lisa was 5 years old when Mr. G married her mother. He had known Lisa since infancy and legally adopted her. She is now 11.

His current battle began when Mr. G began divorce proceedings against his wife in 1984 and asked for custody of Lisa. Mrs. G accused her estranged husband of physically abusing Lisa and he was denied custody, although he had visitation rights.

Mr. G said that after the divorce, his daughter confided to him that the man her mother was living with — and eventually married — was sexually abusing her (Lisa).

Mr. G tried to get DFYS and the police involved. The girl was removed from the mother's home temporarily and put in a foster home for a day or two, Mr. G said.

Then, she was returned to her

mother's home. "(Lisa) called me and said, 'he's sticking me in the stomach,'" Mr. G said. He taped that conversation and it was admitted into evidence at a court hearing. An Anchorage police officer testified in court that Lisa's new stepfather had admitted abusing her, Mr. G said.

The state did not prosecute on the grounds of insufficient evidence, although the children's court master ordered that the new stepfather was not to be left alone with the child.

Mr. G had visitation rights and, whenever he saw Lisa, she would tell him that she was being sexually abused. He said he tried to tell DFYS it was a continuing problem, but they would not listen.

"The school nurse turned (a report) in again because of the things Lisa said at school," and DFYS investigated further. However, Lisa would not talk about it to them.

Accusations began to fly back and forth between Lisa's mother and Mr. G. The mother accused Mr. G of physically harming Lisa, and despite Lisa's testimony to the contrary, his parental visitation rights were terminated.

The state had legal custody of Lisa by this time, although she was allowed to live at home with her mother and new stepfather.

The family left Alaska in October 1985, and Mr. G has been trying ever since to get Lisa back to Alaska. The mother eventually separated from the husband who was allegedly abusing Lisa, but Mr. G claims to DFYS his daughter's living conditions remain dangerous.

"I love my daughter and I know I can provide her a better life. And I know my daughter wants to see me."

Mr. G estimates he has spent about \$70,000 on attorneys, investigators and phone calls in the past couple of years. He finally turned for help to Rep. Virginia Collins, R-Anchorage. Collins made some phone calls to the division on his behalf and things started happening.

However, two weeks ago, Mr. G lost the battle. The child — now living in Ohio — was ordered by Ohio social workers to have a psychiatric evaluation. His hopes of getting her away from what he feels is a dangerous environment have dimmed.

"I'll just have to give up," he said Jan. 21 after the final court hearing.

Permanent Fund trustees stay out of

ments over what to do with fund earnings, but they never are shy about enlisting public support for the trust.

Their special meeting in Juneau this week is designed, in part, to draw public attention.

The 530,000-plus Alaskans who get dividends from the fund every year are its constituency, and therefore its best protectors, says Dave Rose, director of the Permanent Fund Corp.

"When you peel it all away, the fund belongs to the people. The legislators, as representatives of the people, should be able to do whatever they want to do if they can justify it to the peo-

ple," Rose said.

Among the ideas legislators are trying to justify this year are:

- Capping Alaskans' fund dividends at \$500 apiece. The 1986 dividend was \$534; next year's payment is expected to be about \$675.

- Making the fund pay back \$442 million loaned or given to it by the state — the interpretations vary — to pay the first dividends. These amounts later were forgiven by an act of the Alaska Legislature. One attorney for the legislature believes the amount could be pulled from dividends.

- Scrapping the practice of

inflation-proofing. Fund directors now plow a portion of its earnings back into its money-making principal to offset the erosion of its buying power.

Some fund defenders say the options are nothing more than thinly disguised raids on the permanent fund.

Sen. Rick Halford, R-Chugiak, said lawmakers could avoid tapping fund earnings by cutting deeper into the state budget, using money from less-popular funds, such as the Railbelt Energy Fund, and by basing their next budget on oil prices that are likely to rise.

"Ideologically, I don't want to

take anything out of the permanent fund," he said. But increasingly, he is alone.

Other legislators may not be happy about spending fund profits, but they aren't speaking out against the idea, either.

Halford helped spearhead last year's drive to put unspent permanent fund profits back in the corpus of the fund before they could be appropriated for other purposes.

Critics of the plan say the looming deficit has proven them right. Sen. Jack Coghill, R-Nenana, said last year it was foolish to lock away the money when

Releases puzzling

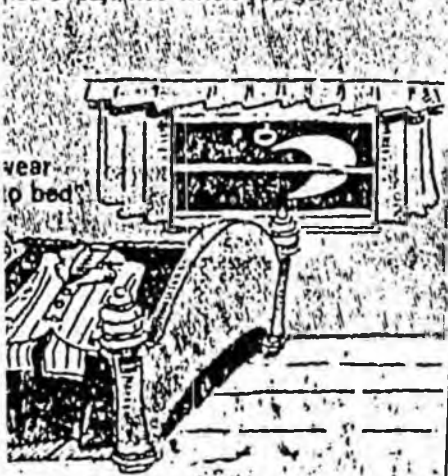
MOSCOW — Newly released political prisoners said they do not know why they and do others have been freed in weeks, and hesitated to interpret the leniency as a change in Kremlin policy. Vienna, Austria, Soviet officials today for the first time confirmed that about 50 political prisoners had been pardoned recently by the Supreme Soviet Union's nominating agent. The officials said the prisoners would be released to the Ministry of Finance.

The cap would free millions of dollars for government spending. Several lawmakers

See Fund, page C-1.

REPORTS Public Opinion Highlights

Shoes or pajamas when you go to bed?



5 million population by Cambridge Reports, Cambridge, MA. Cambridge Reports, Inc. Distributed by King Features Syndicate.

Enforcement, treatment agencies seek solution to family dilemma

This is the second in a series examining Alaska's child protection services.

"The whole reason we're here? It's for kids. But that means it's for families." . . . Sue Harris, regional program administrator for the Division of Family and Youth Services.

"We're for putting the offender (often the father) in jail, for as long as possible." . . . Elizabeth Sheley, assistant district attorney.

By Catherine Stadem 2/9/87
Times Writer

One of the primary agencies

- Schools see higher incidence of abuse — page A-5
- 2 families struggle to stay intact — page A-4

charged with protecting Alaska's children, the Division of Family and Youth Services, works, theoretically, to keep the family intact. Another part, the criminal courts, works to keep the family apart.

This is the mixed message



Protecting our children

that can confound families who get involved with the "system."

Sue Harris, regional program administrator for the division, said her agency's philosophy is simple: in order to help a child, the family must be helped.

See Family, page A-8

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Family treatment

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"Punishment is a separate issue from what we're here for," Harris said. "You cannot help the child if you can't help the parents."

Social workers are trained to see children as components of the family unit, Harris said. "The reason you have social service agencies is because children need families. They are a part of their family. They need to be safe and they need to have their needs met. These are two separate things that become intertwined."

Elizabeth Sheley, an assistant district attorney in Anchorage, said the criminal justice system has a much clearer mandate. "With us it's black and white. You break the law, you go to jail."

Alaska's presumptive sentencing laws — predetermined sentences for specific crimes, including child physical and sexual abuse — give fairly inflexible instructions to the courts.

When a family ends up in criminal court fighting charges of intra-family child abuse, the offender generally has a defense attorney. The state's interests are taken up by the district attorney. And often representing the child's interest is a guardian ad litem, appointed by the state.

Jay McCarthy of the Office of Public Advocacy is an attorney with extensive experience as a guardian ad litem. McCarthy thinks social workers usually have workable plans when it comes to sexual abuse cases. But "where those cases get crazy is where they interact with the criminal justice system."

Presumptive sentencing is the culprit, McCarthy said. In some cases the sentence is too much, in others not enough, he said.

Sheley said that if she has any complaint about the system, it's that social workers "don't intervene enough. We find social workers as a class tend to be more trusting of people than we are. I think they need to be a little more suspicious of what people tell them."

Often left out in the cold while all the legal forces tug at it is the fragmented family.

However, the system needn't work the way it does, says attorney Jack Duggan. "I think they should review diversion programs that are being used around the country that accommodate the need to prosecute with the need to keep families together."

Duggan cites the "San Jose" model, an innovative program for handling family sexual abuse cases in California. Officially named the Santa Clara County Child Sexual Abuse Treatment Program, the 10-year-old center remains controversial with those who believe "once a sex offender, always a sex offender."

Instead of treating sex offenders as "the sludge of the earth," the program views the family as an organic system. To keep the family intact, everyone undergoes intensive counseling. The offender must plead guilty, usually to a felony charge. Instead of spending his sentence in jail, he is placed on work furlough, followed by up to five years probation.

Not every sex offender makes it into the program. Those who are exclusively sexually oriented toward children or are predators, those who lack a sense of guilt, and those who have a history of violence, heavy drug use, prior child sexual abuse charges and long criminal records, are screened out.

The San Jose emphasis is rebuilding the family and dispelling any guilt the child victim may feel. Average length of treatment is a year or more. The father (or offending relative) remains out of the home until professionals deem him ready to return.

"The San Jose Child Sexual Abuse Treatment Program has looked incest in the face — and has returned three out of four families back home, reconstructed and rehabilitated," concluded an independent study of the program by the California Department of Health.

Dolly Coke, a division supervisor with 20 years social work experience, said there is an undercurrent of disagreement in the social work community over the theme "once an abuser, always an abuser."

"I am not a treatment professional, but I share the belief that every problem has an individual solution," Coke said.

"The problem in sexual abuse (cases) is that with presumptive sentencing — taking people out for a minimum of 5 years — most families cannot tolerate that amount of separation. Most families are going to break up because of the stress of it," Coke said.

Speaking personally, and not for the division, Coke said another problem she sees with Alaska's child protection laws is the mandatory reporting system.

"I don't think you can be treated for a problem you can't talk about. And offenders who would be subject to re-arrest and further indictments on further charges — if they talk about it to their therapist who has to report it — that's sort of a Catch 22. And I think that has an incredible impact on the ability to do therapy."

Coke said her personal preference would be an individualized treatment process using a scale that would determine treatability of offenders. Those considered treatable could be handled through "diversion programs" — like the San Jose model. "That would be an option Alaska should look at."

Tuesday: The runaway, a legal dilemma.

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Fund: Tru

Continued from page A-1

against the fund because it might reduce Alaska's interest in protecting the permanent fund.

"The dividend is the first line of defense in public interest in the permanent fund itself. It's the only truly equal program the state has," Halford said.

It's also argued that an income tax would be fairer than an across-the-board cut in dividends, because a tax is proportionate to income.

In the permanent fund trustees and managers have come out in favor of dividends because they boost public interest.

But Rose said trustees are staying out of the dividend caping debate because the public-interest argument can be made on both sides.

"They would say a steady stream of dividends keeps people happy with the fund. Then there are also some who say if the fund is used to offset a tax, it is a better measure of public involvement," Rose said.

Most of the permanent fund arguments are based on how the trust was built and how its earnings

Hostages

Continued from page A-1

non. A six-minute videotape of Steen was delivered early Sunday to a Western news agency in the name of Islamic Jihad for the Liberation of Palestine. The previously unknown group abducted him and the three other educators Jan. 24 from Beirut University College's campus.

Reading in a monotone, the weary-looking Steen said "If our lives are important to America, it must order Israel to release the 400 Palestinians as soon as possible — that is, Monday as a maximum."

Beirut radio stations said two bullet-riddled bodies were found on a street in the capital's Moslem western sector today. Police said later they had been Palestinian militants. The militants have been in the area since 1985.

The others abducted with Steen are Robert Post II, 53, originally of New York City, Jesse

Plane downed in Afghanistan

Families struggle to survive, to stay intact

By Catherine Stadem
Times Writer

The words "child sex abuse" are like a fire alarm. The bell goes off and people trample one another to escape the danger. Some survive; some don't.

Such is the case for two families that agreed to talk about their experiences with the Division of Family and Youth Services and the legal system.

Members of one family deny the alleged sexual abuse ever happened, members of the other admit it and ask only for compassion. Both have observed the system first hand. Both said it doesn't work.

Both requested their names not be printed to protect their children.

The state is not able to respond to criticism of specific cases because of confidentiality rules.

A few months ago, Mr. and Mrs. K. were chugging along through life, enjoying raising their children and watching them grow.

But all that changed the day their 5-year-old daughter "Kathy" drew a picture of body parts in preschool. The teacher asked her to explain the picture and Kathy identified her circles and lines as "a belly button, an anus and a vagina."

"My daddy touches me there," Kathy told the teacher. The incident was reported to the Division of Family and Youth Services.

That was the beginning of a living nightmare for the young family, Mrs. K. said.

Mr. K. is living in another Alaska city, forbidden by court order to have physical contact with his children. Mrs. K. is trying to keep the family together so the kids won't grow up believing their father is a sex offender. And Kathy has been in and out of foster homes and subjected to numerous interviews and evaluations.



Protecting our children

The situation is ludicrous, Mrs. K. said, because she believes it grew out of hers and her husband's attempts to teach their children proper names for body parts.

"We had read things about children, like 'tell them their body parts; don't let them use slang expressions,'" Mrs. K. said. That's how Kathy came to know the word vagina.

And daddy did touch her there, Mrs. K. explained. He is a seasonal worker, and often cared for Kathy while Mrs. K. was at work. When Kathy contracted a yeast infection around her urethra and vaginal areas — not uncommon in little girls — her father had applied a prescribed ointment.

Mr. K. wailed on Oct. 9 for Kathy to walk the short distance home from school. When she didn't arrive, he called the principal, "who told him our daughter was taken by DFYS," Mrs. K. said.

Kathy was returned to her home that afternoon by a social worker. "They said she would not answer questions consistently," Mrs. K. said. They were told that Kathy had been interviewed at the police department. "They said it was very strange that she drew a vagina," the mother said, shaking her head in disbelief.

On reflection, Mrs. K. said she thinks she got off to the wrong start with the agency because of her initial reaction. "We were

pretty angry at how they handled it. We didn't invite them into the house — we talked outside," she said.

At 8:15 that evening, a social worker returned to the house with two police officers. The case worker told Mr. and Mrs. K. that she had talked to her supervisor about the case and they had all decided Kathy would be safer out of the home.

As Mrs. K. remembers, her husband tried to pick up Kathy to get her dressed and the policeman pushed him against the wall and took the child. It was windy and rainy, the mother recalled. "He (the policeman) started taking her outside in only her pajamas."

Since then, Kathy has been in foster homes several times. The family has been in and out of court, back and forth to child psychologists and therapists.

During one evaluation, Kathy was observed playing with anatomically correct dolls and had a wolf doll lick between the legs of a girl doll. That resulted in the court order forbidding Mr. K. to come in contact with his daughter.

Mrs. K. thinks Kathy demonstrated that behavior because the husky that lives next door often pushes its head between humans' legs to get petted.

But during all this time, Mrs. K. said, the family was cooperating as much as possible with DFYS, thinking the nightmare would eventually end. "We were doing everything they asked us to do."

However, when the state ordered a psychological evaluation, Mrs. K. decided not to use a doctor who was contracted by the state. "We wanted someone impartial."

The child psychologist saw her daughter six times and recommended the father move back in. "When they saw his re-

port, they said he was not good with sexually abused children," Mrs. K. said.

The division reportedly rejected the psychologist's report.

The family said they spent about \$5,000 on attorney and doctor's fees in October alone. "We borrowed lots of money," she said.

"What I don't understand is all the things they've been saying about (Mr. K.). He volunteered for a polygraph test — and passed it. We've been doing everything as soon as we could, to get this over with."

The ordeal isn't over. And Mrs. K. has had a lot of time to think about the "system" — how it works, and how it could improve.

Topping her list is more stringent qualifications for social workers. Also, she thinks child interviews should be minimized and all interviews should be videotaped to prove the child has not been asked leading questions. Kathy has been interviewed about 10 times by social workers and police.

Most important, said the woman, 32-year-old with dark circles under her eyes, parents accused of sexual abuse should be considered innocent until proven guilty.

She is full of questions. She said her husband sat the kids down in front of the TV set last September — before all this — and made them watch a children's program about "bad touching."

"Why would he do that if it would get him into trouble?," she asked.

"Our children are our lives. How do we get back together and be a family again?"

The hopes of ever being a united family again are fading fast for Mr. and Mrs. B.

Mr. B., formerly a prominent businessman, is in jail after

pleading guilty to charges of sexually abusing his stepdaughter "Julie."

He doesn't deny what happened. He said he's paying for his crime. But he and his wife said they believe the state isn't fulfilling its purported mission: to keep families together.

"I don't think the system is working," he said in a jailhouse interview. "They want the family unit to be destroyed."

More than a year elapsed between the time he abused Julie and when she told a school nurse about the incident. During that year, Mr. B. had begun to see a counselor because of the deep guilt he felt.

"It was really bothering me and I didn't know what to do about it," he said. He hadn't confided the sexual events to his counselor, but was working up to it. Had he, the counselor would have been obligated by state law to report it to the authorities, despite counselor-client privilege.

Mr. B. had a hard time hiring a lawyer. "My attorney didn't even want to take the case; he said he lost every one (like this)."

Mrs. B. is torn between loyalty to her daughter, to her husband, and to their other children.

"This has been a nine-month nightmare," she said. After six years of marriage, the blended family — including a new baby — seemed to be working well. The stylish and energetic woman describes herself as "your basic middle-class mother of four."

She remembers the day the school called her and said "your daughter is in the school office and has reported sexual abuse." Julie was put in a foster home for six days while the investigation began.

Mr. B. was jailed, but released with the provision he have no contact with Julie. After a few months, Mrs. B. was taking all the children to the state fair and

Mr. B. went along. Someone saw them, reported it, and Mr. B. was jailed for defying the court order; Julie was put in another foster home for three weeks. Her stepfather was jailed.

Mrs. B. carries her own load of guilt. She blames herself for not recognizing that her daughter was troubled. "I saw a movie about 'touching' on Channel 7, and it said to talk to your children," she said. "Julie had a reaction, turned around and walked away. I didn't recognize it."

Now she's frightened that if she shows too much loyalty to her husband, the court will order her daughter be taken out of the home. If she ignores her husband, all the commitment she pledged in marriage goes down the drain.

Not that she has forgiven him.

"I hated him — and I have hateful times now," she admitted. "But how can I hate my friend? How can I walk away from a friend?"

Her other problem is trying to help Julie cope with guilt about feeling responsible for her stepfather going to jail. "She loves her dad a great deal," the mother said.

Mr. B. is awaiting sentencing. The family expects he will serve between three and five years, probably in the sexual offender unit at Hilland Mountain Correctional Center in Eagle River, where he will get intensive counseling.

Mrs. B. remains hopeful. "My life has been hell for nine months, but not ruined. I see a hopeful future. We're going to be a healthy, happy family. This is something I want — and I know we can achieve."

Julie, however, has come through the ordeal with a different outlook, according to her mother. "She said to me, 'if I had it to do over (tell), I'd never do it again.'"

Crew member missing after ship explosion

Twenty-five crew members abandoned ship after a fiery explosion on a Japanese fishing vessel about 60 miles northwest of Dutch Harbor Sunday afternoon, the Coast Guard said. One crew member is missing and believed to have died in the fire that

time to fight the fire," Fulton said. The 25 crew members were picked up by a sister ship, the Fuku Yoshi Maru 8, Fulton said. The crew members are scheduled to be picked up by the Coast Guard cutter Yucosna, which this morning was helping the search

will turn around and head out for the Fuku Yoshi Maru 8, Fulton said. Also this morning, the Coast Guard was planning to launch a C-130 aircraft from Kodiak Air Station to help in the search for the

INDEPENDENCE PARK
MEDICAL SERVICES, INC.

Schools report increase in abuse

By Catherine Stadem
Times Writer

Allegations of intrafamily child abuse — physical and sexual — often originate in the schools.

In the 1985-86 school year in Anchorage, 523 child abuse referrals were made out of an enrollment of 41,772. That shows a distinct rise over 1983-84, when enrollment numbers were similar — 40,427 — and referrals numbered 353, according to Janice Bates, supervisor of health services for the Anchorage school district.

Barbara Seidl, a school nurse veteran of 18 years, said she reports many more cases now than several years ago. Seidl, a nurse at Northwood Elementary, said everyone is more aware of the problem in the last several years because of publicity about child abuse.

The district also mandates classes about abuse for first-, third- and fifth-graders throughout the district. This leads to many reports from children, Seidl said.

Allegations of physical abuse accounted for 21 percent of DFYS's cases in 1986. Many of those were reported by the schools.

Often, it's physical abuse that comes to Seidl's attention. If a child looks unusually bruised, the nurse will talk with the child and visually check the bruising. "If it



Protecting our children

seems to be from abuse, then I may take a picture of it, record it on the health card and report it to the principal and the DFYS."

Reports of child sexual abuse are also on the rise. In fiscal 1978, 5 percent of the cases reported to DFYS were sexual abuse. In fiscal 1986 the number had risen to 15 percent, according to Frank Hickey, the division's acting director in Juneau.

Seidl said she not only thinks sexual abuse reporting is up, but she personally believes its incidence is more frequent. But she said she won't hazard a guess why it may actually be occurring more.

Even though it makes her job more difficult, Seidl is enthusiastic about school programs that teach children they not only have the right to say "no," but that they should report abuse.

Seidl said her working behavior has changed over the years as the result of changes in Alaska's statutes.

"In the past, before the clearly mandated reporting law, social services did not want us to call in incidents that we could not substantiate as actual abuse. Now we have to report."

The reporting law Seidl refers to came into effect about 15 years ago. It requires that "practitioners of the healing arts; school teachers and school administrative staff members; social workers; peace officers; and officers of the Department of Corrections; administrative officers of institutions; licensed day care providers and paid staff; and licensed foster care providers" shall "immediately report" whenever they have "cause to believe that a child has suffered harm as a result of abuse or neglect."

"That takes us off the hook," Seidl said. "We are just doing our duty. And truthfully, in the last two years, I've had some people (parents) who came in so angry I thought they were really going to physically abuse me."

After the school nurse makes a report to either the principal or directly to the division, the child is then interviewed by a social worker — usually at the school — without the parents' knowledge.

If the social worker believes criminal abuse took place, the case is referred to the police department. If the police believe there is enough evidence for

criminal prosecution, the case goes to the district attorney.

From there, prosecutors like assistant district attorney Elizabeth Shirley take over.

Although only about 44 percent of the cases that come to police attention ever reach the district attorney's office, if it's a sexual abuse case, the state often wins, sending the offender to jail: a mandatory eight-year sentence for first-degree sexual abuse (with penetration).

"I've seen some real sad cases, with presumptive sentencing," Seidl said of the problem of families being torn apart. There's no solution to the dilemma as she sees it. The law says lock up the offender, and this splits the family apart — sometimes irreparably.

And it's the social workers who often get the blame when families disintegrate. The nurse said she thinks social workers are doing the best they can with limited resources.

"Oh Lordy, I think they're trimmed right now down to the bare bones."

With her perspective of 18 years in the Anchorage school district, Seidl said, "While DFYS is not perfect, and the system isn't perfect, I think it's the best method that has been devised so far to protect children. While there are flaws in it, it's better than anything we've ever had."

Youth's body found in yard; police launch investigation

The body of an 18-year-old Anchorage youth, missing for eight days, was discovered Sunday in a backyard by a search party organized by his family.

Sgt. Bill Gifford of the Anchorage Police Department identified the body as that of David Newell.

Gifford said Newell was discovered in a fenced-in backyard not far from a party he had attended.

The cause of death was not immediately known, although

Gifford said it is under investigation.

"I believe friends and relatives were doing a search and found him in the backyard," Gifford said.

He said the area where the body was discovered was brushy, and that the corpse was partially covered with snow.

"He had been at a party and had left there on foot," said Gifford.

He said foul play is not suspected.

Fire damages south Anchorage trailer

Fire caused extensive damage to a trailer home Sunday at the Southwood Manor trailer park at 9499 Brayton Drive, an Anchorage Fire Department spokesman said.

The trailer was completely on fire when firefighters arrived shortly before 2 p.m., the spokes-

man said.

He said it took crews from the Huffman Road and Dimond fire stations 12 minutes to extinguish the blaze.

A fire investigator was attempting to determine the cause. No damage estimate was released by the department.

Anchorage tenor gets 1st place at opera audition

SEATTLE (AP) — Frederick W. Kalt, 30, a tenor from Anchorage, has won first place in the Metropolitan Opera National Council's 1987 Northwest regional auditions.

For winning the contest Satur-

day at the University of Washington, Kalt received \$1,500 in national and regional awards and a trip to New York for the national finals March 15.

The Seattle competition was one of 17 held nationwide.

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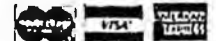
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WORK YOUR WAY

Icy fingers

Matt Brown, left, and Susan LaDuke inspect the outside of their ice-covered home in Eastlake, Ohio, Monday morning after wind-

whipped waves from Lake Erie crashed over a dike and drenched homes in the area Sunday evening. Story, page A-3.

Associated Press

Soviet Union frees 140 people from 'behind barbed wire'

By Carol J. Williams
Associated Press

MOSCOW — The Kremlin said today it has freed about 140 people sentenced for anti-Soviet activity and is reviewing an equal number of cases to leave "fewer people behind bars and behind barbed wire."

Foreign Ministry spokesman Gennady Gerasimov announced during a news briefing that prisoners' appeals

for clemency are being reviewed, and that government committees also are considering a "certain softening" of the criminal code.

He said the prisoners were freed by decree of the Supreme Soviet, the nominal parliament, on Feb. 2 and on Monday.

"As you probably know, the Soviet Union has been re-examining a number of cases, especially cases related to

those sentenced on (Article 70) of the Soviet criminal code, concerning anti-Soviet propaganda," Gerasimov said.

During the weekend, dissidents Andrei Sakharov and his wife, Yelena Bonner, reported the early release from prison or camps of more than 40 dissidents. The couple's internal exile in the central city of Gorky was lifted December.

The releases were hailed by Soviet

dissidents and the West, who nevertheless cited estimates that about 1,500 Soviets remained jailed for their views. Natan Sharansky, who changed his name from Anatoly B. Shcharansky after being released a year ago, said in an interview published Sunday in The New York Times that he believed the total was 5,000-10,000.

The mass release fits a pattern of gestures by Soviet leader Mikhail S.

pressed housing markets in other oil dependent states and has to weigh Alaska's needs against the others before deciding whether to grant additional certificates to the area, she said.

Anchorage has 1,037 low-income certificates — a fixed number — with 800 people on a waiting list, said Sharon Hower. See Condos, page A-8

Legislators initiate bill to unsnarl runaway laws



Protecting our children

This is the last in a three part series on Alaska's child protection system. 2/10/87

By Catherine Stadem
Times Writer

Alaska runaways have floated in a kind of limbo since the Alaska Supreme Court decided 16 years ago it was not illegal for a juvenile — of any age — to run away from home.

If police find a runaway teenager on the street, they can give the youngster two choices: return home, or be turned over to the Division of Family and Youth Services for emergency shelter. The child may not be incarcerated, said the Supreme Court.

Now — reacting to suggestions from citizen activist groups such as the Alaska Juvenile Crime Commission and Toughlove — some legislators are trying to change the law.

Senator Pat Rodey, D-Anchorage, and 11 others, are sponsoring a bill that would address the problem of the estimated 1,600 runaways on Anchorage streets at any given time.

The bill says that a juvenile must be some place, either at home, in a foster home, or in custody of a state agency, Rodey

See Law, page A-8



Times photo by Douglas Van Roeth

Len, right, and Doran Colbry with sons, John, 13, and Darin, 10, at their Anchorage home.

Son, agencies hold family in suspense

By Catherine Stadem
Times Writer

Doran and Len Colbry knew one of their sons was heading for trouble.

As he reached puberty, problems intensified. "He was like Dr. Jekyll and Mr. Hyde," said the boy's father, Doran.

In fall of 1985, "Tony" — his real name is not used to protect his privacy — was acting like he was taking drugs, his parents said.

When Doran confronted his teenage son about drugs one night in the kitchen, he said Tony came at him with clenched fists. The father remembers swinging in defense. Tony slipped, hit the refrigerator, and both father and son fell down.

"He got a knot on the back of his head," Doran said.

Tony tore out of the house. "He ran to neighbors and claimed I beat him up," Doran said.

The neighbors called the Division of Family and Youth Services and reported the incident. Another neighbor — an Alaska State Trooper — was called. Tony "kept claiming he feared for his life," his father said.

Doran talked to a social

See Limbo, page A-8

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page B-2

Law: Children not 'secured' Limbo

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said "The bill doesn't criminalize it (running away) per se," he said "But it does provide for minors to be apprehended by police."

Rodey said if the bill passes, runaway youngsters would be housed in a "secure" shelter, but said he wouldn't use the word "lock-up."

He said a similar bill will be introduced in the House this session and he estimated the Senate bill's chance of passing at 70 percent.

Wayne Anthony Ross is an Anchorage attorney who protested the original "decriminalization" of runaways. "I met with the legislature and tried to convince them it was a dumb law," he said.

Ross, a former assistant attorney general, was a family court standing master (hearing officer) from 1969 to 1973. During that time, he heard 90 percent of the delinquency cases and made recommendations to the judge. He has had a private law practice in Anchorage for 13 years.

The reasoning behind the decriminalization of running away was "obviously, any child who runs away from home, it must be the parents' fault," Ross said. "That's a faulty premise."

That's also the message that Ross thinks may snag DFYS when it is dealing with runaways.

Despite the division's stated goal — reuniting families — Ross said his experience has shown him that "the people in the division do nothing to get the kid to go back home."

But Ross said a decision handed down by a children's court master two weeks ago may have far-reaching effects in curbing the division's prolonged involvement in some runaway — refusal to return home — cases.

In this decision, after a teenage girl spent five months in foster homes, the court recommended the state return the girl to her parents. "I believe that the state must go beyond the child's mere refusal to return home and must be able to conclude that there are legitimate child protective grounds that warrant state custody," the master wrote.

On the other hand, Dolly Coke, a social worker supervisor, defends the division's dealings with teens who refuse to go home.

"We try really hard to, number one, calm the immediate situation, because with most teenagers there's two sides to it," Coke said.

The statute that allows the state to take emergency custody of a child says, among other things, that the child's refusal to go home is reason enough for the state to intervene.

"My feeling is, that's in the statute to allow the department time to investigate and see whether or not there is an abuse situation and whether the child is at risk," Coke said.

If the division determines that the child is not at risk, Coke said, a social worker tells the child to go home or offers to negotiate with the parents to house the child elsewhere. "But we try very hard to keep the parents in control," she asserted.

In reality, however, it may not always work that way, says another critic of the system.

Theresa Favero, state president of Victims of Child Abuse Laws (VOCAL), learned about the system first-hand when her 13-year-old daughter ran away and refused to return home five years ago.

"I think the regulations themselves are part of the problem," she said from Fairbanks. "The regulations are written so broadly that social workers have too much open discretion."

When her daughter ran away, Favero said she thought DFYS was there to help her, but soon felt differently. "I cooperated. I didn't have a thing to hide." Trusting the division "was the biggest mistake of my life," she said. "They're not there to help you. They're not your friend." Favero's daughter, now 16, never returned home.

Division employees observe strict confidentiality and may not speak openly of specific cases.

Speaking hypothetically, Coke said, "more often than not, the parents are as angry as the kids and say, 'I don't want the kid. Keep him.' And when you have a parent refusing to have the child at home, you technically have neglect, if the parent is refusing to provide basic needs."

And so — like a family fight — the argument goes in circles, continually recycling itself to no one's satisfaction.

A major piece of the runaway problem is that people appeal to the state for help with high expectations which the state can't meet, said Office of Public Advocacy attorney Jay McCarthy, who works as a court-appointed guardian for children in the system.

"The system (DFYS) doesn't work with runaways," he said. "If the child is out of control,

nothing can control him."

McCarthy doesn't advocate locking runaways up, but said they need supervision and assessment. "I think the legislature has to decide what authority Health and Social Services (department that oversees DFYS) has in these cases and then back them up."

A mayor's task force studying Anchorage's runaway and homeless youth for the last year recently issued a report containing numerous recommendations.

Although establishment of a runaway shelter was often discussed by the task force, it didn't end up as one of the group's key recommendations, likely because it would be costly and difficult to implement.

What the task force did target was the need for "prevention, intervention and aftercare," said Gail Stolz, task force staff member.

Task force recommendations have recently been sent to Mayor Tony Knowles and a summary of its findings to the Anchorage Assembly.

But no amount of recommendations will relieve the problem unless the runaway's legal status is clarified, legislators say.

And while politicians and community activists meet and talk and recommend, social workers continue to cope with increasing case loads and shrinking resources.

Said Sue Harris, regional program administrator with a tired smile. "Yes, we make mistakes. And, yes, people get under stress and may not respond like they should. But I believe in what we do."

Continued from page A-1

worker on the telephone and explained what happened. He said he told the social worker, "I see this coming on as a problem. I think my son's got very bad emotional problems."

Tony ended up returning home that night.

But when Tony went to school the next day, he told a counselor that his father had beaten him and showed the knot on his head, Doran said. The school called the division, as it is required to do under the state's mandatory reporting law.

As a result, Tony spent about 10 days at an Alaska Youth Advocates group shelter while social workers investigated.

The Colbrys had seen Charter North Hospital television commercials about youths with emotional problems, so they persuaded Tony to try the hospital.

"He was beyond my control," Len said.

After several weeks, the Colbrys tried to get Tony out of Charter North. He refused to return home and the hospital barred the parents from seeing him, the Colbrys said. The hospital told them Tony had filed abuse charges against his parents with the state, Len said.

Tony simply refused to go home.

Tony has been in state custody — in foster homes — for the last year. The most recent court hearing, in December, ordered the youngster to get more psychological evaluations.

His parents feel that they have lost control. At a recent hearing, the court ordered the state to try to return Tony to his home within 120 days. If he continues to refuse, his parents may have no right to force him to come home.

The Colbrys recently almost surrendered to discouragement.

"We were going to completely back out of it all and give him back to the state," Len said. "But (our attorney) said, 'No, no, no. You don't do that.'"

So, while their son is being raised in foster homes, the Colbrys wait to see what will happen next.



CONTACT LENSES — A GODSEND FOR CATARACT SUFFERERS

A cataract is a clouding of the lens of the eye. When vision is seriously impaired, the lens must be removed, which leaves a person extremely farsighted.

Before the advent of contact lenses, the only alternative was to prescribe thick-lensed glasses to correct vision after contact surgery. One problem with these glasses was that they magnified the eye so much it made people who wore them uncomfortable about their appearance.

Another problem was that, because of the space between the eye and the lens, they tended to distort the size of things seen. This was especially troublesome when only one eye had been affected by a cataract.

But now we have contact lenses that fit directly over the eyes, essentially replacing the lenses that are removed. The contacts improve the vision more effectively than glasses, with none of the appearance problems.

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UP TO

Abused kids: sad victims of our economic troubles

By ROBERT GRISWALD

In the severe economic climate of Alaska there are sad stories in the news each day. One that is sadder than any seen so far has not yet surfaced. The people of Alaska need to know this story, too.

What makes this story particularly sad is not that these victims of the economic cuts are those who do not have any way of handling their needs by themselves. There are many in that condition. The thing that makes this story sad is that those being hurt are people who have already been terribly wounded through no fault of their own. These people are the abused and neglected children and youth of Alaska who need specialized care and treatment to overcome the trauma they have suffered.

The State of Alaska purchases services for over 200 children and youth from voluntary tax exempt organizations. These services are for emergency shelter and longer term treatment for children who must be placed in state custody to be protected and treated for the hurt they have suffered. These services require



a heavy investment of money if they are to be effective. Costs for different services run between \$20,000 and \$66,000 per year per child in care. For the past four years the legislature has not increased funds for these services. As a result there are children and youth who desperately need care who are dangling in the limbo of waiting lists. A week ago the agencies providing these services were advised by the state that there would be a 12.5 percent reduction in the funds available beginning September 1, 1986. The agencies involved have no responsible way of handling these cuts and so the victims will pay.

Who are these young Alaskans? They aren't numerous — representing less than one in 2,000 of our citizens. They are invisible to the

general public except when they hit the papers as the perpetrators or victims of sensational crimes. They are not "nice" kids, most of them.

But before you write them off you should ask how nice you would be if you had been addicted to drugs before you were out of the womb. Or how nice you would be if you were a girl and your prostitute mother had started selling you before your age had reached double digits. Or how nice you would be if you had been shut in a box by your father, taken to a place where he could shoot holes through the box, and left for dead.

It is easy to shut these kids out of your mind if you don't see them and work with them every day. They have no political power. They don't vote. Their disastrous families won't be getting organized to lobby on their behalf. None of them could afford to fly to Juneau to ask for anything. There is certainly no political risk in saving money on services to this group. Perhaps Alaskans need to ask themselves if government should stand for something more than the balancing of political risks.

There are other risks to consider.

It is easy to shut these kids out of your mind if you don't see them and work with them every day. They have no political power. They don't vote. Their disastrous families won't be getting organized to lobby on their behalf. None of them could afford to fly to Juneau to ask for anything. There is certainly no political risk in saving money on services to this group.

Without proper care these children will get worse. What does getting worse mean? It means hitting the streets and being used up by the time you're 25. It means fading into chronic mental illness, it means having offspring and passing your hurt on to a new generation. The savings to be had from shunting funds to these kids is illusory. If we do not heal them and make them a part of

our community, then we will pay again and again for our neglect. They will see to it. For good or ill these children are our future. Can we really afford to write them off? How big is Alaska

□ Robert Griswold is executive director of Alaska Children's Services.



Alaska State Legislature

LEGISLATIVE AFFAIRS AGENCY

POUCH Y, STATE CAPITOL
JUNEAU, ALASKA
(907) 465-3800

August 28, 1975

WORK PLAN

Legislative Council Task Force

Children's Law Revision

I. PURPOSE

The purpose of the Task Force is to study the Alaska Statutes dealing with children and to propose revision of the statutes which the Task Force finds in need of change. This study and revision is viewed by the Task Force as the first step in developing a children's code for Alaska.

II. GOALS AND OBJECTIVES

During the period before the legislature reconvenes, the Task Force plans to determine the areas of Alaska law dealing with children which are most in need of review, look critically at Alaska's approach to the treatment of children in these areas, comparing Alaska's approach to that of other states, and to submit legislation to the Council revising the statutes which the Task Force determines to be in need of revision.

III. ASSUMPTIONS

A. Responsibilities. The Legislative Council will provide an attorney who will spend approximately one-third of his/her time on the work of the Task Force, travel expenses and per diem for the attorney, office space for the attorney and researcher, and clerical support for the project. The Office of Child Advocacy is funding a full time research person for the interim period, and travel expenses and per diem for the researcher. The Office of the Governor is providing funds for travel expenses and per diem for the members of the Task Force.

B. Task Force Structure. The Task Force will meet five times during the interim period. The meetings are scheduled for August 14, September 17, October 15, November 19 and December 17. At the September meeting the Task Force will break

down into smaller groups. Each group will deal with one of the priority areas which the Task Force has decided to address. The small groups will study the problem areas in depth and report their findings to the Task Force. The Task Force will then decide whether to adopt the reports of the small groups and to recommend legislation to the Legislative Council.

IV. TASKS

At the August 14, 1975 meeting the Task Force decided to look into the following areas during the interim period:

- (1) update the draft of the Child Law Compilation prepared by the Legislative Affairs Agency in October 1974;
- (2) role of the guardian ad litem in the Alaska Court System;
- (3) the treatment of children classified as dependent, neglected, delinquent and in need of supervision in the Alaska Statutes;
- (4) the treatment of emotionally disturbed children;
- (5) the protection of the property rights of orphaned children in the state, particularly the rights of children under the Alaska Native Claims Settlement Act;
- (6) the scope of the term "care of the child" under AS 47.10.230;
- (7) the adequacy of the statutes dealing with child abuse in the state;
- (8) the treatment of status offenders.

Staff research for the first three areas is scheduled for completion by the September meeting of the Task Force. The remaining research is scheduled for completion by the October meeting. After each meeting a report on the work progress will be prepared for submission to the Legislative Council.

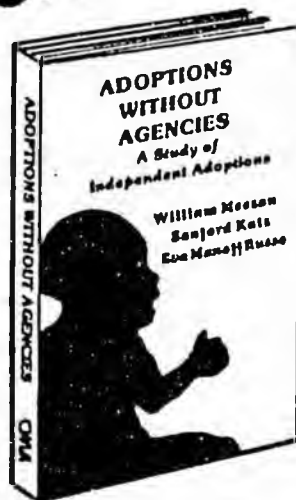
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Alaska's Children's Code

CECILIA KLEINKAUF
BETSEY MCGUIRE

Enactment of Alaska's new Children's Code was achieved only after years of struggle involving many professional and public forces. The code is considered a breakthrough in legislation for children.

Termed "a major breakthrough in juvenile legislation" [6:1], Alaska's recently enacted Children's Code is the culmination of years of work in behalf of children, with the evolution from concern to actual statute revision a complicated and exhausting process.

Undertaking extensive juvenile law review rather than settling for a piecemeal approach had obvious advantages, but the practical realities were formidable. In the interests of having others benefit for Alaska's experiences, this paper presents an account of the process and mechanics of the work, as well as the innovative child welfare concepts embodied in the new laws.

Background

Awareness among professionals of the need to revise Alaska's children's laws also entailed awareness of the need to enter the

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legislative area, where such change would take place. In 1969 and 1970 several legislators began to consider with professionals, lay people and Region X staff (HEW) various methods of achieving law reform, and ultimately proposed creation of an Office of Child Advocacy, to carry out such a massive task as one of its many areas of concern. In 1972 this office was created by legislation in the Office of the Governor and charged with responsibilities that included providing "leadership in recommending legislative change which affects the provision of children's and child development services [12]." At the same time, the Alaska Legislative Affairs agency was directed to compile all existing laws pertaining to children to facilitate the review.

Although the Office of Child Advocacy was not funded until October 1973 and did not go into operation until January 1974, other efforts gathered support for the development of the Children's Code. Most notable was the designation in 1973, by both the League of Women Voters (LWV) of Alaska and the Alaska Chapter, National Association of Social Workers (NASW), of the Children's Code as a priority need in Alaska. From 1973 until enactment in 1977, these two groups maintained lobbying efforts for passage of the code.

In 1974 the Office of child Advocacy was functioning well and sponsored conferences on "The Child and the Law" designed to identify areas of concern about existing laws, for professionals and public. The conferences also alerted legislative and governmental leaders to the increasing need and support for both law reform and service improvement. Because of the close interrelationship between legal requirements and service delivery, the Alaska Chapter, NASW, requested of the Legislature that year a comprehensive study of Alaska's child welfare services, for recommendations that would influence future law revision. In response, the Legislative Council contracted with the Child Welfare League of America for a survey of services, the findings of which were presented to the Alaska Legislature early in 1975.

Law Revision Begins

The Legislative Council, by now accepting the need for reform, joined with the Governor's Office of Child Advocacy and interested groups to consider the best approach to law revision. A plan was devised for creation of a Task Force of professionals and citizens

representing broad social, legal and judicial interests who would work together with the legal staff of the Legislative Affairs Agency toward creation of the Children's Code. As the coordinating body, the Office of Child Advocacy provided legal staff, and its executive director served as Task Force chairperson. The Governor's Office also made travel funds available for Task Force members. By June 1975 the work began, with the Task Force stating its intention to "...determine the areas of Alaska law dealing with children which are most in need of review, look critically at Alaska's approach to the treatment of children in these areas, comparing Alaska's approach to that of other states, and to submit legislation to the Legislative Council revising the statutes which the Task Force determines to be in need of revision [6]." A report on these efforts was to be made to the Legislative Council in December 1975.

Although somewhat limited by time constraints (August-December 1975), the Task Force efforts did result in two major recommendations that were introduced in legislation in January 1976. The first was for the clarification and expansion of the "guardian ad litem" concept to provide for the representation of children's best interests as well as their preferences. The requirement that the court specify the duties and authority of the guardian was also included. The second recommendation was for the repeal of Alaska's statutes for both Dependency and Child in Need of Supervision actions, in favor of a new designation, "Child in Need of Aid"—a totally new approach to issues of children before the court.

The legislation was considered throughout the 1976 legislative session, but did not pass. It did, however, give tangible proof that the Task Force approach (when provided with sufficient legal expertise) was a feasible way to accomplish law revision. It also extended efforts to educate legislators about the need for change, and facilitated discussion and consideration of a major public policy shift away from status offenses and away from statutes that tended to place blame as part of the adjudicatory processes.

Supportive Legislation

Two other measures introduced and passed in the 1976 legislative session contributed significantly to the ultimate enactment of Alaska's Children's Code. First and foremost was a Concurrent Resolution (SCR76) directing the Legislative Council to "review the existing laws relating to children specifically and the family in

general and to accomplish any necessary revision to harmonize conflicts, supply omissions, and generally clarify and make complete in one body of law Alaska's family law [5]." This clear directive that statute revision continue was supported by funding in the council's budget for continued legal research for the Task Force.

The second piece of legislation, resulting from a recommendation in the earlier Child Welfare League of America study, established a far-reaching statement of public social policy for children in Alaska that provided a philosophical basis from which later code positions were to emanate.

The purpose of this title as it relates to children is to secure for each child the care and guidance, preferably in his own home, that will serve the moral, emotional, mental and physical welfare of the child and the best interests of the community, to preserve and strengthen the child's family ties whenever possible, removing him from the custody of his parents only as a last resort when his welfare or safety or the protection of the public cannot be adequately safeguarded without removal; and when the child is removed from his family to secure for him adequate custody and care [12].

The Code Is Drafted

Supported clearly by the Legislature and with sufficient funding from Legislative Affairs for full-time legal counsel, the Task Force, with continued support from the Governor's office, resumed work in the spring of 1976, with vastly increased capability for research and statute drafting. The procedure adopted for arriving at recommended changes was for the Task Force to identify, consider and establish priorities for issues of concern together with the staff attorney, then to research possible approaches and to suggest statutory language for various options. The possible revisions were then discussed and agreement reached on how to proceed. Specific language was then drafted and finally voted on the by Task Force. The wide variety of urban and rural, professional and lay opinions represented on the Task Force made this approach the most feasible, as the group was once again working against a year-end deadline if legislation was to be introduced in January. The proposed Children's Code was presented to the Legislative Council in November 1976, and in-

roduced into both the Alaska House of Representatives and the Senate early in 1977.

Lobbying Efforts

The development of recommendations for statute changes was only half the battle; the other half was to have the recommendations become law.

As 1976 was an election year, a good deal of education of legislators had taken place during the fall campaign months by the Alaska League of Women Voters and the Alaska NASW, both of which had focused their candidate review on issues that included the Children's Code.

Once a set of recommendations had been proposed to the council, lobbying efforts intensified. The long years of commitment to children's law revision by such a wide variety of groups and individuals had created broad lobbying support and helped to minimize much of the anticipated opposition.

The interim between the November elections and the January opening of the Legislature was used for informing legislators of the substance of the Task Force recommendations, and for programs of public education.

Lobbying during Alaska's legislative session is both expensive and logistically complicated because Juneau, the capital, is far removed from other population centers and accessible only by air. A variety of efforts was employed, therefore to continue to gather support for the code preceding committee and floor votes. The efforts included committee testimony, letters of support, individual contacts with legislators by LWV and NASW lobbyists, Office of Child Advocacy board members, consultation of the Task Force's attorney with legislative committees and staff, constituent contacts with key legislators and often the arguments of supportive legislators themselves. The children's Code Bill passed the Alaska Legislature in May and was signed into law by the Governor on May 28, 1977. The code became effective on August 26, 1977.

Child Welfare Concepts

Many of the concepts in the new law, while important for clarifying Alaska's statutes, are not significantly new approaches to

children's law. Several, however, are precedent setting and bring the force of law to current theoretical approaches concerning intervention into family life. Underlying the entire code is the belief that such intervention should be limited to instances where the child is suffering harm—actual or imminent—and that such harm should be assessed against specific criteria.

The code's intent was fivefold: "to clarify which children would come under juvenile court jurisdiction; to eliminate overbroad and vague jurisdictional grounds; to specify the Department of Health and Social Services' responsibilities in treating the child and the family; to set out certain guidelines for the court; and to clear up a number of inconsistencies in the present laws [1]."

It is in the approach to court jurisdiction over children and in specifying the Department of Health and Social Services' responsibilities that the significant concepts are found. The most important are the creation of the designation Child in Need of Aid to revise jurisdictional grounds, and the requirement for treatment planning and limitation of state custody to delineate the state's responsibility to children before the court.

Child in Need of Aid

Prior to the new law, Alaska's children were brought under the court's jurisdiction as delinquents (lawbreakers), dependents (neglected, abandoned, etc.) or children in need of supervision (runaways, truants, incorrigibles). Based upon Task Force members' intent to redirect the statute's emphasis away from the necessity for placing blame on the parent and/or child and toward assuring services for the family and child, the new law eliminates the designations Dependent Child and Child in Need of Supervision in favor of the new concept Child in Need of Aid. "It should be noted that this new jurisdictional section reasserts the primacy of the parent and child relationship and obligates the state to find specific evidence of actual or imminent harm before the courts and state agencies can intervene in family life [1:4]." The new law defines Child in Need of Aid as:

(A) the child being habitually absent from his home or refusing to accept available care, or having no parent, guardian, custodian or relative caring or willing to care for him, including physical abandonment by (i) both parents, (ii) the surviving parent, or (iii) one parent if the

other parent's rights and responsibilities have been terminated under Sec. 80 of this chapter or voluntarily relinquished;

(B) the child being in need of medical treatment to cure, alleviate, or prevent his suffering substantial physical harm, or mental harm as evidenced by failure to thrive, severe anxiety, depression, withdrawal, or untoward aggressive behavior or hostility toward others, and his parents are unwilling to provide the medical treatment;

(C) the child having suffered substantial physical harm or if there is an imminent and substantial risk that the child will suffer such harm as a result of the actions done by or conditions created by his parent, guardian or custodian, or by the failure of his parent, guardian or custodian adequately to supervise him;

(D) the child having been sexually abused either by his parent, guardian or custodian, or as a result of conditions created by his parent, guardian, or custodian, or by the failure of his parent, guardian or custodian adequately to supervise him;

(E) the child committing delinquent acts as a result of pressure, guidance or approval from his parents, guardian or custodian. [8].

Such behaviorally descriptive standards for the state's intervention on behalf of children resulted from research into the laws of other states, as well as into current literature on children's law [2;3;4]. The philosophy and recommendations of Michael Wald, professor of law at Stanford University, coincided with the Task Force's belief that establishment of objective criteria for measuring specific harms to the child worked to prevent the subjective discretion of social workers and judges from determining custody issues. The elimination of the concept of fault finding and the redirection toward consideration of harm to the child that requires state intervention focuses the court's attention on what is to be done for the child, rather than who is to blame. The new language also eliminates "possible unconstitutionally broad and vague terms and laws" in the old statutes such as "incorrigible" and "wayward" on the part of the child and "false habits" on the part of the parents [7].

Required Treatment Planning

Probably the single most significant issue to virtually all members of the Task Force throughout their deliberations was the

frequent inability of the state to provide services to children and families that improve the situation so that children can be returned home, with the result that many children were "lost in the system" after placement.

Having addressed the jurisdictional statutes to require more specificity for adjudicating a child either delinquent or in need of aid, the Task Force turned its attention to possible statutory methods for assuring that services were delivered. Again with Wald's guidance [4], the Task Force decided to pursue service availability through: 1) the statutes governing the dispositions that could be made of children's cases; 2) the addition of a requirement for the preparation of a treatment plan; 3) the requirement for specific information to be provided in mandatory review hearings concerning the provision of services; and 4) the strengthened guardian ad litem provisions mentioned earlier.

Under Alaska law the courts hear the evidence in support of either a petition in Delinquency or Child in Need of Aid and subsequently dismiss the petition or adjudicate the child. If a child is adjudicated, various dispositions are possible. Under the new code possible dispositions for Delinquency now include: 1) commitment to the Department of Health and Social Services for institutional placement; 2) commitment to the department with probation, either living at home or in a placement facility; 3) department probation supervision with no commitment, or 4) restitution ordered in lieu of or in addition to numbers 1, 2, 3.

Dispositional alternatives for Children in Need of Aid care: 1) commitment to the department for placement (not including a correctional institution); 2) release to parent or guardian under court order to provide care or treatment supervised by the department; or 3) termination of parental rights.

Prior to any dispositional order for either Delinquents or Children in Need of Aid, the Alaska Department of Health and Social Services is now required by law to submit a "predisposition report with a recommended plan of treatment [9] ...which in the case of Child in Need of Aid" ...shall include, but is not limited to the following: 1) a statement of changes in the child's or parent's behavior, which will aid the court in determining that supervision of the family or placement is no longer necessary; 2) if removal from the home is recommended, a description of the reasons the child cannot be protected or rehabilitated adequately in the home, including a description of

any previous efforts to work with the parents and the child in the home and the parent's attitude toward placement of the child; 3) a description of the potential harm to the child that may result from removal from the home and any efforts that can be made to minimize such harm; and 4) any further information that the court may request [10].

It is evident that the reports are intended to be objective and to document the need for removal from the home in order to provide services, but even more importantly, they are required to specify behaviors that the family members must change before the return of the child or the cessation of the state's supervision. These reports are required to be made available to all parties involved 10 days before the dispositional hearing, in order that expectations are clear and that removal of the child is justified. It is hoped that, as far as possible, professionals and parents together will arrive at specifics in the treatment plan.

Additionally, the state is forced to confront the harm to the child resulting from placement and to plan for minimizing it.

Although the old law required at least yearly review hearings concerning children under the jurisdiction of the court, the code substantially strengthened this section in an effort to return children home unless specific and measurable evidence can be provided to support the need for continued placement. The law now requires that the child be returned home at the review hearing unless a preponderance of the evidence shows that the conditions under which the child was adjudicated still exist. "If the child is not returned home, the court shall establish on the record: 1) why the child was removed from the home; 2) what services have been provided to or offered to the parents to facilitate reunion; 3) what services were utilized by the parents to facilitate reunion; 4) the visitation history between the parents and the child; 5) whether additional services are needed to facilitate the return of the child to his parents; 6) when return of the child can be expected." [11]

The reporting of actual services being provided to the child and the family will increase the accountability of the state for children in its care, as well as providing a vehicle for comparing planned services at the time of adjudication with actual ones a year later. The requirement for projecting a date for return of the child to his home also is considered a worthwhile addition.

Limited Custody

The review hearing requires the projection of a date for return of the child to the home, and the state's custody of the child (except where parental rights are severed) is now statutorily limited to 2 years. The elimination of indeterminate commitment represents a significant shift in the state's approach both to delinquent children and to Children in Need of Aid. Nationwide concern over institutionalizing children for periods far exceeding adult commitment for a similar offense was felt strongly in Alaska, and is eased by the new 2-year limitation. The possibility that nondelinquent children removed from their homes will drift indefinitely in a series of foster homes should also be significantly reduced. Extensions of commitment are possible, but they must be petitioned for by the state or the child is released. Even if petitioned for, however, extensions are not automatic. A hearing must be held in which the state demonstrates that the extension is in the child's and the public's best interests, and in no case can the extension last beyond the child's 19th birthday, unless the child himself consents.

Conclusion

Alaska's Children's Code took effect August 26, 1977, and efforts toward its implementation are in an early stage. Work continues toward the passage of revised adoption statutes that were removed from the code and are still pending in the Alaska Legislature. The eventuation of law revision in improved child welfare services, however, is yet to be determined. ☆

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Betsey W. McGuire, Chr.; Office of Child Advocacy (tie votes only)

VI

RUNNING TOWARD PRISON

**Who are Alaska's Runaways
and will they fill Tomorrows Prisons?**

This study was prepared at the direction of the Senate Finance Committee for the purpose of assessing runaway and street juveniles as they relate to the adult corrections system. The project coordinator is Marroyce Hall, Consultation Unlimited.
The date of submittal - April 30, 1986 Section 1, June 30, 1986 Section 2.

Running Toward Prison/Running Toward Success

Will Our Runaway Kids Fill Prisons Or Build Alaska's Future?

This study was prepared at the direction of the Senate Finance Committee for the purpose of assessing runaway street juveniles as they relate to the adult corrections system. The project coordinator is Marroyce Hall, Consultation Unlimited.

Copies available through the Senate Finance Committee
or the Alaska Juvenile Crime Commission.

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INTRODUCTION

Child sexual abuse and exploitation, juvenile delinquency, violence and criminal activity are four serious social problems confronting the United States in the mid-1980's. They meet the criteria for classification as "serious" problems as they are prevalent (involving millions of people); they are severe (incurring many thousands of injuries and deaths as well as sustaining emotional distress); and they are primary (as they interact with other social problems).

U.S. Department of Justice
Office Of Juvenile Justice
And Delinquency Prevention

Is the act of running away a common thread in each of the four areas identified as the most wide-spread and serious of juvenile problems in this decade? Who are these runners? Who are the sexually abused, the delinquent, the violent, and the criminal? How can we help them and how do we protect society from them?

The purpose of this study is to identify causes and behavioral patterns of the juvenile runaway and the street population that lead to criminal activity. Further, to identify ways to prevent the continuing growth of the adult criminal and corrections population.

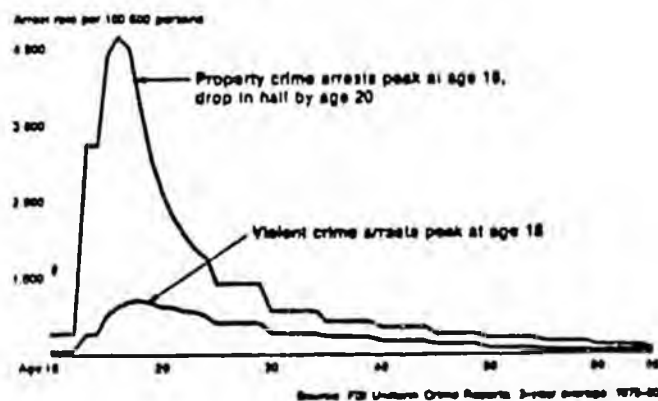
Juvenile crime and runaway information and statistics reflect national data as well as Anchorage and the Third Judicial District. The information gathering base primarily includes years from 1980 through April 1986. Information; 178 case interviews with juveniles and/or parents.

THE PROBLEM: RUNAWAY/JUVENILE CRIME/ADULT CRIMINALS

One million eight hundred thousand juveniles runaway in this country annually. Large numbers of runaways are a fairly recent phenomenon that has evolved primarily from the disintegration of families and the legal ambiguity of parental responsibility and juvenile rights. Further, because the straight community sees little visual evidence of the physical existence of large numbers of runaways they are inclined to believe that they do not exist. Anchorage, like most communities, addresses the problems that runaways create in a piecemill process of individual crimes of burglary, shoplifting, prostitution, robbery, and murder by juveniles as random acts without assessing the factor of the runaway population as it relates to the problem.

Close to half of serious crimes committed in the United States involve youths under the age of 18 and a large percentage of the re-occurring crimes are committed by youthful offenders age 19 to 24 with multiple juvenile arrests. Since 1960, the number of arrests for violent crime by juveniles has risen twice as fast as that for adults.

Serious crime arrests highest in young age groups



parents who are abusive when intoxicated and unable to maintain jobs are relatively common in the runaways' familial history. The director of one runaway shelter has remarked that "these kids are running from something, not to something."

RUNAWAYS/TROWAWAYS AND THE LEGAL SYSTEM

Thirteen states authorize prosecutors to file cases in either the juvenile or criminal courts at their discretion. This procedure, known as concurrent jurisdiction, may be limited to certain offenses or to juveniles of a certain age. Eight of the 13 states provide concurrent jurisdiction options in the trials of youths for serious crimes.

Thirty-one states exclude certain offenses from juvenile court jurisdictions. 20 states exclude only traffic, watercraft, fish, or game violations. The other 11 states exclude serious offenses; 8 also exclude some minor offenses. In Delaware, Indiana, Nevada, and Pennsylvania, persons of any age charged with a capital offense are prosecuted in adult courts.

About 11,000 juveniles were referred to criminal courts in 1978. Most juveniles tried in criminal courts were age 17 and were charged with property offenses. Violent offenses were involved in less than one-fourth of the judicial waivers or concurrent jurisdiction filings.

Juveniles tried as adults have a very high conviction rate, but most receive sentences of probation or fines. More than 90 percent of the judicial waiver or concurrent jurisdiction cases the Hamparian study resulted in guilty verdicts, and

states, children can choose to leave home at age 16 (in other states, at age 14 or 18), and the state cannot legally coerce them to return. In Alaska a youth cannot be arrested for running from home or a placement. It is an open secret among social-service professionals that agencies don't consider it a high priority if older children run because their age and sometimes their ingrained street habits make it almost impossible to settle them permanently with a family or in group home.

Younger children usually end up in foster or group homes if their parents turn them over to their state's child-welfare agency when they feel incapable of controlling them. While many care givers and foster parents are concerned about the welfare of the children it is not uncommon for such children to encounter apathy or more abuse within the system. For some of these children transience becomes a way of life and they are in scores of different foster homes or state institutions by the time they reach adolescence. It is this population of children that constitutes a large portion of homeless youths on the street.

THE THROWAWAY (10)

The term "throwaway" denotes a minor who for whatever reasons, is no longer welcome in his home. Runaways are by choice absent from home. Both categories of youth are usually statistically listed as "runaway."

The U.S. Department of Health and Human Services now acknowledges that some 35 percent of youths previously assumed to be runaways are actually throwaways. The National Runaway Switchboard, a hotline for both runaways and throwaways,

because his parent or parents are nowhere near to protect him.

Other parents, strapped with mounting bills, caught up in a struggle for survival, ignore their responsibility to their children and simply order the children out of the house. (10)

Strains put on traditional family roles have been combined with many structural changes and malfunctions in governmental and social systems and have resulted in a throwaway/runaway problem that has reached epidemic proportions. (10)

EDUCATIONAL BEHAVIORS: THE RUNAWAY/THROWAWAY (9)

School dropout status is the second most significant predictor of adolescent runaway behavior, as well as one of the highest predictors of alcohol/drug abuse.

School disciplinary problems and crime are also spoken of in the same breath by authorities on juvenile delinquency, students who are disruptive and who cause most disciplinary problems are often the same students who commit crimes. Students experience "progressive maladjustment," starting with unacceptable behavior and ranging from truancy to classroom "nuisance" and disruptive behaviors such as fighting, drug misuse, vandalism, and graduating to serious criminal acts.

The child's behavioral difficulties in school appear to be cumulative if not dealt with at a very early stage. The likelihood of succeeding by intervention decreases as the behavioral difficulties become more acute.

All of the runaways tended to find avoidant coping efforts of little use though used frequently. There are gender differences with the sexually abused vs. non-sexually abused populations. Sexually abused females report more delinquent/criminal behavior, feel more confused about sex, express more anger in interpersonal relationships than non-sexually abused females. Male runaways with sexual abuse histories are more avoidant, fearful of adult men, report more absent fathers, are solicited for prostitution, have problems with same sex relationships and tend to report more physical symptoms than non-sexually abused males. Both sexually abused genders report more suicidal ideations. (1)

Life On The Street Exact A Heavy Toll.

* Most throwaways suffer from some psychological disorder -- severe depression, suicidal feelings or antisocial behavior. One study found that 66 percent of the girls and 48 percent of the boys questioned had attempted or seriously considered suicide. (9)

* Street kids are afflicted with a wide variety of physical problems as well; frequent infections, decaying teeth; peptic ulcers, venereal disease, as well as seriously debilitating conditions. (9)

* 70 percent abuse some form of drugs or alcohol. (10)

* They are more sexually active than their peers with homes. One study found that nearly 75 percent had engaged in intercourse and one-third of the girls had been pregnant at least

only 18 percent indicate a close/"warm" family setting. 53 percent indicate a hostile/rejecting/"throwaway" relationship by parents. 37 percent became involved in some form of child pornography. The average age of first sexual intercourse for these children was 12 with the greatest frequency between 10 and 13 (lowest was six). (1) (11)

People who make a business of picking up children can spot a runaway as handily as a poker player can win with a straight flush. Once spotted, it is simple for an experienced procurer to approach the child, begin a conversation, buy a sandwich or soft drink, and take the victim home.

Alaska Juvenile Inmate Findings, McLaughlin Youth Center (14)

Only males were surveyed, females are typically higher in most categories of abuse.

* 80 percent of the juveniles responding reported multiple incidents of physical abuse.

* 40 percent of McLaughlin residents acknowledged committing the same kind of physical abuse against others. One-fourth of those who were sexually abused admitted committing such acts later.

* 68 percent reported sexual abuse and 25 percent of the McLaughlin population has been "extremely sexually abused."

* 27 percent of these underage youths said they have had sex for money and the same percentage said they were forced to have sex with someone.

and unreported, run as high as 1,500 cases during any single month, although this number would include a significant percentage of youngsters who are over 16 years of age and are 'informally emancipated.' This estimate would probably also include the 1,500 runaway 'street children' who are estimated to the present at any given point in time. It would also be noted that these estimates do not represent numbers of new cases per month, but are likely to contain a large 'static' population of more or less 'permanent' runaways or castaways."

NOTE: The numbers reported for Anchorage are four times the national average for cities of comparable size.

STREET -- A VICTIM LIFESTYLE

Detective Frank Feichtinger, Alaska's nationally recognized law enforcement expert in the field of child exploitation reported some of the problems of juveniles running to street life as follows:

"What has developed in Anchorage and other communities across the nation, 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 subculture existing in the same space but at different times within the mainstream of our society. Criminal activities thrive at night after most law abiding citizens have gone home to families, newspapers, and T.V. This subculture has a set of values and morals that are radically different than those of the main body of our society. Paramount within this set of values is the belief that youth equates to victimization. When a young person in our community is, for whatever reason, out of the home environment and living in the streets, he is subjected to an elaborate system of victimization on the part of adults who use youth to their advantage in the perpetuation of their criminal activities and personal desires.

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 persons to legitimately obtain the basic necessities of food, clothing, and shelter. 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 fee 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 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

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."

Kids Who Run, Who Are They?

Case Examples:

Danny, age 16. His parents left him in Anchorage when they left the state. They told him that he was old enough to take care of himself. He was left with some money but it soon ran out. He tried to get a job and held on to a few, working at a few fast food restaurants. There was never enough to keep him properly fed and supply his shelter needs. He could not get a job and started panhandling in the downtown Anchorage area. During the winter he often slept under the blower vent of the grill at McDonalds next to the Sunshine Mall. Danny finally found a job working as a street prostitute on the corner of Fourth and D Street.

Shaunna, age 14. Shaunna ran away from a home on the hillside. She joined a group of girls burglarizing neighborhood homes. When arrested she openly admitted to the Alaska State Troopers and her parents that she had no real problems at home and she ran for the fun of it and had no intention of staying home.

Corey, age 15. Corey was caught shoplifting (runaways will often shoplift from stores for money and clothing). Corey ran away from home many times. His parents just did not care anymore nor did they report him as a runaway. He often talked to his parents by telephone and always lied to them

juveniles have been very much in evidence in a number of cases of exploitation occurring in Anchorage. Some individuals target native youth because of the geographical and cultural displacement and the perception that they would be less likely to complain to authorities because of the lack of sophistication in dealing with the system.

One individual interviewed fit the profile of the native male victim of street exploitation.

James, 13 years old, son of an alcoholic mother moved to Anchorage from a western village. He was befriended at the YMCA by a white adult male in his 40s. The friendship/father figure relationship that the child was seeking evolved into a sexually exploitive relationship involving large numbers of other young males.

The system is seeing an escalation in violent crime among both native boys and girls. Almost one-third of the juvenile males incarcerated in McLaughlin Youth Center in the closed treatment unit are native. The link between native children suffering from sexual exploitation and acting out in a criminal and violent manner is a phenomenon that calls for additional study.

THE RUNNER . . . TO WHERE?

About ten percent of the reported runners remain on the street each year. Only an estimated five percent of the runaway population utilize legitimate shelters provided by communities. The remaining 95 percent rely upon their own cunning and wits to survive. (11)

and in some cases the juvenile becomes violent and abusive to the family.

Criminal "Safe" Shelter. (In street language the word "safe" means safety from parents and police.) This refuge is an artificial home environment provided by a criminal adult or adults for the express purpose of ingratiating themselves with the juvenile to involve them in illegal activities.

The Crash Pad. The Alaska crash pad is usually in condemned and deserted buildings with no heat, lights, water, or sanitary facilities. These shelters are commandeered by groups of juveniles involved in criminal activity; burglary, robbery, drug dealing, prostitution, and even murder. The location of several crash pads in different parts of town constitutes a common home for the crash runner.

STREET LIFE INFLUENCES

Drugs and Drug Culture

The impact of drugs and/or alcohol is evidenced in virtually every case and every negative lifestyle involving repeat runners and juvenile criminals. Heavy abusers sustain their drug use virtually to the exclusion of other life activities. The result is a commitment of the individual to a culture that revolves around other users and ways to obtain illegal drugs.

Local law enforcement makes few pretenses at controlling drug use and sale by juveniles due to lack of manpower and the availability of controlled substances. Drugs are so common in schools, public places, and functions that many young

attracted to this concept want desperately to belong and to be group identified.

The Junior Punks. Groups in the high school system. Street kids estimated that there may be as many as 40 Junior Punks or "Wannabees" in some schools in Anchorage.

Nazi/Punk. Some individuals adopt the Nazi/Punk affectation and the lifestyle becomes all encompassing. For hardcore Punks, piercing the body and shaving portions of the hair into grotesquely distinctive designs, painting or cutting skin with symbols is almost a requirement. Chains, whips, spike bracelets and chokers are part of the uniform. Slam dancing and head banging are typical of a "social function" and can get extremely physical and sometimes very painful. Some Punks correspond with neo-nazi groups in Germany. They ritualize Deth Metal and Acid Rock music, particularly recordings that glorify death and pain.

RECORDING ARTIST: Megadeth

Exodus

I am a sniper
Always hit the mark
Paid assassin
Working after dark
Looking through the night
Using infra-red
My target on you
Aimed at your head.
\$10,000 up front
\$10,000 when I'm through
And I know just what to do
And ya know I'll do it too
Then I'm coming back for you
Back for you!
I do the "getting rid of"
Don't tell my why
Don't need to hear the truth
Don't need the lies
Now pay me quickly
And now we're through
It brings me great pleasure
To say my next job is you
Don't you know that
Killing is my business
And business is good (repeat)
You'd better believe it

It starts with life, a way to live
I love the sound of pain
The more it hurts the better I feel
The world will fall insane
It comes to me late late at night
When I feel like being cruel
Whip out the chains and get the knife
And slay some innocent fool

Get in our way and we're going to take your life
Kick in your face and rape and murder your wife
Plunder your town your homes they'll burn to the ground
You won't hear a sound until my knife's in your back
The Exodus attack

The filthy sound of death and pain
Brings pleasure that I need
The rotting hide the burning flesh
The smell and I agree
Bloody corpse makes me feel great
Painkiller in my life
Cut bare flesh to the bone
Use a rusty knife

Get in our way and we're going to take your life
Kick in your face and rape and murder your wife
Plunder your town your homes they'll burn to the ground
You won't hear a sound until my knife's in your back
The Exodus attack

Local juveniles have been involved to the extent that in the past eighteen months 9 known cases have been treated by lengthy hospitalization in psychiatric hospitals in Anchorage. Evidence of involvement is surfacing at McLaughlin Youth Center as well as in local public schools. Rituals reportedly involve animal sacrifice and corpse mutilation.

Dr. Judianne Densen-Gerber, national expert in runaway and related problems as well as occult activities, expressed concern about the growth of satan worship practices in Alaska due to our proximity to one of the epicenters of the satan worship movement.

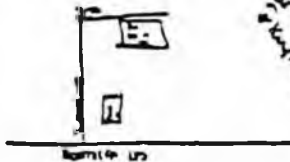
Nationally, satan worship has surfaced in a number of communities and the subject has been reported extensively on national television and news magazines. Tom Jarrell, correspondent for ABC news show 20/20 entitled The Devil Worshipers, stated that ritualistic murder has become a specialty for the San Francisco chief medical examiner. According to Agent Ken Lanning, F.B.I. Behavioral Sciences Unit, WA. D.C., close attention is being given to satan worship as a culture that is growing and exhibits a great potential for violence.

Sado/Masochistic Clubs. The sado/masochistic is a fringe group that is few in number but extremely dangerous. Youths involved are at risk physically, psychologically, and emotionally. One group is known to have started in Anchorage and others are suspected. Sado/Masochistic clubs are initiated by adults who are sexually stimulated by sado/masochistic activities and a feeling of power over the victim. Juvenile runaways are at risk because the power factor

before relinquishing the room to the next supplier. Parties sometimes get out of control, resulting in destruction of property and police response.

PARTY

2307 W. 30th
8:30 Feb. 28 Friday
Door Charge
Pies, Soda, Traps
Cordy for serious buyers
5 Keys



CONCERT PARTY!!

DETH BANGERS SHOW TO TRASH THE CRAP (MATT)!!

Place: SHUPAGIN HEIGHT 3rd LEDGE

DATE: April 1, AND IT'S IN JOCK TIME: 10:30

7 KEGS
LIVE BAND
\$5.00 AT GAP



WARY WEED LIME



SATURDAY MARCH 15
BE ON THE STRIP...

Baby Blue Limosine...
9:00 FOLLOW US TO PARTY.

Interview Question:

Please describe the kinds of groups or parties that kids are involved in in Anchorage. Specifically describe those parties that involve illegal activity.

Answer:

Sochs. "The upper class party people. They don't drink too much but they are into cocaine. They listen to contemporary rock music."

Preps. "They are a lightweight bunch of people that are just starting to get into partying, mostly freshmen and sophmores. They crash parties and get wasted and make scenes in front of everybody. They listen to soul music or disco. The preps usually smoke a lot of dope and know where to get a lot of it."

Stoners. "This is a hard party gang. They like to get

criminal adults is even greater than those kids who are street-wise and through necessity have learned to survive.

The families of straight kids who run are left bewildered, hurt, and angry. Parents of these kids often find themselves caught in a system that offers little help in their attempt to find and return their juveniles homes and to stabilize their lives.

Many of these juveniles who are repeat runners destroy the stability of their families and set run patterns for younger siblings in the family. Their actions create a ripple effect causing changes in behavioral responses between all remaining members of the family. Divorce is not an unusual occurrence following periods where parents have spent their financial and emotional resources vainly searching for a missing child. The fragile family structure often cannot withstand the blame/self guilt/anger syndrome created by a loved child who has deserted his or her family for no apparent reason.

As the numbers of runaways increase, the straight kids/street kids segment of the street population will continue to rise because loss of control and negative peer influences will also increase.

How Many Juveniles Are Involved In Crime

Juveniles ages 12 to 18 in Anchorage loosely translate to the following breakdown:

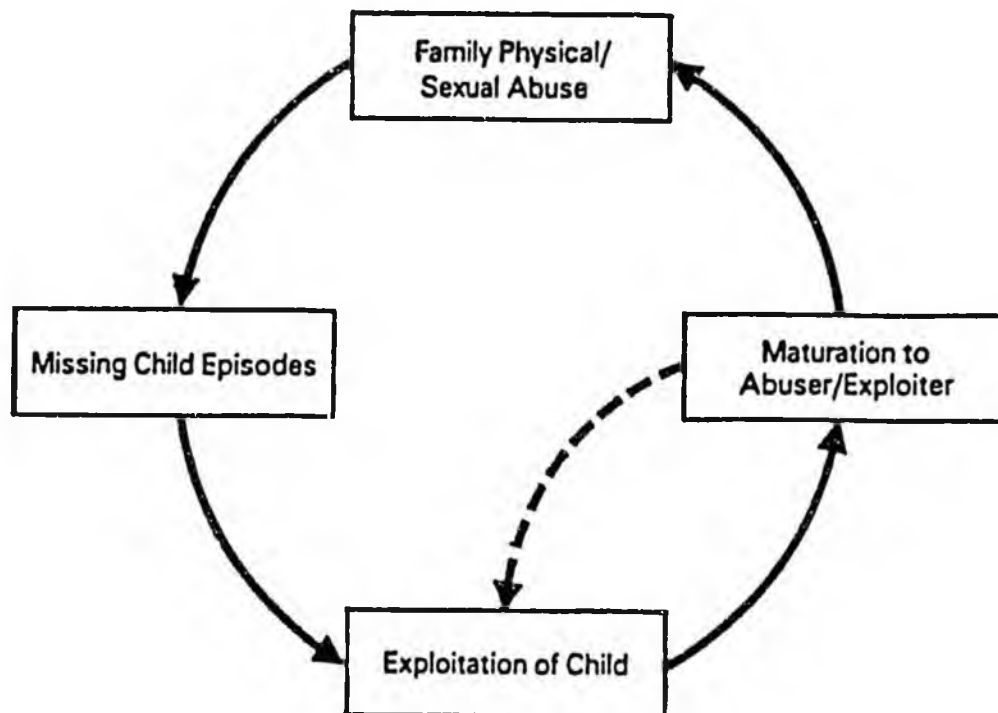
The number of kids in this age range is approximately 20,000.

87 percent of the teenagers will never runaway or receive more than misdemeanor citations or traffic tickets.

"The profiling of serial murders and rapists reveals psychological abnormalities stemming from negative life factors rooted in child and teen years as one of the predictors of serial murderers, arsonists, and rapists.

"Profile work done by the Bureau has convinced me that if communities do not act to address problems of juveniles we can expect to see a sharp rise in violent crimes as well as those crimes committed by serial murderers and rapists."

Cycle of Violence



SOURCES:

Burgess, Dr. Ann, Possible Linkages Between Sex Abuse and Exploitation of Children and Juvenile Delinquency, Violence, and Criminal Activity, January 21, 1986

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Rabun, John B., Deputy Director, National Center for Missing and Exploited Children, March 4, 1986, Washington, D.C.

Walsh, John, Consultant to the National Center for Missing and Exploited Children, February 15, 1985, Juneau, Alaska

Unidentified Juveniles



C



C

A



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Running Toward Prison

Section II

RUNNING TOWARD SUCCESS

Will Our Runaway Kids Fill Our Prisons
or Build Alaska's Future

This study was prepared at the direction of the Senate Finance Committee for the purpose of assessing runaway and street juveniles as they relate to the adult corrections system. The project coordinator is Marroyce Hall, Consultation Unlimited. The date of submittal - April 30, 1986 Section 1, July 30, 1986 Section 2.

Running Toward Prison/Running Toward Success

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Copies available through the Senate Finance Committee
or the Alaska Juvenile Crime Commission.

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INTRODUCTION

Section I of this report, entitled Running Toward Prison, is devoted to identifying the runaway and street population. The segment also reviewed differences in the Alaska runaway population as compared with outside runners. The study also included a base comparative for identifying factors in the runners' lives that put them at-risk for adult prison.

Section II, Running Toward Success will report on the adult Alaskan prisoner and his criminal and anti-social behavior as a teenager. The study will also reveal weaknesses in the juvenile justice system and offer extensive recommendations for positive change.

In order to understand the scope of the problem, a philosophical look at the paradox that is Alaska is the best beginning.

Alaska is a land of extremes; extremes of cold, of dark, of daylight, of desolation; of inordinate beauty and wealth beyond the wildest of dreams.

Drawn by the great riches brought about by major oil discoveries, families and businessmen came to Alaska to build their personal and corporate fortunes. Governmental services also increased drastically due to the influx of the great wealth into public coffers.

The Alaska government has had at its disposal millions/billions of dollars over the past ten years. After all state bills and taxes are paid, enough money is left over to give every man, woman, and child in the state \$500.00 or \$1,000.00 each and still have seven billion extra dollars in a rainy

ARE KIDS ALSO VICTIMS OF THE SYSTEM?

Each year approximately 1,200 youth come into contact with the state and local services system for runaway and troubled youth. There are estimated to be about 300 throwaway youth in Anchorage each year. There are approximately 600 youth annually in Anchorage who are chronic runaways. (27)

Child abuse, alcohol and drug abuse or addiction, and increased numbers of runaways have severely affected the system. Even though significant efforts have been made by the legislature, through additional funding for child abuse programs as well as passage of child protection laws, the problems are out-running the solutions.

The state, by current law, cannot physically control kids. Further, in some cases, kids in serious trouble who will not cooperate or do not have guardians are prioritized down and often "thrown away" by the very system mandated to protect them.

Case: Linda, age 17, had been living on the street since age 13. She was severely drug and alcohol addicted. She was declared a Child in Need of Aid (CINA). While in the custody of the state she was arrested several times and placed in foster homes, McLaughlin, drug rehabilitation, and Alaska Psychiatric Institute. At the time of her last court date she was living with a known drug pusher and had no visible means of support. The court remanded her to her own custody on the petition of social services.

Case: Billy, age 15, had no living relative in the state. He was in the custody of social services as a CINA. Billy

becomes an unwilling accessory to the creation of juvenile offenders and ultimately adult criminals.

THE "KIDDIE COPS," WHO ARE THEY AND WHAT MAKES THEM TICK?

Child exploitation, like any profitable business today, utilizes expertise and technology as tools of the trade. As a result, law enforcement agencies and officials are beginning to identify the need for specialists in the field.

In the Anchorage Police Department for example, there are different but connecting groups of officers who work with kids who are victims and/or kids who commit crimes. These groups consist of street cops, juvenile officers, and detectives working sexual abuse and exploitation cases.

In this report the concerns of Officers Chapman, Warner, Feichtinger, and Lacey are profiled.

THE COPS ON THE STREET

The typical "kiddie cop" (a term used by fellow policemen) is an officer who takes a personal interest in and has a special talent for working with juveniles.

Even though there is often an adversarial relationship between street kids and the police, some kids develop an uncanny intuition about cops who really care about them personally.

Preston Chapman, an A.P.D. patrol officer, is one of the most visible and dedicated examples of kiddie cops in Anchorage.

adult or they run. Incest victims on the street are also more vulnerable to further exploitation."

THE SPECIALIZATION OF CHILD EXPLOITATION POLICE WORK

The 1977 Federal Child Exploitation Act required a direct involvement by the federal government in certain child prostitution and pornography cases as well as training and support for state and local agencies.

In May 1983 twenty-seven experts from across the nation were selected by the F.B.I. to meet at the training facilities at Quantico, Virginia to form the base of expertise. The F.B.I. established a criteria for law enforcement officers chosen for this highly specialized and sensitive field. They stressed the ability to legally define cases of sexual exploitation involving children and interpret evidence into workable cases. Equally important, officers had to be so personally committed that they were capable of sensitive interaction with emotionally damaged children who have been betrayed by adults.

Anchorage Police Officer Frank Feichtinger, one of the original detectives chosen by the F.B.I., is considered a national role model for officers in exploitation case work.

Frank Feichtinger has been a police officer in Anchorage for ten years. He also worked as a Youth Counselor at McLaughlin Youth Center on two occasions. He and his wife Jackie were foster parents for delinquent boys. Feichtinger also participated in a great many activities involving delinquent and neglected children in this community. For the past three years he was assigned to the investigation of cases involving

experience, studies conducted on a local, state and national level and documented information I have gained in working police cases involving juveniles over the past ten years.

"I do wish to state that the perceptions provided in this letter are my personal views and do not necessarily reflect to any degree the views or position of my current employer, the Anchorage Police Department.

"Anchorage does have a juvenile problem that is of considerable magnitude and to which there is no easy answer. I have many times been asked if the problem with juveniles in Anchorage is less than that experienced by communities of similar size in other places in the United States. In my opinion our problem is of at least as great a magnitude if not greater than other similar communities. The very nature of our population, in that it is more transient with less established community roots, coupled with the fact that most people in Anchorage are from somewhere else, has given our community a greater than normal proportion of broken families, single parent families and families with social problems. Families in this community are often isolated to a greater degree than most other similar sized communities in the United States, and sociologically this means greater problems. My experience is consistent with this conclusion.

"There are many different agencies within our community that deal with children who are having problems. These consist of private organizations that independently or in contact with the State or Municipality deal with children experiencing a wide variety of problems e.g. poor home situations, runaway behavior, drug and alcohol problems and neglect. Public agencies such as the Division of Family and Youth Services, the police, and the Department of Health and Social Services are also tasked with various aspects of the problem. Add to this large number of different organizations the Anchorage School District with some 40,000 plus students and the medical community and you see what appears to be a tremendous apparatus available to help children in the community. There exists, however, a major problem in that communication and direction between this multitude of agencies is almost non-existent. Many factors are at play that cause this problem, not the least of which is professional jealousy, competition for contracts, real or imagined rules of confidentiality and significant

"There are no inexpensive solutions to the problem of child welfare. In my years in Anchorage I have consistently seen a reluctance on the part of governments, local and state, to spend money for child care and child assistance. There seems to be a pervasive attitude amongst government officials that the problem will go away on its own. It will not. A problem child's difficulties are not solved when they are expelled from school. They are not solved when they are arrested for a crime or put in a shelter for two days where they receive little care and no counselling and then placed back with the family where the problems were caused to begin with. A child's problems with an abusive parent are not over when the parent is charged with a crime. Yet this is the attitude that we, as a community, consistently take. There is very little alternative care available to children of our community and children need to be cared for by someone. The problem doesn't go away because the child is living on the run and therefore not a financial burden to the facility that is supposed to be taking care of him. There needs to be emphasis placed on alternative child care facilities to meet the needs of the hundreds of children in this community that literally have no home. This is not an inexpensive proposition. There also needs to be a capability of agencies to follow the welfare of the children they are dealing with, which means more staff to accomplish this function. Every agency that presently deals with children, public and private, needs to be examined closely to determine (1) Are they doing what they are mandated to do? (2) Do they have the staff to adequately address their mandate? (3) Are they coordinating and dealing with other agencies also involved in the child's welfare? (4) Are they following through with the care that they are providing or at least insuring that some other agency or facility is (example: if a child is expelled from school, is the school checking to determine if the Division of Family and Youth Services is doing anything to find out why this child cannot perform in school)? (5) Do they have adequate capability for child care, i.e. are there enough available foster homes, shelters, beds, etc.? Most importantly, is there a mechanism in place to make sure that children in trouble aren't falling through the cracks of the bureaucratic shuffle? If the answers to all these questions are not satisfactory, and believe me they are not, then the money needs to be spent to give agencies the mandate and capability to carry through their mandate. This will be expensive and probably will not generate the kind of rewards that

the child's problem and then be able to refer the child to the agency that can help in an advocate kind of way, many problems might be addressed sooner and with greater success. This facility needs as a minimum, temporary bedspace.

"Juvenile Probations need enough staff so that they can actively check the situations of their charges. There are innumerable cases where probation officers aren't aware that a child is living in an abusive or harmful situation because they have no capability to physically check on their clientele. Probation's capability must be extended so that effective guidance can be given. Presently we can only monitor a little. Monitoring without direction is almost useless so direction must be provided as well. Probations also needs adequate alternative care facilities. If children cannot make it in their homes because of the nature of the home environment it does no good to send them back there.

"Juvenile corrections must have the capability to detain children charged with serious crimes, at least temporarily. If a child is arrested for a burglary at 3:00 a.m., placing that child in a poorly supervised shelter from which he can freely run is a poor alternative to temporary incarceration. In addition, turning a child loose after a fourth burglary arrest to live in the same placement he was at when committing the burglaries only insures that the child will commit more burglaries. The juvenile corrections system is presently so over-committed that only those children who have committed the most serious and repeated offenses are treated. This is a real smoking gun approach that is counter-productive

"Police need to be mandated to take a pro-active approach to juvenile problems. The adults in our community that actively victimize children create a multiple of considerable magnitude on the child endangerment scale.

"It is not enough to wait in an office for someone to complain. An active approach to determine what the juvenile crime problems are and then doing something about it is needed. If, when a child runs from home there is no one waiting to further victimize him like a

Municipality of Anchorage



625 C STREET
ANCHORAGE, ALASKA 99501
(907) 264-4123

GEORGE M. SULLIVAN,
MAYOR

ANCHORAGE POLICE DEPARTMENT

July 2, 1976

Marroyce Hall
Chairman
People for Better Education
Anchorage, Alaska

Dear Ms. Hall:

In response to your request for our views on how the present juvenile system is functioning, and what changes we would propose, I am including the following observations and suggestions. These suggestions are not complete but they do provide some insight into the problem that law enforcement agencies face and attempt to cope with.

Status offenders are rapidly becoming a major problem in the Anchorage Area. Many juveniles are living away from home without their parents permission. Because of the present laws, police departments, social agencies and the juvenile courts are helpless to prevent or correct these situations. These juveniles are becoming involved in criminal offenses and placing themselves in positions that are detrimental to their morals and welfare, and yet our "system" is helpless to correct these faults. In the meantime, many parents are attempting to seek assistance from all available agencies but are unable to get any help because of current laws and attitudes. It should be kept in mind that, even though the parents have lost all control over their children, and are unable to obtain needed assistance, the parents are still responsible for their childrens' actions.

I would submit the following suggestions for consideration. Lower the juvenile age from 18 years to 16 years. Juveniles today are much more sophisticated and are committing much more serious offenses than several years ago. A large percentage of our major crimes are being committed by juveniles in the 16-18 year group. If society is going to protect juveniles from being responsible for their own actions, then society owes it to the citizen to protect them from the criminal juvenile offender.

Another alternative would be to provide adequate social services and agencies to identify and work with families as a whole. Too much attention is devoted to the rights and needs of the juvenile and parents are ignored. It is necessary that both the juvenile and parents be considered when counseling or other social therapy is recommended.

In the ten years that have passed between the Feichtinger interview and the Lacey letter, the solutions have remained the same and the magnitude of the problem has increased dramatically. (Enclosures to the Lacey letter are appended as Appendix A.)

THE ADULT CRIMINAL PROFILE

To understand the significance of juvenile experiences when evaluating the criminal actions that end in long term incarceration, it is necessary to investigate and profile the arrest background of the adult criminal. (Report to the Nation on Crime and Justice U.S. Department of Justice, Bureau of Statistics). (23)

Who is the "typical" offender?

Most crimes are committed by males ages 18 to 20. Half of all persons arrested for UCR Index Crimes are youths under age 20 and four-fifths are males. (13)

Knowing about offenders' backgrounds tells us about their lives, not necessarily why they commit crime.

While turbulent home life, lack of family ties, and poor education are frequently present in the backgrounds of offenders, these factors may or may not contribute to crime. Some theories suggest that some of these factors are symptoms of maladjustment as a criminal behavior. Clearly, most persons who share these factors in their backgrounds are not criminals.

The level of education reached by jail and prison inmates is far below the national average.

These data over-represent street criminals as opposed to white-collar criminals; only about 40% of all jail and prison inmates have completed high school.

* Fully 6% of all prisoners have no schooling or only kindergarten. Their rate of incarceration is more than 3 times that of high school dropouts, the group with the next highest incarceration rate.

* College graduates have an extremely low incarceration rate. (6 and 11)

Incarceration rate (per 1,000
U.S. males age 20 - 29)

No school/kindergarten	259
1 - 7 years	83
8th grade	70
9 - 11 years	46
12th grade	11
13 - 15 years	6
16 or more years	1

Relatively few offenders are career criminals.

Many studies have shown that only a small group of any criminal subset is repeat offenders. The Wolfgang Philadelphia studies found that for males born in 1958, 23% of those with one or more arrests could be defined as chronic offenders. The proportion of chronic offenders was higher for nonwhite males (11%) than for white males (4%) and for nonwhite females (2%) than for white females (1%). (28)

Repeat criminality is not limited to urban settings.

Polk's study of a nonmetropolitan Pacific Northwest county showed that there is a very high likelihood of adult arrest among boys who have a delinquency charge by age 18. (20)

Chronic violent offenders start out and remain violent.

Violent offenders typically begin their criminal careers by committing violent crimes as juveniles. The 1958 Wolfgang Philadelphia study, for example, shows a high probability of violent recidivism. That is, the more injury-offenses the youths committed, the more likely they were to commit further injury-offenses. For males --

26% of the entire group had one violent offense

34% of this group went on to a second violent offense

43% of the three-time violent offenders went on to a fourth violent offense.

For males, the probability of subsequent offenses continues to increase as the number of offenses rises at least up through six offenses, given five prior offenses. For females who were three-time offenders, the data also show a higher probability of a fourth violent offense, and of a fifth violent offense, given four. (28)

Prior criminal behavior is one of the best predictors of future criminality.

Age at first contact with police (arrest or otherwise) is also very important. Research shows that youths whose first police contact occurred in their early teens had a greater number of future police contacts than those whose first contact was later. (22) Graphic presentation of age-specific arrest appended as Appendix B.

ALASKA PRISONER POPULATION

ALASKA POPULATION

WHITE:	<u>54%</u>	<u>77%</u>	
NATIVE	<u>34%</u>	<u>16%</u>	
BLACK:	<u>9%</u>	<u>3.4%</u>	
OTHER:	<u>3%</u>	<u>3.6%</u>	(6)

WHO ARE ALASKA'S PRISONERS?

The study, Running Toward Prison/Running Toward Success, includes background research on adult prisoners in the Third Judicial District.

The Third Judicial District encompasses the corrections facilities in Palmer, Anchorage and Kenai, housing over half of Alaska prisoner population. About one-fourth of the prisoners chose to participate in this study. This sampling totalled 351 individuals currently incarcerated.

We were cautioned by the Department of Corrections that prisoners who were functionally illiterate would not volunteer because they could not read or understand the questions. Further, two additional categories would not be reflected, those prisoners incarcerated pretrial, and Alaskan prisoners currently serving in federal or state prisons outside the State. This population includes many of the multiple and serial murderers and other hardcore long-term prisoners.

57% of the prisoners participating reported that they had run away or left home before the age of 15. The youngest was 8 years old at the time he left home.

Most of the responses revealed regret over circumstances in the family. The next highest group targeted the use of alcohol and drugs. Loneliness, lack of self worth, and inappropriate peer groups threaded a pattern through many of the answers.

Some of the replies submitted in response to the question, "What do you believe could have been done when you were a juvenile that would have helped you stay out of prison and become a more productive person?"

"Been pulled from the home and put in a foster home. If someone would have believed me when I told police what was happening instead of stepfather. Back then all I needed was someone who cared, someone I could call my friend, someone I could trust to talk to."

"Some kind of love or attention, parents not drinking. Who knows to late now?"

"Maybe visit a prison on the inside, maybe a scary experience would help, a tough prison."

"Not letting me do as I please and punish me when I did wrong. But not physical abuse."

"More exposure to religion at an early age. Better sexual education, from the purely physical to more on the moral values of sexuality."

"I think that having proper sex education and drug and alcohol prevention classes."

"To be able to say my feelings and not stuff them."

"Seek help on being abused. To have known about sexual abuse back then and got some counselling."

"Nothing, as I chose the situations and acts myself."

"Not such an early sexual experience or start. Better communication with parents and friends. Not moving so much or so often. More religious contact. Not having my sisters sexually abused by my dad by either no divorce or

to two-thirds of the cocaine sales in Dallas, Detroit and Philadelphia.

Street kids, high school kids, and drug experts are reporting crack is beginning to show up in Alaska.

Called the drug pusher's dream, crack can be bought by school kids with allowances and lunch money and is more addictive than heroin. (5, 9, and 10)

HOW BAD IS CRACK, REALLY? One drug enforcement officer responded this way: "If I had to choose between my kid doing crack or taking a chance with AIDS I'd have to think about it for a long time."

While much of this report is devoted to identifying and analyzing reasons why so many of Alaska's youths are in trouble, Section II is optimistically entitled Running Toward Success because there are positive workable solutions.

Alaska is uniquely suited to experiment with solving some of these problems. First, with the exception of the three major cities, the state of Alaska has responsibility for law enforcement. Second, over half the population of the state lives in one city. Third, Alaskans are separated by thousands of miles from the rest of the country.

The solutions are not going to be easy. These problems will not be solved simply by throwing money at them. It is going to require the same single-minded dedication that built the pipeline and rebuilt Alaska after the 1964 earthquake. The protection of kids must become just as important to the future of Alaska as the permanent fund and they must be protected as diligently. This is going to require a united and cohesive private, corporate, and state effort. With that in mind we present our recommendations.

Recommendations

LEGISLATIVE

PROBLEM: Additional priorities and funds are needed to increase pro-active drug enforcement against individuals who deal drugs to juveniles.

PROBLEM: Every year millions of dollars worth of property is seized nationally in drug raids. The funds are forfeited back to the federal government if the state makes no provision to claim it.

RECOMMENDATION: Enact Alaska legislation enabling the use of funds collected from forfeiture of assets of convicted drug dealers to be assigned to a fund to be used specifically for enforcement against traffickers who provide drugs to children and youth.

PROBLEM: Some laws designed for the protection of children are harmful, ambiguous and destructive. For example, juveniles are automatically remanded to adult court if they commit a traffic or game law offense, but they are treated like children if they commit violent or property crimes.

Example: If a juvenile is arrested for killing an animal illegally, he is charged as an adult. If he is arrested for murder his juvenile rights come into play, he will not stand trial (unless waived) or be found guilty of a crime.

RECOMMENDATION: Complete restructuring of juvenile laws to provide balance between protection of the minor, and the right to reasonable protection of the community as well as a realistic deterrent to serious criminal behavior. (11)

RECOMMENDATION: Legislation should be passed to allow for automatic waiver of 16 and 17 year olds with an unclassified felony offenses to be tried as adults. (12)

LEGISLATIVE

PROBLEM: Because juvenile cases* are secret there is no procedural review on handling.

RECOMMENDATION: A professional Board of Review is needed for review of questionable handling of juvenile cases. The board would be comprised of professionals in related fields and appointed by the Governor, the House and Senate and Alaska Chiefs of Police. Cases would be presented blind for procedural review only.

PROBLEM: In most cases juvenile offenders detained for treatment by Division of Family and Youth Services (DFYS) are not required to be evaluated by a psychologist or psychiatrist prior to release. Presently, the staff has the responsibility to approve the release of offenders.

RECOMMENDATION: All juvenile offenders need to have been evaluated and approved for release by a psychological professional trained in predicting dangerous and/or criminal behavior.

PROBLEM: Most institutionalized juvenile offenders have poor post-release placement. Many times the only placement is with their abusive family or a temporary foster home.

RECOMMENDATION: The first year after being released from a placement such as McLaughlin Youth Center (MYC) is the most crucial for continued counseling and monitoring. Use of a post-treatment placement or "half-way house" has been demonstrated to decrease crimes and to integrate the juvenile into the community. (19)

* A case is any situation where a child comes in contact with any public agency because of need.

LEGISLATIVE

PROBLEM: The numbers of juveniles who rape and molest have increased. While DFYS has some minor treatment interventions for juvenile molesters and rapists, no treatment programs have been established to decrease these offenses when the adolescents are released from DFYS. (8)

RECOMMENDATION: Establish a comprehensive treatment program. Several programs outside Alaska have clearly demonstrated a significant decrease in molestation and rapes after release. (i.e. The Sex Offender Therapy Program in Snoqualmie, Washington or The Hennepin County Home School In Minnetowka, Minnesota.)

PROBLEM: Juveniles do not take crime seriously. The state's criteria of "the least restrictive environment" is not always the most productive answer.

RECOMMENDATION: Develop sentencing guidelines to set up specific punishments for crimes committed by minors such as those for adult offenders, One state, Washington, has adopted such guidelines. (19)

PROBLEM: Law Enforcement is not presently allowed to fingerprint or photograph youths under age 18. Juveniles arrested on suspicion of murder have no fingerprints or photographs on file.

RECOMMENDATION: Juveniles 13 or older arrested for criminal offenses should be photographed and fingerprinted, limited to official use only. (Hawaii).

LEGISLATIVE/ADMINISTRATIVE

PROBLEM: Repetitive behavioral problems are not identified in a cohesive manner. Agencies do not consistently work together to solve juvenile problems early on. If a youth is in trouble with the school, law enforcement, parents, social services, and the community, it is important to find out early if he has a problem, if he is the problem, or both. He will not just go away. He will spend 24 hours every day doing "something" somewhere.

RECOMMENDATION: Adoption of a concept SHODI, Serious Habitual Offender/Drug Involved Program, developed by the Justice Department, Office of Juvenile Justice and Delinquency Prevention.

"SHODI is an excellent instrument for overcoming inter-agency turfing wars and early identification of kids who need help. The juvenile Serious Habitual Offender Drug Involved program (SHO/DI) is a law enforcement information and case management initiative for police schools, probation, prosecutors, social services, and corrections authority. SHODI enables the juvenile justice system to give additional focused attention to juveniles who repeatedly commit serious crimes with particular attention given to providing relevant case information for more informed sentencing dispositions.

"The program is based on the realization that the application of a more systematic approach and data gathering analysis planning and service delivery will increase the effectiveness of the juvenile justice system in dealing with serious juvenile crime. The SHODI approach is therefore a system wide effort to deal with the problem of criminal behavior among juveniles." (24)

PROBLEM: Sexually abused juveniles often act out rage and aggression by acts of criminal behavior against the community. (25)

RECOMMENDATION: Develop and fund adequate treatment programs for re-orienting and rehabilitating street kids who have been sexually abused.

LEGISLATIVE/ADMINISTRATIVE

PROBLEM: Research indicates that administrators sometimes attempt to subvert or disregard the will and the intent of the law makers if legislation is not popular with them. (While this is a common problem in many government bodies, strict monitoring must be maintained when children and the safety of the public are involved.)

RECOMMENDATION: Strengthen accountability of legislative intent in program implementation.

LEGISLATIVE/ADMINISTRATIVE/COMMUNITY

PROBLEM: Inadequate facilities for child placement and monitoring of group, transitional, and foster care homes.

RECOMMENDATION: Restructure handling of care facilities, prioritize monitoring, additional support care staff and foster parents. Restructure realistic control guidelines for handling of troubled youth in care settings.

LEGISLATIVE/ENFORCEMENT

PROBLEM: Many local police departments do not currently follow standardized investigative guidelines for missing children cases.)

RECOMMENDATION: Adopt missing children investigative guidelines developed by the National Center for Missing and Exploited Children.

LEGISLATIVE/ENFORCEMENT

PROBLEM: Sexual abuse has been identified as a significant contributing factor to subsequent delinquent behavior.

RECOMMENDATION: Approach the problem of adults who are exploiting children from a dollar saving perspective. For example, the average male adult abuser will sexually exploit five children in a one year period. Fifty percent of the male juveniles so affected will act out in a violent or delinquent manner. The actual dollar costs saved by arresting the adult male abuser early becomes very evident. (25)

LEGISLATIVE/ENFORCEMENT/COURT

PROBLEM: Only 8 out of 100 persons arrested nationally for offenses against children received prison sentences of more than one year. Cases of adults who sexually exploit children, in some instances, are not prioritized by law enforcement and prosecutors due to the heavy case loads and lack of manpower.

RECOMMENDATION: Prioritize implementation and necessary manpower for statewide Child Exploitation Law Enforcement units and prosecutors.

LEGISLATIVE/ENFORCEMENT/COMMUNITY

PROBLEM: Although eleven percent of the total population of juveniles in Anchorage has been identified as at-risk of running, community members often believe the problem does not exist until they are impacted on a personal level. (27)

RECOMMENDATION: Realize that the community must share the problem because of the far reaching ramifications. A renewed coordinated effort must be developed between the private sector, service organizations, press and government agencies. The leadership must approach the potential for the future protection of children with the same determination they do the protection of the permanent fund for Alaska's future. This change must be inclusive. It will require commitment, money, and a reorganization of the current service structures.

LEGISLATIVE/COURT

PROBLEM: Children out of school - truant, expelled, suspended - spend too much time in the streets and are at risk of becoming runaways. (22)

RECOMMENDATION: Strongly recommend that the community and school district utilize the truancy law and in-district suspension as a means to keep the child off the streets and in school.

LEGISLATIVE/PARENTS

PROBLEM: Although drug abuse experts appearing on the ABC Network, "Good Morning America" reported 25% of all fourth graders in the nation have been offered illegal drugs, families often do not learn about involvement of children in drug and criminal activity until it becomes a lifestyle or the child runs.

RECOMMENDATION: Parents and the community must realize that any youth is susceptible to involvement. Become familiar with and pay attention to behavioral changes. Educate family members on the dangers of street life and drug involvement.

PROBLEM: Straight kids/street kids involvement with illegal drug and alcohol parties.

RECOMMENDATION: Parents must know where their children really are at all times. Know the friends and the parents of the friends and work together to set fair and reasonable guidelines. Pressure local law makers and enforcement officers to put a stop to illegal drug and alcohol parties and to notify parents of children involved.

ENFORCEMENT/COMMUNITY

PROBLEM: Bush native youth run a high risk of sexual exploitation and drug and crime involvement when they run or move to Anchorage.

RECOMMENDATION: Increase bush child safety education and native leadership support of service groups like "The Stranded Rural Alaskans."

RECOMMENDATION: Petition support through RATNet for more prevention programming to the bush communities.

PROBLEM: Shoplifting is the entry level crime for many straight kids as well as street kids.

RECOMMENDATION: Publicize the problem, utilizing public information methods such as the excellent anti-shoplifting media campaign sponsored several years ago by Anchorage business leaders.

RECOMMENDATION: The Juvenile Anti-Shoplifting Program (JASP) should be more widely utilized as a preventive education tool, as well as a first offense diversion program.

PROBLEM: Forty-four percent of Alaska's teenagers surveyed regularly use alcohol.

PROBLEM: In up to 90 percent of the child abuse cases in the state of Alaska alcohol is a significant factor.

PROBLEM: Fifty-five percent of all crime in Alaska has been determined to be alcohol-related. An additional seven percent alcohol and drug related. (7)

RECOMMENDATION: Approach the problem of juvenile drug/alcohol abuse and criminal activity with alcohol involvement from the same perspective as Alaska's approach to drunk driving - a public menace that has been measurably reduced by the cooperation of the public, media, and law makers.

ENFORCEMENT/COMMUNITY/PARENT

PROBLEM: Juvenile crime is usually progressive, with anti-social behavior often beginning at a very early age. (13 and 19)

RECOMMENDATION: If we are to solve the problem of juveniles Running Toward Prison, prevention must start early while crimes and anti-social behavior are still a big deal to the kid. Give kids as few rules as possible but enforce those rules that we give them. Teach young children to respect the law: "If you do the crime you do the time."

PROBLEM: Lack of coordination in community support systems for organizations concerned about the juvenile crime and runaway problem.

RECOMMENDATION: A task force comprised of representatives from each of the community service organizations, Chamber, Soroptomists, Rotary, etc. The task force would coordinate and network projects for needy juveniles or throwaways as a support group to social services and enforcement agencies. Most of these agencies have been involved with youth and juvenile crime prevention projects and some have expressed need for coordinated action and direction.

ENFORCEMENT/ADMINISTRATIVE

PROBLEM: Lack of cooperation between departments and agencies dealing with children's cases and needs.

RECOMMENDATION: Require sign-off and real participation by appropriate agencies of the Child Sexual Abuse Agreement for Alaska intended to ensure interaction and cooperation on sexual abuse cases requiring coordination among the agencies.

ADMINISTRATIVE

PROBLEM: Comprehensive statistics for juvenile recidivism by DFYS are inadequate or not documented.

RECOMMENDATION: Statistics for all juvenile crimes must be kept to demonstrate the true prevalence of these crimes and to show treatment intervention effectiveness.

PROBLEM: Youth with a history of non-documented violence are often ignored and pushed through the system. Because of the heavy case load, decisions are made at the institutional level to accelerate some youths through the system without regard for the needs of the youth or the safety of the community.

RECOMMENDATION: A complete evaluation of a juvenile's needs must be assessed as well as DFYS' ability to respond to treatment for those needs. DFYS must be held accountable for effective intervention.

SCHOOL/COMMUNITY

PROBLEM: Discipline problems, anti-social school behavior, and truancy are often first indicators of troubled, abused, and delinquent children. In the two school years of 1984-86 the Anchorage School District recorded 6,316 suspensions in high school and 733 in elementary school.

RECOMMENDATION: The impact of school response on delinquency should be researched. Research is necessary to assist in the formulation of court and community policy; truancy enforcement, compulsory school laws, crimes in school, poor education, and frustrated learning experiences. It is vital to know how curriculum tracking or its absence in elementary and secondary schools affects delinquency. Included in the research should be a program of study designed to determine why some schools and some administrators are successful in keeping truancy and serious delinquency low, while others are not.

- (1) A Guide for Effective State Laws to Protect Children, Selected State Legislation, National Center for Missing and Exploited Children
- (2) Anchorage Crime Commission Report, 1985
- (3) Anchorage School District Drug Survey, 1983
- (4) Anchorage School District Discipline Report Summary, 1984-1985
- (5) Annual Drug Report 1985, Alaska State Troopers
- (6) Annual Report 1985, Alaska Department of Corrections
- (7) Annual Report to the Legislature 1985, Office of Alcoholism and Drug Abuse, Department of Health and Social Services
- (8) Burgess, Ann Wolbert, "Child Pornography and Sex Rings"
- (9) "Crack, a Dangerous Way to Take an Old Drug", Anchorage Daily News, July 6, 1986
- (10) "Crack Emerges as Drug of Choice", Anchorage Times, June 2, 1986
- (11) Crime in Alaska 1985, Department of Public Safety
- (12) FBI Bulletin, Youth Court for Juvenile Offenders, June, 1986
- (13) Hindelang, MJ, "Variations in Sex-Race-Age Specific Incidence Rates of Offending"
- (14) Illinois State Enforcement Agencies to Recover Children (I-SEARCH), Report 1986
- (15) "Juvenile Crime Statistics," Report on the Department of Health and Social Services, Division of Family and Youth Services, March 25, 1986
- (16) Juvenile Rights vs. Society; Achieving a Balance, National Council of Juvenile and Family Court Judges
- (17) Lewis, D.O., "Violent Juvenile Delinquents Psychiatric and Abuse Factors"

Appendix

CASE HISTORIES OF TEENAGERS 1976 ARE THESE YOUTH FILLING OUR PRISON TODAY?

Male / 17 Years old
 Dates / Type Contact

6-15-72 Larceny from Building
 6-14-73 Truant/Runaway
 8-28-73 Truant/Runaway
 9-19-73 Shoplifting
 10-12-73 Suspicious Person
 11-8-73 Burglary
 1-18-74 Extradition for Jurisdiction
 6-29-74 Stolen Vehicle
 8-3-74 Larceny from Auto
 7-15-74 Lost and Found Property
 8-30-74 Burglary
 9-08-74 Burglary
 8-31-74 Burglary
 9-6-74 Burglary
 8-16-74 Larceny from Auto
 8-18-74 Larceny from Auto
 6-25-74 Burglary
 8-12-74 Burglary
 8-12-74 Burglary
 8-15-74 Burglary
 8-8-74 Burglary
 8-1-74 Burglary
 3-7-76 Traffic Violation
 4-30-76 Escape/Wanted Person
 4-21-76 Homicide

Female / 16 years old
 Dates / Type Contact

1-13-76 Larceny from Building
 1-13-76 Larceny from Building
 3-30-76 Assault & Battery
 5-10-76 Assault & Battery
 5-10-76 Juvenile Incident
 5-11-76 Assault & Battery

Male / 12 Years old
 Dates / Type Contact

9-11-75 Runaway
 9-18-75 Vandalism
 9-30-75 Runaway
 9-30-75 Burglary
 10-30-75 Burglary
 4-29-75 Juvenile Incident

Male / 13 Years Old
 Dates / Type Contact

2-3-75 Runaway
 6-19-75 Vandalism
 2-12-75 Larceny
 3-10-75 Burglary
 3-8-75 Larceny
 2-12-75 Larceny

Male / 12 Years old
 Dates / Type Contact

8-1-73 Vandalism
 9-3-73 Vandalism
 9-28-74 Shoplifting
 4-14-75 Burglary
 8-28-75 Retention Found Property
 2-4-76 Shoplifting
 2-4-76 Shoplifting
 2-4-76 Shoplifting
 2-4-76 Shoplifting
 3-5-76 Incurrigable Juvenile
 4-16-76 Larceny/Bike
 4-28-76 Vandalism
 3-31-76 Runaway

Male / 16 Years old
 Dates / Type Contact

10-23-72 Truant/Runaway
 9-23-72 Discharge Firearm
 9-19-71 Shoplifting
 9-19-71 Shoplifting
 4-27-73 Larceny from Building
 1-25-74 Burglary
 3-24-74 Burglary
 9-16-74 Possession Narcotics for Sale
 10-18-74 Runaway
 10-15-74 Shoplifting
 2-5-75 Involved Robbery
 4-25-75 Traffic Violation
 5-8-75 Accident with Injury
 5-21-75 Larceny from Building
 12-23-75 Larceny/Auto Accessories
 12-23-75 Burglary
 12-23-75 Larceny/Auto Accessories

Male / 17 Years old
 Dates / Type Contact

2-27-75 Traffic Violation
 3-16-76 Burglary
 6-3-75 Embezzlement
 6-3-75 Possession and Sale of Drugs
 10-8-75 Disturbance
 2-4-76 Burglary

Male / 17 Years old
 Dates / Type Contact

1-14-74 Vandalism
 3-26-75 Burglary
 7-10-75 Larceny
 2-4-76 Burglary

(Material retyped Verbatim as provided in Sgt. Lacey's letter.)

Male / 12 Years old
Dates / Type Contact

10-31-75 Trespassing
11-17-75 Robbery
11-17-75 Suspicious Person
3-2-76 Juvenile Incident
4-26-76 Burglary
11-25-74 Burglary
12-17-74 Larceny
4-26-75 Vandalism
5-5-75 Shoplifting
6-18-75 Larceny
7-8-75 Larceny
8-18-75 Burglary
9-26-75 Juvenile Incident
10-26-75 Burglary

Male / 16 Years old
Dates / Type Contact

8-22-73 Juvenile Incident
10-8-73 Vandalism
10-18-73 Arson
7-8-75 Larceny
8-29-75 Sale of Drugs
11-18-75 Purse Snatching
5-12-73 Larceny from Building
5-23-73 Shoplifting
10-13-73 Disturbance
10-12-73 Assault & Battery
2-21-76 Burglary
3-19-76 Larceny
4-25-76 Suspicious Person
6-11-76 Burglary

Male / 17 Years old
Dates / Type Contact

10-72 Shoplifting
2-73 Burglary
2-74 Aggravated Assault
4-74 Larceny from Building
5-74 Accident with Injury(Driver)
11-74 Juvenile Incident
2-75 Assault & Battery
3-75 Disturbance
7-75 Trespassing

Female / 17 Years old
Dates / Type Incident

7-73 Runaway
5-74 Runaway
8-74 Leaving Scene of Accident
4-75 Runaway
5-75 Runaway
6-75 Runaway
7-75 Runaway
9-75 Assault & Battery
6-76 Possession Narcotics for Sale

Male / 16 Years old
Dates / Type Contact

7-17-71 Larceny
8-21-73 Larceny/Bike
9-14-73 Juvenile Incident
1-1-74 Vandalism
3-1-74 Larceny from Building
5-21-74 Vandalism
2-13-75 Shoplifting
2-13-75 Shoplifting
2-13-75 Shoplifting
6-19-75 Larceny/Bike
7-7-75 Burglary
2-19-76 Larceny from Vehicle

Male / 16 Years old
Dates / Type Contact

8-74 Burglary
8-74 Runaway
12-74 Runaway
3-75 Burglary
6-75 Burglary
8-75 Accident with Injury(Driver)
8-75 Stolen Vehicle
10-75 Larceny/Auto Accessories
1-76 Suspicious Person
4-76 Juvenile Incident

Male / 16 Years old
Dates / Type Contact

7-7-74 Juvenile Incident
10-23-74 Aggravated Assault
1-2-75 Runaway
1-6-75 Larceny
7-22-75 Shoplifting
8-2-75 Stolen Vehicle
8-2-75 Curfew
11-6-75 Burglary
1-24-76 Burglary

Male / 17 Years old
Dates / Type Contact

3-9-72 Curfew
10-3-76 Larceny
3-29-76 Stolen Vehicle
3-29-76 Larceny from Vehicle
4-18-76 Larceny
4-29-76 Shoplifting
5-5-76 Larceny

(Material retyped Verbatim as provided in Sgt. Lacey's letter.)

GRAPHIC PRESENTATION OF AGE-SPECIFIC ARREST RATES, 1965-1983

This appendix was designed to visually represent historical changes in arrest rates for individual age groups. An age-specific arrest rate refers to the annual number of arrests made per 100,000 persons of a prescribed age or ages. In the following three-dimensional graphs, arrest rates are presented on the vertical axis. The two horizontal axes display calendar years 1965-1983 and age. The height of the graphic surface represents the arrest rate. Surface peaks denote the age group and year when arrest rates were highest.

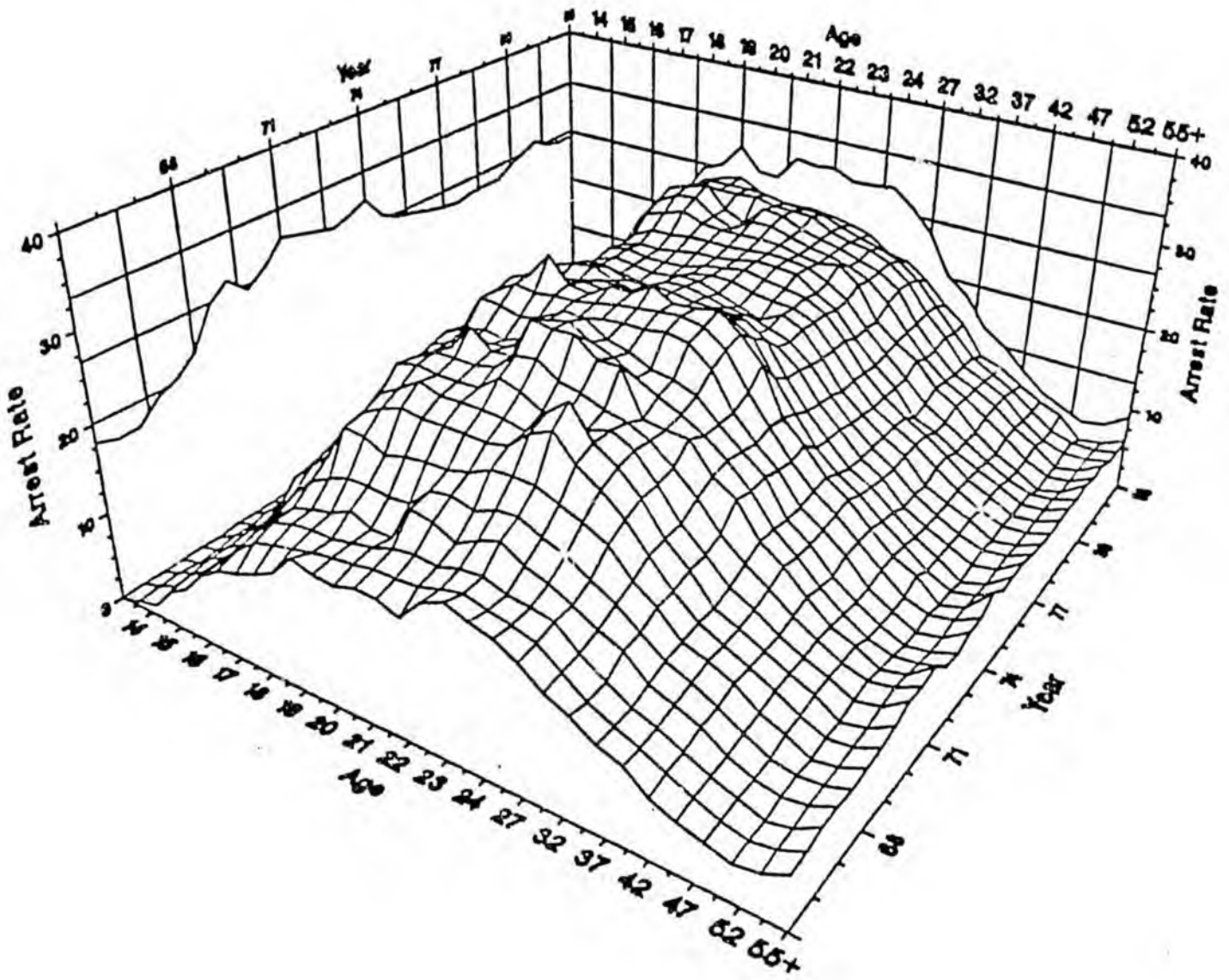
A three-dimensional graph was created for each of the eight Index crimes of murder, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson. Since the vertical scale (arrest rate) differs in magnitude from one crime category to another, the

calibration associated with each crime differs. For this reason, when the general appearance of the surfaces of two categories of crime are compared, caution should be exercised in order to avoid false graphic impressions leading to invalid conclusions.

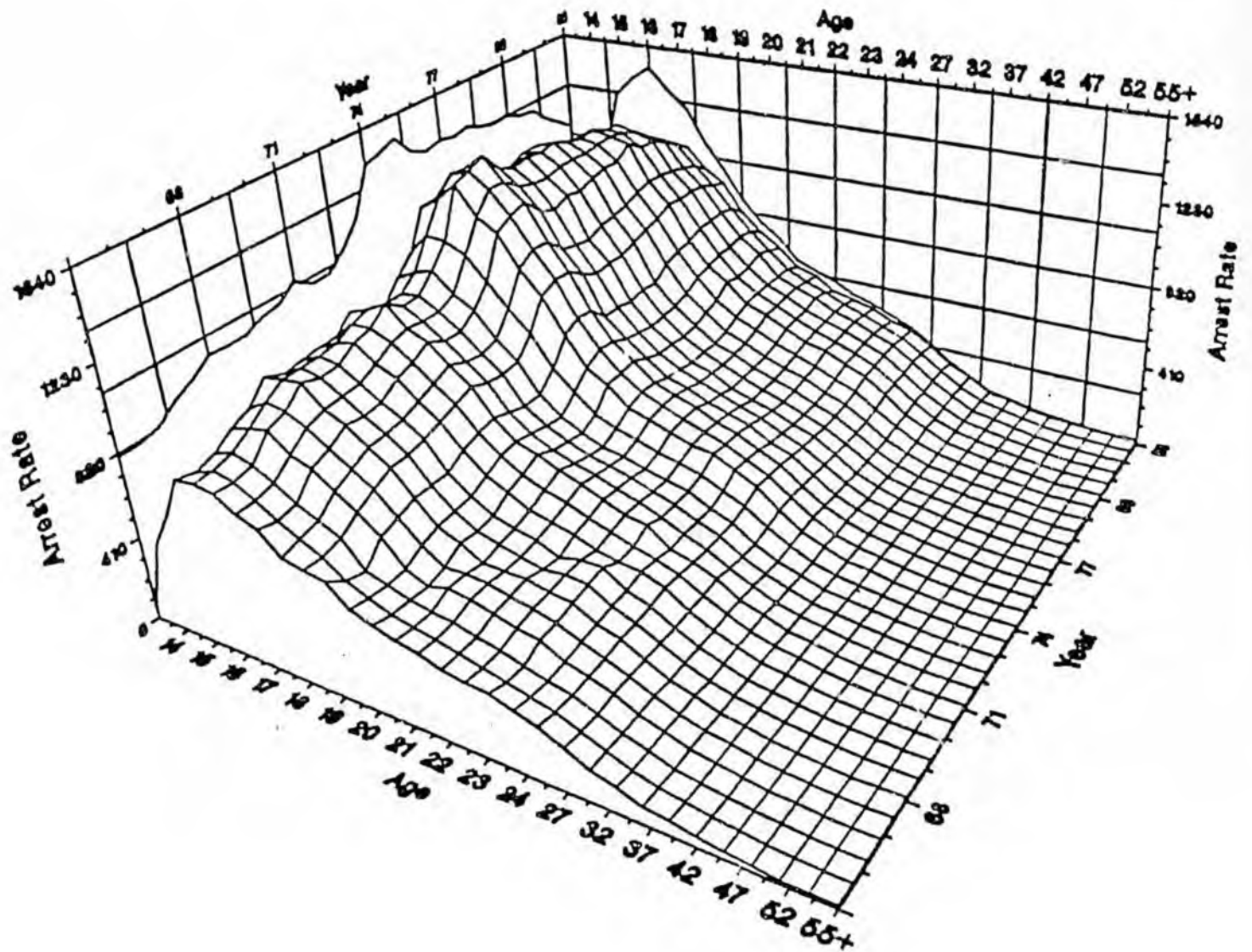
Arrest rate surfaces are projected on two vertical planes: the arrest rate/year plane and the arrest rate/age plane. The first projection describes the historical changes in the height of the peaks and the second indicates the age variations in the arrest rate.

This appendix addresses historical age-specific arrest rates from a graphic perspective. In a separate publication entitled *Age-Specific Arrest Rates, 1965-1983*, the rates used to construct the graphs are presented. Limited copies of this document are available from the national UCR Program.

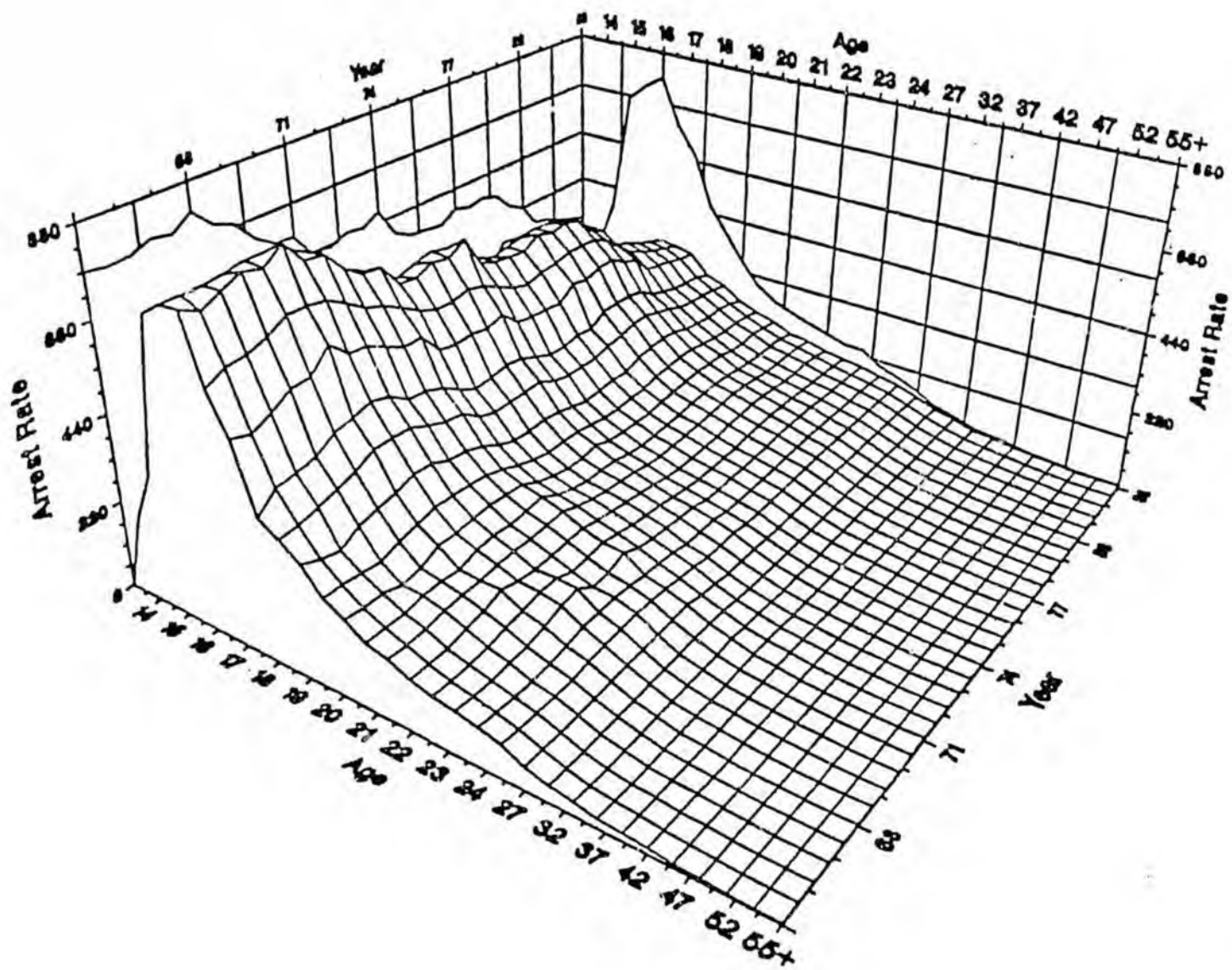
murder



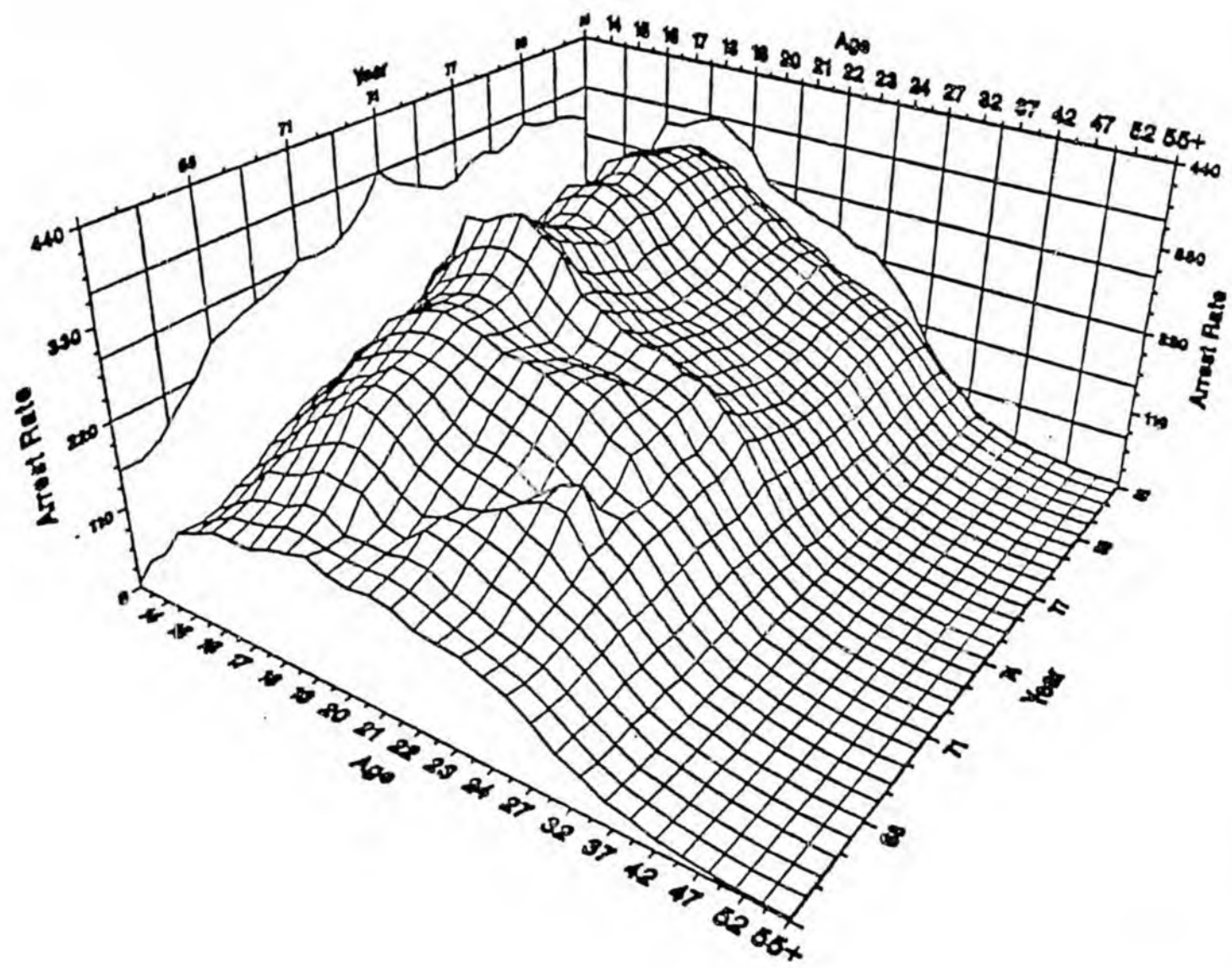
burglary



motor vehicle theft



robbery



"Well, when I was a juvenile I always wanted help from other people that care and will love me. But living in the ghettos no one did like that. I always wanted a family that understand with care and loving in the house. But that was a wish--as you know wishes don't come true."

"Sell drugs. More prostitution. Sell hot cars, and go to Mexico and spend my money.....".

"By having a mother and father stay married and not get devorst."

"It would have been a great help to understand my feelings and to express myself assertively. I do not believe for a minute that just because I am in jail that I am no longer a productive person. With this type of mentality no wonder society is in the condition it is. There will never be any hope for a human being that has been in prison as there is this type of milstone around his neck. Think rehabilitation not condemnation."

"NOTHING".

"Parents could have been better educated so they could have dealt with me better. It may have helped to have more life skills films in school. Parents don't seem to understand alot of the problems young people go through and they don't know how to instruct children properly so educating parents would probably be the most effective way to nip it in the bud."

"N/A. Had a very nice pre-teen and teen years."

"More intellectual education in the home and additionally of the ways, good & evil of the world & most important, RESPONSIBILITY."

"More education about alcohol driving and its consequences."

"Had a better family life and better parents that wouldn't have dump in to to society alone."

"Been taken away from parent, grandparents, and adopted at young age or good psychiatric help during grade school."

"To have a secure family and a healthy relationship. And to have parents that will guide you and not control you. And to support your decisions on the type of lifestyle that you like."

"Have a closer relationship with parents."

"My mother shouldn't have drank or had us at such a young age."

"Find someone more willing to take time to talk & understand. Better drug & abuse counselling. Listen to see what the kids want, think positive."

"The problem is not a juvenile nature."

"My DWI was directly involved w/my bad marriage & had nothing to do with my parents."

"My circumstances are different than most people in that I was not raised in this country. I came back from Europe when I was 18 with no knowledge of the drug culture. Had I had some experience or education I probably would not have gotten involved."

"Not have so many responsibilities. Have someone to talk to. Not be told how awful a person I was when I did mess up. Not to be allowed to move out of the house so early. Be allowed to be a child."

"Having people to talk to. Someone to depend upon. Having a direction in my life. Knowing I had some support. Basically a friend who would have understand me and what I was going through."

"Talking to people who had been incarcerated or in trouble with drugs or alcohol. If I could have pulled away from peer pressure. I feel alcohol is so socially acceptable that kids feel it's ok to use. I now realize that alcohol is a drug and it also poisons your system. I very much want to educate others (especially teenagers) about drugs & alcohol and plan on doing so while incarcerated and when I get out."

"I should have respected my parents for the discipline they imposed instead of becoming rebellious towards them and lawful authorities. Part of this rebellion included taking & using drugs, stealing, cutting school & part taking in acts of vandalism and violence. I wish I had stayed home."

"To know about dealing with your feeling and how to let them out and show em some way."

"Education on drugs & alcohol usage & effect."

"Mental health counselling."

"If my parents wouldn't have died on me at an early age I would not be a inmate now."

"I'm not sure but the people that I hung around had a lot to do with it."

"Job training."

"It's hard to determine, if I would of had a chance to grow up in a stable family it might of been different. I think if there was an adult that could of seen the problem at a young age, I wouldn't of gotten into so much trouble. If only there was someone around that understood how hard it was growing up in a violent family. It might have been different."

"Just think of anything to do to stay out of trouble."

"Listen to my parents--have better friends--don't use drugs or alcohol."

"My parents could have stayed together or at least handled to separation responsibility. The state could have provided some training andI could have realized what was really happening earlier in my life and taken on more responsibility. I hope this study helps young people of today not suffer similar hardships."

"In my case I do not feel anything could have been done better. I solely am responsible for being here, in spite of all the good in my life."

"Stay away from other persons and never listen to what they tell you to do and to be with my family for the rest of my whole life."

"More interesting parents and spending money."

"By recognizing my problems & admitting them and looking for help."

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VII

PRESENTATION TO THE LEGISLATURE/HOUSE HESS/FEBRUARY 24, 1987

Yvonne M. Chase, Director
Division of Family and Youth Services

The Division of Family and Youth Services is the state agency mandated to provide directly or to arrange, through contract, a wide range of client services which are designed to address neglect, abuse, and exploitation of children, youth, and adults, and delinquent behavior of youth.

The Social Services section of the Division of Family and Youth Services is legally mandated by state statute (47.17) to receive, investigate, and take necessary and appropriate action on reports of harm to children and adults, elder abuse, and detention of juveniles. The goal of the agency's action is to ensure the safety of the child or adult who has been reported to be in danger. Statewide, the division receives approximately 700 reports of harm to children each month. In addition to reports of harm, the agency receives 700 - 900 request per month for other services from individuals, families, agencies, and community members.

Family Services

Once a report of harm is received, the report is investigated to determine three things. First, has abuse or neglect occurred. Second, if so, is there danger of further harm. And, third, what must be done and by whom to prevent further harm to the victim. In the most serious cases in which the parent or caretaker cannot, or will not, assure a child's safety, the child must be removed from the home through emergency custody proceedings. Emergency removals occur in only approximately 10% of the situations report to the agency. Of all the reports of

harm to children received, approximately 1/3 reveal a family who will require ongoing service in order for the child to be protected.

Elder Abuse

The division is also legally mandated to investigate and to offer protection services to elderly person who are reported to have suffered from physical or economic harm by a caretaker.

Division Statistics

The divisions' statistic are divided into three major categories: Social Services, Youth Services, and Community Care Licensing.

For Social Services:

The number of individuals receiving Social Services rose
from 17,002 in FY 85
to 19,310 in FY 86

The number of children receiving Child Protective Services rose
from 7,702 in FY 85
to 9,222 in FY 86

The number of adults receiving Adult Protective Services rose
from 2,209 in FY 85
to 2,213 in FY 86

For Youth Services:

The average monthly client load for probation officers rose from 1,162 in FY 85 to 1,352 in FY 86 and increase of 16.4%.

1,995 individual detention admissions were made in state facilities, a 5.2% increase over FY 85.

163 individual admissions for state institutional treatment facilities, a 22% increase over FY 85.

Community Care Licensing:

The number of day care facilities, residential care facilities, and foster homes licensed by the division dropped from 1,951 to 1,680, a decrease of 14% from the prior year.

Abuse and Neglect

The prevention, intervention, and treatment of child abuse and neglect is a growing concern in Alaska as evidenced by the increase in referrals to the division, and the corresponding increase in identifying the service needs of these victims and families. Since 1978, the number of staff to provide needed services has increased on 66%, while the number of children receiving protective services increased by 222%. This increase in referrals is consistent with national trends: however, Alaska is among the top 10 states with the highest reporting ratio.

Abuse and neglect became a serious administrative concern in 1984 when client loads had grown to an overwhelming degree. Statewide, the division identified the need for 35 additional social workers in order to meet a standard of 50 clients per social worker. The administration and legislature responded to this critical need and 39 line and support positions were allocated to the division of FY 86.

The FY 87 revised budget has resulted in the need to maintain a vacancy rate of 16% in staff positions. The gains made in staff resources in FY 86 were cancelled! With the FY 87 revised budget, statewide client loads for individual social workers now average over 80 clients; and even without the required vacancies, 6.0 positions are now needed to meet the 50 client standard.

The FY 88 Governor's budget reinstates staff resources to the FY 87 authorized level and provides an increase in foster care; it is hoped that these two actions will maintain the essential protection services to prevent further harm to victims. However, preventive youth service funds for grants to private providers have been eliminated. With this level of funding for the Division of Family and Youth Services, the Department of Health and Social Services, other state agencies, and no funding for private providers for child abuse prevention services, long range solutions for the children and families will not occur.

This situation creates a compelling need to develop a rational and consistent basis to determine client loads, and to allocate the existing resources. In the next year, the division is committed to completing a

project for case management which will develop and provide the standard client assessment tools. These tools will assist in the identification of client risk, and what level of service is needed.

Youth Services

Those youths who are determined to require formal intervention are treated in one of three ways, depending on the type of court order:

1. First, they may remain in their own home while being supervised by a probation officer.
2. Second, they may be placed in either a foster home or residential care home while under the supervision of a probation officer.
3. Or third, they may be placed in a state youth facility.

Until 1981, the 41 detention and 92 treatment beds at McLaughlin served the entire state. Since that time, 38 new beds have been put on line -- 20 beds in Fairbanks, 10 in Nome, and 8 in Juneau at the Johnson Center.

There are two separate but related concerns facing Youth Services: resources and facility overcrowding.

Resource limitations are affecting the division in several ways. First and foremost, current year budget reductions are necessitating vacancies in probation officer positions. The Governor's FY 88 budget does not reinstate these reductions, and 15% of all authorized probation positions will remain unfilled next year.

Probation officers are clearly the front line offense to fighting juvenile crime. They initiate intervention services, and they are the key to all levels of intervention efforts. In order to use Youth Services resources most efficiently, there must be a high level of community based probation services to protect the public.

There is serious concern that in reverting back to 1980 levels of service to deal with 1986 caseloads, juvenile crime will start to rise and reverse the downward trend of the last 5 years. It is believed that the reduction in juvenile crime during this period has been largely attributable to increased and improved youth probation services. With reduced levels of services, intervention will not occur with the degree of certainty or timeliness which is essential to effectiveness. Many youth will either slip through the cracks or reoffend before action can be taken.

The average statewide caseload is currently 72% above the nationally recognized standard. Inability to provide adequate probation services will ultimately result in increasing pressures on the already overcrowded youth facilities. This will create additional costs to the public in the form of increased enforcement, increased court processing, and ultimately greater numbers of persons entering the adult prison system.

The second impact of resource reductions is on the youth facilities. As noted, as late as six years ago, there was a single facility to meet all statewide needs. The system growth of 38 beds has somewhat addressed this deficit in services. However, the current need for detention and treatment beds still far exceeds the existing capacity. This has resulted in ongoing court oversight of conditions in the McLaughlin Youth Center, and grand jury investigation of

conditions at the Fairbanks Youth Facility. There is imminent potential for class action litigation similar to the Cleary Prisoner Rights suit in the adult corrections system.

In order to address this serious deficit, the division developed a comprehensive plan which calls for the regionalization of treatment services. As part of this plan, the 20 bed Bethel Youth Facility was constructed as was a 20 bed expansion to the Fairbanks Youth Facility. Both of these projects were originally funded this year for seven months only. The funding for Bethel was for the detention component only -- as funds for the treatment program were not included. However, budget cuts necessitated not opening Bethel at all. Current year budget reductions have also resulted in the Nome Facility being reduced to detention services only. Increased costs largely associated with overcrowding have greatly limited our ability to operate within the reduced appropriations for McLaughlin and Fairbanks.

The Governor's FY 88 budget fully funds the Fairbanks Youth Facility -- both the existing operation and the new wing. It also partially restores funds for McLaughlin which were deleted this year. Funding is not included for Bethel or Nome Treatment program. It is our expectation that there will continue to be court oversight because of the overcrowding problem. Court intervention could result in expensive remedies, as could class action litigation.

An addition concern is that services in rural areas will be minimal, and rural youth will be underserved. In some areas, particularly the Western Region, youth will continue to be detained in adult lock ups and jails without statutorily required sight or sound separation from adult prisoners. This deficiency

oners. This deficiency will result in the state losing a quarter of a million dollars annually of Federal Juvenile Justice and Delinquency Prevention funds starting next year.

Departmental Interface

DFYS interfaces with other divisions within DHSS plus with other departments in order to provide the necessary services to parents and children.

- o A single parent may need financial assistance which could be available through a referral to the Division of Public Assistance. A family in a rural community needs periodic assistance in caring for a handicapped child. In such situations, the itinerant public health nurse and the social worker often coordinate a visitation plan to ensure support, guidance, and monitoring for the child.
- o Food stamps, alcohol abuse counseling, and medical assistance are also services which need to be utilized by many of DFYS's clients.
- o The division also works closely with schools in planning for children. A major project, the Alaska Youth Initiative, is a cooperative effort between the Division of Family and Youth Services, Mental Health, and the Department of Education to improve service for those children who have serious treatment needs.

We are also involved in a special project the Alaska Youth Initiative, with the Department of Education and the Division of Mental Health. The purpose of this project is to develop shared funding and coordinated services for

Alaska's most disturbed youth by establishment of the Alaskan Youth Initiative (AYI). AYI is a demonstration program to return to Alaska disturbed youth presently in out-of-state placements and to encourage both state and local level multi-agency development and funding of appropriate individualized care programs for these youth. Further out-of-state placement will be discouraged unless necessary. To accomplish this, a limited number of in-state youth who are of similar level of disturbance to those presently in out-of-state placement will be accepted into the AYI. Individualized care programs will be developed for these youth through the same procedures used in developing programs for youth who are in out-of-state placements.

There are a r of serious issues facing the division today, and I would like to briefly familiarize you with these items:

1. There is a lack of foster care resources to keep up with the demand for placements.

As I noted earlier, the number of facilities licensed by the division has decreased in a time when people resources are essential -- because they provide the least restrictive setting for a child who much to located somewhere other than his/her own home. The division is presently unable to provide either the quantity or quality of training and support necessary for foster parents to work as part of the treatment team in assisting a child to work through the abuse and/or neglect and to develop as a positive human being.

The child who is removed form his/her home today is quite different than the child who went into placement 10 - 15 years ago. Today's

child may have been more seriously abused or neglected, and quite often will need intensive supervision and treatment.

(Historical perspective -- foster care nationally was discussed)

Additionally, the monetary stipend to foster parents have not been consistent with the challenge a particular child might bring. Several years ago, augmented foster care was developed as an incentive for foster parents who would take delinquent children. However, the abused and neglected children from the family services section of the division are often equally difficult to care for.

Liability insurance is another serious issue.

The issue of potential property losses to foster parents has been problematic to the department's recruitment and retention efforts and clearly of concern to some foster parents. Mechanisms used by the department to reimburse foster parents for losses suffered as a result of the conduct of children placed in their care have had neither statutory basis nor dedicated funding. These mechanisms have thus been functionally unsatisfactory and, because of funding limitations, potentially insufficient to deal satisfactorily with even a single large property loss (such as destruction of a foster family home by an intentionally set fire).

Unfortunately, the cost is high. The division of Risk Management within the Department of Administration suggested that coverage of the potential property losses of the roughly one thousand licensed foster

parents would cost between \$750,000 and \$1 million annually. This figure is an estimate of premium costs for providing coverage to the structures of foster parent homes only. The estimate is based on an assumed average on typical home value and an average premium costs among various locations within the state. The figure does not include an estimate of the costs of providing coverage for foster parents' personal property or vehicles. Nor does the figure include estimated costs of assessing or establishing values of the property covered or updating these values on a continuing basis as new foster homes are licensed or foster parent drop out of the program. Costs of providing coverage for property "under the lawful control" of foster parents caused by children in care were not considered due to the difficulty of estimating the potential value of such property.

(Use private insurance carrier -- history.)

If we are to use this most valuable resource (foster care), then the system will have to be re-structured so that adequate support is afforded to all members of the treatment team, staff, foster parents, biological parents, and other resource providers.

2. The role of the CPS (investiqator) has become more difficult as we prosecute more cases the lines have often become vague between the investigative and the treatment nature of the services we provide.
3. There is a lack of evaluation and treatment resources in the provider community for pre-school children (especially for children under 3 years of age).

4. There has been a continual rise in caseloads, and while you have heard that the Division of Family and Youth Services is understaffed, and that is true when compared to national caseload standards, additional staff is not the only answer.

More resources need to be available within the Department of Health and Social Services so that children and families who require some type of health and social service assistance, but are not an identified part of the population DFYS is mandated to serve, will be provided assistance through other resources.

For a number of children and families, where there is no abuse and neglect, DFYS is still the only resource: an example may be parents who need treatment resources for their child and do not have the ability to pay for these resources.

5. There are generally insufficient treatment resources to handle the volume of referrals. In a time when we are facing a lessening of resources, it is essential that we keep in mind the continuum of services that a child and family may need in order to make the changes that are necessary.
6. Out-of-state institutional placements are still necessary for a small number of Alaska children, for whom sufficient resources to meet their needs do not exist in Alaska. Outside placement present a number of problems: expense -- coordination with the child's family -- and adequate monitoring of the outside facilities is difficult with reduced resources.

7. Juvenile waiver for juveniles continues to be an issue. With regard to the waiver, there continues to be concern when a juvenile is waived to adult status, as to where he or she serves their time/in an adult or juvenile facility . . .
8. I C W A: Requirements and need to implement it is good social work.
9. Runaway Youth: their numbers continue to increase and the ability of the system to respond to their needs and to those of their parents is inadequate. As noted in a recent task force report on runaway youth, the present runaway problem did not develop overnight. It is in many ways a product of an evolutionary process in the juvenile justice system.

In Anchorage alone, it is estimated that at least 6,000 youth are significantly at risk of becoming runaway, castaway, or homeless youth each year. For the system, the consequences of not adequately addressing the problem are:

Increased numbers of runaways.

Increased family stress.

Increased child prostitution.

Increased sexually transmitted diseases in juveniles.

Increased exploitation of juveniles.

Increase in truancy and school suspensions.

Decreased ability of youth to become employed.

Increased demand for mental health, public safety, medical care, and vocational services.

For the Parent:

A growing concern about the whereabouts and safety of their child.

What has worked in other states ??? In many areas, the availability of safe shelters where children could seek counseling in a safe environment has been successful.

At this point, the Division of Family and Youth Services does not have the detention capacity to implement short term detention sentences for youth who commit minor offenses. This would be particularly problematic outside of major population centers where no juvenile detention facilities exist and juveniles are detained in adult jails, some of which do not provide sight and sound separation of juveniles from adult prisoners as required by law.

VIII



REPORT ON ANCHORAGE RUNAWAYS

Prepared by the

RUNAWAY AND HOMELESS YOUTH TASK FORCE
Bill Wood, Chairperson

Prepared for

Mayor Tony Knowles

Department of Health and Human Services
Municipality of Anchorage
December 1986



Report on Anchorage Runaways

Executive Summary

I. Background

In February 1986, Mayor Knowles established a Runaway and Homeless Youth Task Force (RHYTF) to identify the types and causes of problems experienced by runaway and homeless youth in Anchorage. The RHYTF was also asked to develop recommendations that would improve the service system to runaway and homeless youth.

The Runaway and Homeless Youth Task Force consisted of twenty-five (25) members who represented municipal and state policy makers, Health and Social Services Commissioners, social service providers, private industry representatives, parent groups and others. The Task Force members (all volunteers) and staff have devoted thousands of hours to the project over the past ten months. The RHYTF held over thirty meetings including:

- regular task force meetings,
- a youth and parent panel discussion,
- a public hearing, and
- special committee and sub-committee meetings.

The RHYTF researched the perceived problems of runaway and homeless youth and reached consensus on the seriousness of the problems. Task Force recommendations were developed and ranked according to a continuum of care concept that is explained later in the report.

II. Findings

Conservative estimates indicate that over 6,000 youth, between the ages of 10 and 17, are at serious risk of running away each year.

It is also estimated that approximately 2,500 youth run away and 700 youth are forced out of their homes each year. Between 2,500 and 7,000 parents are directly affected by these events.

We found the problems of runaway and homeless youth to be multi-faceted and complex with existing municipal and state resources being totally inadequate. For example:

- * for each youth that enters McLaughlin Youth Center in any given month, there are close to fifty runaway and homeless youth on the streets;
- * there are at least as many runaway and homeless youth as there are people being treated by alcohol and drug programs in the Municipality;
- * there are 3 - 4 times as many runaway and homeless youth as the number of people admitted at the Alaska Psychiatric Institute each year.

Millions of federal, state, and local dollars are spent on these programs, yet very few dollars were appropriated last year to address runaway and homeless youth issues.

III. Recommendations

Recommendations related to preventing unnecessary runaway incidents:

Create a working group of juvenile justice and child protection professionals, school administrators, drug and alcohol services providers, and concerned citizens to do a thorough review of the truancy problem in Anchorage, leading to enforceable truancy laws. This group would act to implement systematic changes to address the truancy problem, rather than simply studying it and making recommendations.

Expand Anchorage School District drop-out prevention programs, such as SAVE I and II, SEARCH, and Re-Start.

Recommendations designed to intervene in situations when a youth is a runaway or homeless:

Expand home-based counseling services to assist and support dysfunctional or crisis-oriented families.

Expand crisis intervention counseling services to runaways and/or troubled youth and their families.

Establish coordinated, cooperative interagency procedures for case management of runaway youth and their families, including follow-up.

Recommendations related to providing adequate aftercare services for family and youth who have experienced a runaway incident:

Increase funding to runaway services providers to assure adequate follow-up of clients.

Increase long-term group living options for chronic runaway and castaway youth.

Provide focused training to foster parents on runaway issues.

IV. Why Does Something Need to be Done?

1. The number of children and families impacted by youth problems is staggering.
2. Youth-related problems are projected to increase dramatically over the next 2 - 3 years.
3. The problems demand attention and solutions because there are key opportunities to make fast, effective and economical changes.

If the status quo is maintained, the vast majority of the youth and families who do not get help will be filling our jails, mental hospitals, and drug and alcohol programs. There will be a measurable increase in unemployment, suicide, and criminal and sexual exploitation. These alternatives are not only unacceptable, but are also much more difficult and expensive to treat and eliminate.

The full Report on Runaway and Homeless Youth details the purpose and scope of the Runaway and Homeless Youth Task Force, identifies and defines the problems associated with being a runaway or homeless youth, and describes all the recommendations identified by the task force. It is available from the municipal Dept. of Health and Human Services. Call 264-6730, or write the Municipality of Anchorage, Dept. of Health and Human Services, Abuse Prevention Office, P.O. Box 196650, Anchorage, Alaska 99519-6650 for more information.

RUNAWAY AND HOMELESS YOUTH TASK FORCE

REPORT ON ANCHORAGE RUNAWAYS

DATE: January 12, 1987
TO: Mayor Knowles, Municipal Assembly
FROM: Bill Wood, Chairman, Runaway and Homeless Youth Task Force
SUBJECT: Final Report

Enclosed is the final report of the Runaway and Homeless Youth Task Force.

A public hearing was held on November 12th to receive comments and suggestions regarding the report contents. The public comments, information and data were incorporated into this report.

We appreciate your continued interest in this area and look forward to your direct involvement in making the recommended changes.

If you have any general comments, questions, or concerns, please contact me at 279-1940 or the task force's staff at 264-6508.

ACKNOWLEDGEMENT

The Mayor's Office and the Department of Health and Human Services wish to thank the Task Force volunteers for the many hours of time they dedicated to this project.

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REPORT ON ANCHORAGE RUNAWAYS

Mayor's Runaway and Homeless Youth Task Force

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I. INTRODUCTION

A. PURPOSE

The Mayor's special Task Force on Runaway and Homeless Youth was established in late February, 1986, to improve the current service system to runaway and homeless youth in Anchorage.

Mayor Knowles asked the task force to do two things:

- 1) to identify the scope of runaway and homeless youth problems in Anchorage; and
- 2) to develop viable, cost effective solutions.

Additionally, he asked the Task Force to consider: how the service system to runaway and homeless youth operates, whether the community needs to continue in the same direction or if we should implement a different system.

The Task Force began with twenty-five (25) members and currently has about thirty (30) members. The members, all volunteers, have met at least twice a month since mid-March, with many additional subcommittees and special interest meetings.

Serving on the Task Force are:

- * municipal and state policy makers;
- * municipal health and social services commissioners, and youth commissioners;
- * representatives from various public and private agencies involved with runaway and homeless youth;
- * private industry representatives; and
- * parent groups.

B. SCOPE AND APPROACH

The Runaway Support Network, a one year, federally funded endeavor, produced two reports just prior to the formation of the Task Force - the Final Assessment Report of existing problems, issues and services and the Runaway and Homeless Youth Service System Plan. The Task Force used the reports to help develop the scope and approach for the project.

There were four major phases used by the Task force to direct their efforts. These included:

Phase 1. Established a workplan and an administrative structure

- * Reviewed background data and information
- * Identified Task Force goals and objectives
- * Drafted agendas to complement the goals and objectives
- * Developed a structure within which the Task Force could work
- * Outlined "ground rules" under which the Task Force would work
- * Drafted the outline of the Task Force Report

Phase 2. Problem Definition and Identification of causes

- * Defined and analyzed problems
- * Identified probable causes
- * Identified the consequences of not addressing the problem
- * Developed draft position papers on each problem area
- * Reached informed consent and considered "special interests"

Phase 3. Policy analysis

- * Collected and analyzed data
- * Identified and discussed existing community services
- * Developed recommendations and solutions
- * Developed a problem ranking tool
- * Ranked the problem areas and recommendations

Phase 4. Policy formulation and plan implementation

- * Developed alternative strategies/policies
- * Tested feasibility through public and private meetings
- * Drafted preliminary report

- * Reviewed preliminary draft report with the Mayor and the public
- * Finalized plan based on public feedback processes
- * Reviewed and monitored community commitment (ongoing)

It is the intent of the Mayor to appoint an implementation team to develop and implement the recommendations contained in this report.

C. ASSUMPTIONS

The members of the Task Force jointly agreed to a number of assumptions during the course of the project. These included the following:

- 1) The information, conclusions and recommendations contained in the Runaway Support Network (RSN) reports reasonably represented the status of the runaway situation at the time the reports were drafted.
- 2) The statistics contained in the RSN reports were reasonably accurate given the general lack of reliable historical data on the subject.
- 3) The other sources of data used in the development of problem statements and recommendations were relied upon to the extent reasonable and were not edited or revised in any way.

D. HOW THE REPORT WAS DEVELOPED

Each Task Force member was initially asked to provide a written position statement to include as much of the following as possible:

- Summary of the runaway services their agency provides or services they have used;
- Data sources that could be used by the Task Force;
- Identification of existing runaway and homeless youth networks;
- Personal and professional perceptions of the problems;
- Ways to improve interagency coordination; and
- Ideas on how to increase public input/awareness of the problems of runaway and homeless youth.

The above information was analyzed and meetings were held to review and discuss the information provided. This led to a list of characteristics of runaway youth and a list of services provided by agencies represented on the Task Force.

Subsequently, the Runaway and Homeless Youth Task Force organized itself into three subcommittees which reflected the needs of the target population - prevention, intervention, and aftercare. Each of the subcommittees elected a chairperson(s) and began the development of problem statements for each of their selected topical areas.

Problem statements were developed by each subcommittee based on the following criteria:

- 1) Clearly define the problem
- 2) State the scope of the problem, within the last one to three years
- 3) Define the characteristics of the population(s) affected
- 4) Describe the costs and consequences of not addressing the problem
- 5) Identify the major contributing factors
- 6) Conduct a policy analysis
- 7) Make recommendations for change(s)

Task Force members next identified recommendations for addressing the problems. The categories of need and the recommendations were individually prioritized by each Task Force member. The criteria used in the prioritization process included:

- * Ease of implementation
- * Cost
- * Potential for positive impact
- * Severity of the problem if nothing is done
- * Overall priority based on how the Task Force member feels about the recommendation

A citizen participation concept, borrowed from the Health and Human Services Commission, was developed for the Task Force. The purpose of the concept was to assure reasonable participation of the public in the development of the project report.

A preliminary draft report was developed by the chairman, selected Task Force members and staff. The draft report was reviewed with the Mayor and presented to the public for comment at a number of public meetings and hearings. The information gathered from the meetings was incorporated into the final report and this report was published.

II. AREA OVERVIEW AND PROBLEM DEFINITION

A. INTRODUCTION

This report will show that the issue of runaway and homeless youth, and the problems they present to themselves, their families, and this community cannot be blamed on any particular source. The problems and the causes of these problems must be acknowledged and be owned by the Anchorage community before adequate steps will be taken to resolve them.

Research indicates that approximately 1,200 youth come into contact with agencies providing services to runaway and homeless youth annually in Anchorage.¹ Research also indicates that the number of youth served is typically only one-third to one-fifth of the total number of runaway or homeless youth in a community. This means that 3,600 to 6,000 youth, or up to one-fifth of the entire population of Anchorage youth between 10 and 17 could run away or become homeless each year.² When the number of runaways reported to the police in Anchorage is compared to the numbers reported in communities of a similar size in the Lower 48, the Anchorage rate is found to be about three times as high as the rate in the comparison communities.³

Runaway and homeless youth present problems to themselves, their families, and the community as a whole. A youth who is a runaway or homeless is much more likely to be exposed to an exploitive situation, to become involved in using, abusing or dealing drugs and/or alcohol, to be truant from school, and to have a lower sense of self-worth and self-esteem than peers who are not

1. Wasserman, Paul, Final Assessment Report, Runaway Support Network, 1984
2. Population Estimates, 1985 Municipality of Anchorage, Community Planning
3. a) Anchorage Police Department Reports 1984, b) Crime in America, FBI 1984

runaways or homeless.⁴ Running away is frequently a symptom of family problems, such as divorce, or remarriage of parents, alcohol or drug related problems, and child sexual or physical abuse or neglect.⁵ Even when a youth runs from a caring family, the family experiences increased stress, increased chance of sibling runaways⁶, and the loss of parental control over the youth's behavior and actions.

The problems runaway and homeless youth present to our community include an increased incidence of child prostitution, increased levels of drug involvement (both drug dealing and abuse), increased numbers of runaways and homeless youth (friends of runaways are at greater risk of running away themselves), and increased demand for public safety, mental health, medical care (such as care related to sexually transmitted disease and unplanned teenage pregnancies), public assistance, and vocational services.

B. NATIONAL PROBLEM OVERVIEW

If 'running away from home' is defined as being away from home for at least 24 hours without parental permission, approximately one and one-half million (1,500,000) youth run away from home or are cast out of their homes each year in the United States. Many of these youth return home within one to three days and may not run away again. Others have left numerous times, each incident stretching familial bonds more and decreasing the potential for resolving the cause of the problems. Finally, about 20-30% of these youth have been forced out of their homes by their parents. We call these youth first time runaways, chronic runaways, and castaways, respectively.

4. Runaway and Homeless Youth In New York City, New York, New York State, Psychiatric Institute, January 1984
5. Wasserman, Paul, Final Assessment Report, Runaway Support Network, 1984
6. Runaway and Homeless Youth: National Program Inspection, Seattle, U.S. Department of Health and Human Services, Office of the Inspector General, Region X, October 1983

Runaway behavior has been associated with⁷:

- 1) family issues and problems, such as a lack of ability to be a parent and lack of skills to respond to adolescent behavior, family stress (separation, divorce, parental stress and conflict, and relationship problems), parent-child conflict over values and perhaps inflexible or rigid standards imposed on the youth by the parent, and adolescent testing of limits and values;
- 2) school problems;
- 3) alcohol or drug use problems on the part of the parent or the youth;
- 4) problems with peers, such as a lack of skills to interact with peers successfully;
- 5) mental, behavioral, or emotional problems on the part of the parent or the youth;
- 6) major family problems, such as physical or sexual abuse or neglect, significant alcohol or drug problems in the home, or significant family stress, such as marital problems or domestic violence.

Castaway behavior (a parental decision to force a youth from his/her home) has been associated with⁸:

- 1) major family dysfunction, as described above under 6);
- 2) parents unable to nurture their children due to serious emotional or psychological problems, where historically the parent's needs have outweighed those of the child;
- 3) alcohol abuse by the parents and their friends;
- 4) a structurally and functionally unstable family; and
- 5) youth who have a substantial history of running away.

Once out of the home, being a runaway or being homeless usually has a serious impact on the experiences and future lifestyle of a youth.

7. Wasserman, Paul, Final Assessment Report, Runaway Support Network, 1984

8. "Homeless Youth: The Saga of 'Pushouts' and 'Throwaways' in America", Report of the Subcommittee on the Constitution, Senate Judiciary Committee, December 1980, Washington D.C., Document #68-5910.

Various national research efforts indicate that runaway and homeless youth are seriously at risk of:

- exploitation related to child prostitution, such as child sex rings and/or 'kiddie porn';
- other trading on a one-to-one basis of sexual favors for shelter, food and/or clothing; and,
- increasing involvement in drugs or alcohol.

Additionally, castaway youth are found to have a much higher suicide rate than the general population.⁹

A longitudinal study of runaways twelve years afterward found these adults to have a reduced sense of well-being, lower paying jobs, more divorces, and higher incidence of runaways in their own children.¹⁰

The activities common to runaway or homeless youth, such as prostitution or drug dealing, are the result of a lifestyle that lacks parental oversight or safe alternatives for meeting basic needs. Without a parent to provide basic needs, and with no authorized adult to sign such necessary documents as school registration or job applications, the options for these youth are severely limited. The result is that runaway and homeless youth are a social problem, especially because they have no sanctioned way to play a contributing role in our society.

C. STATE PROBLEM OVERVIEW

The problem of runaway and homeless youth in Alaska is affected by physical, population and economic characteristics of Alaska, the legal response to runaway or homeless youth, and access to services by homeless or runaway youth.

9. "Homeless Youth Report Other Problems", Anchorage Daily News, February 6, 1984
10. Liebow, E., and et al "Runaway Children 12 Years Later - Follow-up" Journal of Family Issues, 1980

1. Alaska Characteristics Related to Runaway and Homeless Youth

Alaska has one of the highest rates in the nation of alcohol and drug abuse, domestic violence, rape, child abuse, and divorce.¹¹ Traditionally, these aspects of our community are attributed to five characteristics. The first is the distance between most Alaskans and their extended families and friendship networks. The highly mobile nature of the population is evident when the small number of adult Alaskans who grew up in Alaska is compared with the entire population. This mobile population may have a smaller interest in community issues, and may have difficulty in establishing new friends and identifying new support systems.

The second characteristic is the extreme seasonal cycle from light to dark, combined with the cold climate. Particular emphasis is usually placed on "Cabin Fever", or the tension and frustration that may result when the inclination to stay indoors due to the cold during the winter is re-enforced by the short days. The indoor nature of many people's winter lifestyles may be particularly stressful when combined with limited social contact that results from limited friendship networks and lack of access to extended family members and events.

The third characteristic of our community which contributes to the high rates of alcohol and drug abuse, etc. is the disproportionately high number of males aged 18 to 24 in our population. Research indicates that men in this age group are more likely to abuse alcohol or drugs and react to stress in a violent manner

11. a) i. Center for Alcohol and Addiction Studies, Patterns of Drug Use: High School Survey, ii. Patterns of Drug Use: High School Survey, UAA, 1983, iii. Survey on Illicit Drug Use by High School Seniors, National Institute on Drug Abuse, 1982;
- b) Kizzia, Tom "Mayor Knowles Plans War Against Drunk Drivers, Domestic Violence" Anchorage Daily News, March 16, 1983
- c) American Humane Association, National Study of Incidence and Severity of Child Abuse and neglect, U.S. Government Publication 1984
- d) U.S. Vital Statistics, 1985

than other age groups. The high proportion of men in this age group in Alaska means that our population is more inclined toward abuse and violence.

Fourth is the impact of the enormous challenge faced by the traditional Alaskan Native cultures in changing from a subsistence based to a cash based economy and the associated effects of this change on all the people of the state. All individuals feel stress when they change lifestyles. The impact of changes which result when an entire culture must suddenly face new values and ideals is far-reaching and, as yet, not entirely understood.

The fifth and final characteristic is the impact of a 'boom-bust' economy and attendant population swings. The dramatic shift in the economy in Alaska subjects families to the stress of sudden affluence or poverty. It also causes families to be moved or separated by both opportunities to be followed, or disasters to be avoided. Anchorage is the focus of this stress because it is the economic and population center of the state.

2. Legal Background and Analysis

The present runaway problem did not develop overnight. It is in many ways the product of an evolutionary process in the juvenile justice system itself. For decades, various kinds of wayward juvenile behavior were treated as delinquent, even though such actions as running away and truancy were only punishable if committed by minors and not by adults. The term "status offense" describes this unique kind of juvenile offense. Courts were free to impose detention and placement in correctional schools for runaway youth just as they did for those committing criminal acts.

In the early 1960's, a "due process" revolution of sorts began in juvenile courts across the land. Legislatures began separating status offenders from delinquents and labeling them under such terms as "Persons in Need of Supervision (PINS)" or "Children in Need of Supervision (CHINS)." Some limits were placed on juvenile courts in their ability to lock up these offenders, although most courts could place these youngsters on probation.

As the juvenile rights movement developed into the 1970's, several states began closely examining the treatment of status offenders. The result was a nearly nationwide movement throughout the decade to decriminalize such behavior. Concern over the treatment of status offenders ultimately resulted in federal legislation through the Juvenile Justice and Delinquency Prevention Act of 1974. In order to comply with the Act and receive federal funding for a variety of juvenile justice programs, states were required to mandate deinstitutionalization of status offenders. The Act prohibits the dispersal of federal formula grant funds to any state whose laws do not differentiate delinquent and status offender populations.

In Alaska in 1977, a substantial revision of the juvenile code was effected. Prior to the revision there had been three categories of children's proceedings: (1) Delinquency; (2) Dependency; (3) Child in Need of Supervision. The latter category consisted of typical status offense behavior -- habitual truancy, runaway, and incorrigibility. The revised code established only two categories of jurisdiction: (1) Delinquency; and (2) Child in Need of Aid. Runaway behavior became a part of Child in Need of Aid, along with abuse and neglect, and abandonment.

Under the new code, only delinquent minors could be detained or institutionalized in locked facilities. Runaways who had not been charged with a delinquent act could not be subjected to such confinement. Two primary options remained for law enforcement officials: (1) return runaways to their homes; or (2) place them in social services shelters. Recently, another option has come into use by parents and the community. This option is to use psychiatric facilities to hold youth under mental health commitment laws. The primary official response to the runaway problem, however, remains the task of the social services system.

Although shelter services for runaways did increase in the early 1980's, the level of services directed at this population has not kept pace with the growth of the problem. With burgeoning case-loads of child physical and sexual abuse, the Division of Family

and Youth Services has encountered significant difficulty in responding to the needs of runaway and castaway children. Now, nearly ten years after the revision of the Children's Code, the magnitude of the runaway problem presents one of the greatest challenges in the entire human services spectrum.

3. Access to Services

Runaway and homeless youth in Alaska are frequently denied state services due to state policies, priorities and funding decisions. The Division of Family and Youth Services (DFYS) prioritizes its caseload based first on visible physical abuse, then sexual abuse, potential cases of neglect, and finally others in need. The Division has not been adequately funded in the last four years to address many cases below the top two priorities. If DFYS could attend to runaway and homeless youth, there would be greater likelihood that these youth would have a safe place to stay each night, and that more assistance would be offered to the families to resolve the difficulties leading to a runaway event.

Both the Alaska State Troopers and the Anchorage Police Department also prioritize their work. In both cases, responding to reports of runaway youth is not high on the list. In an attempt to increase the attention paid to these reports, HB 19 was passed in the 1985 session. This bill requires the police and the Troopers to "attempt to find" reported runaways, but negative consequences do not result if the police choose not to look. The bill did not carry a fiscal note. It has had limited effect.

D. ANCHORAGE PROBLEM OVERVIEW

There have probably always been runaway and homeless youth in Anchorage. Four primary non-profit agencies have worked to meet the needs of these youth and their families: Alaska Children's Services, Alaska Youth and Parent Foundation (formerly Alaska Youth Advocates), Family Connection, and Salvation Army Booth Home.

In 1984, the Municipality joined these agencies in sponsoring the Runaway Support Network. This one-year project was funded by a

federal grant and sought to increase attention paid to runaway and homeless youth in Anchorage by studying the needs of these youth and their families and suggesting solutions. One result of the attention generated by the Network is this Task Force.

Others in this community stress the public safety threats presented by runaway and homeless youth and their potential for being exploited by adults. These issues are real, and represent one end of a spectrum. This spectrum stretches between the idea that all runaways represent a danger to the community and should be contained at all costs, to the idea that an individual would not run away from home without just cause. Furthermore, since runaways have not broken the law, they should not at any time be treated in the same manner as youth who have. This Task Force has sought to develop an approach to the needs, problems and community issues of runaway and homeless youth which is balanced between deterrence and confinement on the one hand and prevention and treatment on the other.

1. History and Development of Current Services

Residential services for Alaskan children and youth started with the Jesse Lee Home for Orphans in Unalaska. This church funded orphanage opened in the 1890's largely in response to the needs of orphaned Native children.

The orphanage moved to Anchorage in the 1960's. At that time, other churches in Anchorage were starting to provide social services to children and youth. The churches combined resources and formed Alaska Children's Services (ACS). This agency provided residential care including short-term and long-term receiving homes (which became the Emergency Shelter), group homes for long-term adolescent care, and an extensive program for foster family training and licensing. The Center for Children and Parents was also sponsored by ACS, and one of this agency's projects was funded by the Division of Family and Youth Services (DFYS) to work with the University of Alaska and Chugiak Children's Services to develop family day care resources and licensing procedures in Anchorage.

The Alaska Youth and Parent Foundation (AYPF) started in 1972, using federal funds to provide legal advocacy for youth and children. This new program recognized the problems of runaway youth, reflecting a national trend toward identifying runaways as a population requiring special services. While providing advocacy, the need for crisis intervention and family counseling became apparent, and the Family Connection was established in 1974 using federal runaway youth funds. In 1978, Family Connection developed a volunteer foster family program and 24 hour crisis line to provide temporary shelter to children and youth not in state custody for short periods of time during which intervention services would occur with the runaway's family to stabilize the situation. Family Connection also started the Coordinating Agencies Group, which is designed to bring everyone providing services to a family together to coordinate the delivery of service.

The services provided by these three agencies remained relatively stable until the mid-1980's, growing to meet demand using state and local funds. By 1984, the staff of Family Connection and AYPF had changed substantially due to natural attrition. Since then, AYPF has provided more crisis intervention and family mediation services. Family Connection has shifted its services toward long term family counseling at the same time. The volunteer foster family program at Family Connection was discontinued due to underfunding, and Family Connection added a small income-based treatment component in its place.

In 1984, AYPF received a special appropriation from the legislature to open a five bed runaway shelter. This shelter has remained open on a year to year basis, and has been funded to date by a special appropriation from the legislature.

At about this time, DFYS and ACS were also having some serious difficulties concerning ACS's ability to refuse emergency care to a DFYS-referred individual. As a result of the SE difficulties, ACS no longer provides emergency care. During 1985, DFYS contracted with AYPF, the Salvation Army - Booth Home, and Alaska Baptist Family Services to provide this care. In 1986, AYPF

became the major provider of Emergency Shelter for DFYS in Anchorage.

E. PROBLEM STATEMENTS FOR EACH TARGET POPULATION

1. Pre-Runaway Youth

Problem

There are youth in Anchorage at risk of running away or of being thrown out of their homes. For most youth, these actions compound rather than alleviate their problems. For some of these youth, running away can be viewed as better than staying in an abusive, even dangerous, family situation. For other youth, perhaps the majority, the family situation is not abusive but is ineffective, and for these families especially, running away can be prevented.

Problem Scope

In 1985, there were an estimated 27,584 youth between 10 and 17 in Anchorage. This is an increase of more than 200% since 1980. Conservative estimates from the Final Assessment Report and elsewhere indicate that at least 6,000 of these youth (11%) are significantly at risk of becoming runaway, castaway or homeless youth each year.

- Based on the Final Assessment Report Data, Anchorage has at least 3,600 runaway, castaway and homeless youth each year. Approximately 73% are runaways, 19% are castaways and 8% are homeless.
- It is estimated that about 25% of runaways repeat. National data indicate that 80% of runaways return home within 2 - 7 days, but perhaps 20% stay away from home longer.
- Anchorage data show that running away is seasonal, with significantly fewer runaways during December and January, peaks in the spring and fall, and fewer in summer although not as few as during the winter (APD data). Also, most Anchorage runaways appear to stay in the vicinity.

In summary, there are probably about 6,000 school-age youth between 10 - 17 in Anchorage who are in danger of running away at least once. At least 3,600 youth do run away from home each year, an additional 700 are cast out, and about 300 will remain homeless. Of these 3,600 youth about 900 will repeat, about 700 will be on the street for longer than a week and at least 300 will become chronic runaways or "street kids".

Population Characteristics

Youth who are most at risk of becoming runaways or castaways are those whose personal, family, school, or peer characteristics resemble those of known runaways.

- Of the 1,200 runaway and castaway youth who do receive services in the community, females are twice as common as males, but the actual numbers may be closer to parity. Some data shows that males are more likely to be castaways than females. In Anchorage the modal age range for runaways is 14 - 16, but there have been pre-teen cases as well.

Consequences and Costs

Increased number of runaway, castaway, or homeless youth in Anchorage. As a result, increased juvenile justice system costs and demand for direct runaway-related and social services.

- Runaway youth have greater medical and emotional problems, such as increased risk of suicide, early pregnancy, and STD.
- Runaway youth are less likely to complete high school.
- A 12 year study found that runaways, as adults, were less economically advantaged and less satisfied with their lives, including having less stable marriages.

The overall conclusion is that social costs of runaway behavior repeat over generations.

It seems likely that the number of runaways is increasing, since factors closely associated with runaway behavior have been

increasing. Between 1972 and 1979, drug use by 12 - 17 year olds increased 139%, alcohol use for the same population increased 56%, and suicides by 15 - 19 year olds increased 140%. Between 1960 and 1980, the overall rate of divorce increased 140%, and the number of working mothers increased from 28% to 57%.

Contributing Factors

Generally, research shows that youth who have multiple problems, such as the following, are at greatest risk of becoming runaway, castaway or homeless youth.

- Being from a single parent home .
- Having parents who have recently divorced
- Having a custodial parent who has recently remarried
- Doing poorly in school, being truant from school
- Being from a home where drugs or alcohol is abused by either the parent or the youth
- Being a victim of physical or sexual abuse or neglect
- Having parents who do not 'talk things out' and explain reasons for their parenting decisions.
- Having parents lacking in parenting skills.
- Having both parents working and the subsequent high degree of unsupervised time for the youth
- Being a girl who is pregnant
- Experiencing severe emotional disability
- Having a history of runaway behavior in the family (parent or sibling)
- Having friends who have run away or who have self-emancipated
- Being from a family experiencing economic hardship

In general, families where anyone is abusing alcohol or drugs, where there is a physically confrontational parent-child relationship, where the family structure is changing, where the youth is having problems with school or has run away before are at the highest risk.

Sources

Municipality of Anchorage, Community Planning, Population
Estimates, 1985

Wasserman, Paul, Final Assessment Report

Federal Family and Youth Services, Bureau Documents

2. First Time Runaways

Problem

There are youth who have run away from home for the first time, and are living with peers, friends, relatives or on the streets.

Problem Scope

There are approximately 800 first time runaways in Anchorage each year who come into contact with Family Connection or Alaska Youth and Parent Foundation, or are taken into temporary custody by the Division of Family and Youth Services. Most first-time runaways tend to go unreported or unserved by the system. Researchers have consistently estimated that the total number of first-time runaways may be between 3 and 5 times higher than the number served. The most conservative estimate of the actual number is 2,000 first time runaways.

Descriptive Characteristics

First time runaways tend to stay away from home for relatively short periods of time, such as one to three days. Runaways range in age from under 10 to age 18. It is likely that male runaways tend to seek help less frequently than females, that they are more likely than females to survive on their own without coming to the attention of authorities, and that female runaways are more likely to be reported by family and friends.

These youth come from families at all economic levels. The average runaway is about 15 years old, and known female runaways out-number males by 2 to 1.

Primary Causative Factors

- 1) Family issues and problems:
 - a. lack of ability to parent and lack of skills in dealing with adolescent behavior;
 - b. family stress (separation, divorce, parental stress and conflict, relationship problems);

- c. parent-child conflict over values; inflexibility or rigidity by parents in imposing standards on kids; and,
 - d. adolescent testing of limits and values.
- 2) School problems
 - 3) Alcohol or drug use problems (parent or youth)
 - 4) Problems with peers (lack of social skills, life skills)
 - 5) Mental, behavioral, or emotional dysfunction (kids and parents)

Secondary Causative Factors

- 1) Decline in the economy; gradually worsening economic condition
- 2) Highly transient population, including a significant number of military personnel
- 3) Lack of extended family support systems
- 4) Harsh environment, climate.
- 5) Conflicting messages given by adults to children regarding values and standards; tolerance of the widespread abuse of alcohol and drugs, particularly marijuana, by adult society on the one hand, while condemning teenage drug abuse on the other, is an example of this 'mixed message.'

Consequences and Costs

- Increased numbers of chronic runaway and castaway youth
- Increased family stress
- Increased child prostitution
- Increased sexually transmitted diseases in juveniles
- Increased exploitation of juveniles.
- Decreased educational level and an increase in truancy and school suspensions.
- Decreased ability of youth to become employed, especially those younger than 16
- Increased demand for public safety, mental health, medical care (e.g. unplanned pregnancies), and vocational services

Sources

Wasserman, Paul, Final Assessment Report

Alaska Department of Labor, Alaska Labor Statistics

Anchorage Police Department, Annual Report, 1985

3. Chronic Runaways

Problem Statement

There are youth who are chronic runaways in that they have run away three or more times and they are living on the streets, with peers in unsupervised settings, or sporadically in shelters.

Problem Scope

There are approximately 300 youth annually in Anchorage who are chronic runaways who receive services and about 750 actual cases. Typically, each incident means a longer period away from home, and the chances for reunification decrease. Similarly, social services and state intervention increase. Also typically, the provocation for leaving is less and less severe with each incident.

Some of these youth may become self-emancipated. Many more chronic runaways end up leading a marginal life on the streets, open to exploitation, etc.

Descriptive Characteristics

The average chronic runaway is somewhat older and more independent than the average first time runaway. They may present a more significant level of emotional and behavioral dysfunction. It is common for them to be tied in with a network of other youth and adults that enable them to remain on the streets for longer periods of time.

Youth who are chronic runaways are more likely than first time runaways to have been victims of physical or sexual abuse or neglect.

As with first time runaways, these youth may come from families at all economic levels. Male runaways tend to seek help less frequently than female. Many of these youth are the product of numerous failed out-of-home placements, e.g. foster care, shelters, or residential facilities.

The needs of this population differ from first-time runaways. They are more in need of training for job skills and independent living skills.

Primary Causative Factors

- 1) Major family dysfunction as exhibited by:
 - a. physical or sexual abuse or neglect
 - b. significant alcohol abuse problems in the home
 - c. significant family stress, e.g. marital problems, domestic violence
- 2) Alcohol abuse by youth

Secondary Causative Factors (Societal Factors)

- 1) Lack of appropriate intervention and follow-up on initial runaway act
- 2) Lack of support options to allow a minor who cannot or should not return home to gain skills necessary to live independently
- 3) Failure of the social services system to give sufficient priority attention to chronic runaways; lack of statutory differentiation based on the chronic nature of runaway and no mandate in the statutes for the Department of Health and Social Services to provide services for these minors
- 4) Lack of programs which categorically address the needs of chronic runaway youth

Consequences of Not Addressing Problem

- Increased system costs associated with not preventing chronic runaway
- Increased number of violent and abusive kids, thus perpetuating cycle of abuse
- Increased number of "street kids"
- Increased levels of delinquency and criminal behavior in youth
- Increased levels of prostitution among youth
- Increased exposure to exploitive individuals
- Increased likelihood of drug dealing and drug use
- Decreased educational levels

- Decreased ability to be employed
- Increased incidence of teenage pregnancy and sexually transmitted disease

Sources

Wasserman, Paul, Final Assessment Report

4. Post-Runaway Youth and Their Families

Problem

Youth and their families experience difficulties in resolving family problems just after a runaway incident, contributing to further family dysfunction and possibly other runaway incidents within the family.

Problem Scope

There are between 800 and 4,000 first time runaways and at least 600 chronic runaways each year in Anchorage. The manner in which the families of these youth react when a runaway returns home has a significant impact on the continuing functioning of the family and the potential resolution of the problems which caused the incident.

An important factor in the continuing stability of the family after a youth returns home from a runaway incident relates to the cause of the incident. If there are serious dysfunctional qualities in the family before a youth runs away which are not resolved after s/he returns home, it is likely that the youth will continue to run away, increasing his/her potential to be seriously at risk of exploitation. Also, if serious problems exist in the family, the most healthy option for the youth may be his/her departure from the family under the DFYS protection.

A different aspect of the problems a family faces when a runaway returns home is related to the increased potential for siblings and friends of the runaway to follow suit.

Descriptive Characteristics

The characteristics of a runaway youth and his/her family reflect the characteristics related to First Time and Chronic Punaway youth.

It is important to recognize that a youth may runaway in response to family problems which might range from mild to serious issues, or may run away for reasons completely unrelated to the family.

Therefore, although most runaways do tend to come from families with higher levels of family stress, alcohol or drug abuse problems, or mental, behavioral or emotional dysfunction, some youth do leave healthy families.

No matter what the family background of the youth, there is stress when s/he returns home.

Causative Factors

All those factors which influence runaway or castaway youth apply.

Consequences and Costs

- Increased demand for family counseling
- Increased demand for parent support and friendship network
- Increased demand for youth and friendship network
- Without assistance, an increased potential for family dysfunction
- Without assistance, an increased potential for repeat runaway incidents

Sources

Wasserman, Paul, Final Assessment Report

5. Castaway Youth

Problem

There are youth who have been forced out of their homes and whose family ties have been substantially severed.

Problem Scope

There are about 300 castaway youth who receive services in Anchorage each year. The actual number of castaway youth is closer to 700 each year.

These youth have limited employment and other skills, so they are often forced to break the law to survive. This group is likely to represent a disproportional burden on the justice system, and the physical and mental health systems, since traditional services haven't proved to be successful.

Population Characteristics

These youth tend to be older than first time runaways, and may have a higher male to female ratio.

Families which have cast out a youth frequently are extremely dysfunctional, due to problematic behavior on the part of the youth or lack of interest on the parent's part for being responsible for the youth. These youth and their family have often had unsuccessful involvement with multiple agencies in the past.

Since these youth have been rejected by their parents, they have serious emotional and self-identity problems. Castaways also frequently lack a value system due to lack of parenting. These youth have a higher rate of depression and suicide and are highly vulnerable to sexual exploitation and criminal behavior. Usually, traditional family treatment is ineffective because there is no family system present.

Primary Causative Factors

- Major family dysfunction
- Parents who are unable to nurture their children. For instance, parents who have serious emotional or psychological problems, where historically the needs of the parent have been more important than those of the child.
- Parents and their friends abuse alcohol or drugs
- Unstable family, both structurally and functionally
- Youth who have a substantial history of running away
- Inadequate socialization of parent and/or youth, such that the individual is critically wounded psychologically or emotionally. This leads to a perpetuation of the inability to cope or function in an adequate manner.

Secondary Causative Factors

Lack of programs and resources which categorically address the needs of castaway youth, including:

- A bridge between being on the streets and formal emancipation;
- Life Skills/Social Skills educational programs;
- A group living alternative to foster homes and other family-based residential care; and
- Services which do not require parental approval or contact and which are not focused on family reunification
- The lack of voluntary substitute care beds
- Failure to intervene effectively in an earlier stage of the problem
- Economic hardship, unemployment
- Lack of an effective therapeutic model

Consequences and Costs

- No break in the generational cycle
- Youth who may commit delinquent acts, prostitute themselves, or expose themselves to exploitation in order to eat and obtain shelter
- Youth who are highly likely to appear as adult offenders in the criminal justice system

- Youth who are unable or unwilling to attend school
- Youth who have experienced an interruption, and frequently a permanent one, in their education
- Youth who earn an inadequate income, earn it illegally, or end up as dependants on the Public Assistance system.
- Increased incidence of child abuse, sexual abuse and assault, criminal activity, mental illness, and alcohol and drug abuse.

Sources

Wasserman, Paul, Final Assessment Report

6. Parents of Runaway Youth

Problem

Parents of runaways feel guilty, angry, and helpless when their child runs away from home.

Problem Scope

About 800 "First Time Runaways" and 300 "Chronic Runaways" come into contact with the service system each year in Anchorage. Many do not get reported because parents have prior experience getting no response when reports are made to police. It is estimated that the total number of runaways may be between three to five times the number served. This means that there are between 1,100 and 5,500 households that are directly affected.

Descriptive Characteristics

Each time a child runs away from home, a parent experiences anxiety about his/her location, activities, and safety; frustration about the sudden lack of control over his/her behavior; and doubt about the parents ability to perform this role successfully.

About two-thirds of the known runaways are reported to the Anchorage Police Department or the AK Troopers. If a parent chooses to report his/her child missing, the parent must then face the reality that although the Police or Troopers are required by statute to attempt to find their child, this task has a low priority and rarely receives attention.

The parent must also confront the low priority given runaways by all parts of the system. Although running away is a highly disruptive act, if abuse or neglect aren't present in the home, running away is simply not perceived a serious enough problem to warrant attention by the Alaska Division of Family and Youth Services, Anchorage Police Department, or the Alaska Troopers under current staffing and priorities.

Primary Causitive Factors

- Lack of community education about the issues of adolescence and how to survive as a parent of an adolescent with sanity intact.
- Breakdown in the communication process between parent and youth
- Lack of community education about the rights of parents, the way the child protective system operates, and the rights of youth
- Lack of an established mechanism for tracking and detaining runaways

Secondary Causative Factors

- 1) Lack of availability to extended families who could serve as role models, interveners and helpers to parents.
- 2) Lack of parenting classes directed at dealing with teenagers.
- 3) Decline in the economy and consequent stress on parents.
- 4) Mixed messages from Police and DFYS about the system's ability to respond to the problem.
- 5) Lack of parent training prior to parents having children.

Sources

Testimony by Parents

III. SERVICES TO ADDRESS THE PROBLEM CATEGORIES AND IDENTIFIED CAUSES

A. GAPS IN SERVICE

There is no established, formal or categorical system of runaway programs such as there are for substance abuse, child abuse, domestic violence and sexual assault or mental health programs. There are also no state or municipal funding sources or mechanisms specifically dedicated to or available for services to runaway and homeless youth and their families. There are major gaps in the service delivery system and major unmet needs for runaway and homeless youth, their families, and the agencies which serve them. Also, all of the services currently available to runaway or homeless youth and their families are operating near or at their capacity to provide services.

1. Prevention

a. Public Education

The general public and professionals working in youth-related services are generally unaware of the nature and extent of the runaway problem. There can be relatively little hope of significantly increasing services or improving access to services without increasing public awareness and concern about the problem and its solutions.

Existing gaps in the area of public education include a lack of: adequate or current media coverage; public service announcements; workshops and conferences; and adequately funded in-service and inter-agency training specific to runaways youth and their families.

b. Prevention/Early Intervention

There is currently very little prevention or early intervention targeted toward the runaway problem. There are no skill-building curriculum components in the public school system which address specifically the needs, issues, problems or behaviors of runaway youth.

i. Public School Prevention Curriculum

Specifically there are no curricula or curriculum components within the public school system which address the needs, issues, problems or behaviors of runaway youth. There is a two-week component on decision-making in junior high health classes. All students are required to take these classes.

Such a service component would provide primary and secondary level education curricula or curriculum components designed to prevent the occurrence of runaway behavior, or address the problems which under-ly such behavior. A tenth-grade course, Healthy Life Skills, has been developed which includes an emphasis on family living, mental health issues, decision-making, and coping skills. While approved by the School Board, it has yet to be implemented due to lack of funds.

The Municipal Family Planning program operates a program which provides runaway related information to "troubled" teens. This effort represents one of the only targeted education/information programs for school-age youngsters.

ii. Parent/Foster Parent Training

Parenting and foster parent training programs which are geared specifically toward runaway problems do not currently exist.

Generic parenting courses could be of value in preventing runaway problems. However, there is a shortage of such parenting programs for parents of teenagers. There is even less available for foster parents and teen parents, despite the high incidence of chronic runaways from foster care placements and the high incidence of teen pregnancy.

iii. School Drop-Out/In-School Suspension Programs

The School District does not have an in-school suspension program for runaways or castaway youth. It is only for alcohol or drug related suspensions.

Although the SAVE I and II, SEARCH, and Re-Start programs are designed to prevent drop-outs or re-involve students in school, there are no programs to meet the needs of youth who have limited family support, who lack advocacy for their re-entry into the Anchorage School District (ASD), who lack the motivation required for the current ASD programs, or who have drug and alcohol use/abuse, self-discipline or self-esteem problems. These youth frequently have poor educational skills as well. Runaway and homeless youth tend to have these characteristics.

Drop-out prevention efforts include the SAVE I and II, SEARCH, and Re-Start programs on the part of ASD and serve 650 children. Also, the Anchorage Education Association is developing some drop-out prevention programs as part of a National Education Association effort called "Operation Rescue." These programs have no assurance of funding and will be small projects.

In view of the correlation which exists between repeat or chronic runaway (and castaway and homeless) youth and school drop-out status, school-based programs which are designed to reintegrate drop-outs into the school system could prove to be a valuable intervention strategy for preventing or limiting the growth of further and more serious problems.

iv. High Risk Identification

There are currently very few programs designed to identify families or youth at high risk of becoming runaway or castaway casualties. The first step required would involve design of an instrument, a protocol or a method for assessing risk. Some scaling of risk potential should help in determining the most appropriate type and degree of intervention to be provided.

The Anchorage School District has two programs to assist in this identification. "Step-Up" is designed to iden-

tify children who score in the lowest quarter of the Standard Achievement Tests. These children are considered to be at risk of becoming a drop-out. Once identified, special efforts are made to improve the students' scores and school involvement.

"Core Teams" of teachers, counselors, and parents have developed for all the junior high schools and all but two of the high schools. These teams act to identify youth who are generally "high-risk" for school problems due to child abuse, divorce, sexual abuse, alcohol/drug use, etc. with great attention to pre-runaway factors, these teams could be instrumental in the effectiveness of prevention and early intervention activities.

2. Intervention

a. Information and Referral Services

Although there are a number of different agencies which provide Information and Referral (I&R) services, there is no single, consistent or reliable source of I&R services.

Information and referral services should be streamlined as much as possible in order to reduce confusion and duplication which often leads to parents or youth who are in need "falling through the cracks" or giving up in frustration before they receive any help.

A single, 24 hour, seven day per week I&R number would be a valuable means of streamlining the system. It would be critical for such a number to be clearly identified and continually publicized as a "runaway number" for the benefit of the public at large and for all potential referring agencies and organizations.

In addition, a major function of a central I&R service would be to quickly determine the nature of the problem, identify the most appropriate type of service for meeting this need, make a referral to the most appropriate agency (or transfer

the call, have that agency call the prospective client, etc.) and follow up the referral to determine whether or not the referral was successfully completed.

b. Drop-in Center/Refuge

Existing services are not designed to reach the chronic runaway or street youth who have already "emancipated" themselves and exist outside the framework of the human services system. Moreover, current services would be too understaffed and poorly equipped to respond to this population if they were to present themselves for help.

A centrally located drop-in center (similar to the Brother Francis Shelter, with facilities for short-term or overnight sleeping arrangements, and meals) would prove to be a valuable vehicle as it has in other cities for reaching this largely unserved population.

Such a program would offer limited intake, screening and follow-up services in addition to basic I&R and emergency shelter services. Issues to be considered when implementing a Drop-In Center program include the notification of parents.

c. Intake Services

There is currently no single or standardized system for providing intake services. At present, there are basically three agencies (DFYS, Alaska Youth and Parent Foundation, and Family Connection) which perform the sort of intake function which is necessary and which should be distinguished from general program or agency admission procedures.

A central intake service would represent the point at which an individual becomes actively and formally involved with the system. Essential services or functions would include gathering basic client information, defining the presenting problem, evaluating client needs, determining appropriate objectives and effecting the recommended program transfer or referral. In addition, a central intake service would pro-

vide crisis counseling, problem-solving or resolution services on an immediate, as-needed basis.

In view of the statutory requirements regarding child abuse and neglect, there must be, in effect, a State-operated intake system for runaway and homeless youth who are deemed to be Children in Need of Aid. In view of the practical realities and constraints of this intake system (operated by DFYS), there also needs to be an intake system for runaway and homeless youth who do not appear to meet DFYS intake requirements.

A central intake component could be an effective complement to the DFYS intake system. This central intake could be operated jointly by two or more service provider agencies.

d. Emergency Shelter Services

Based on current demand, there is an immediate need for 15-30 additional shelter beds. There is every reason to predict an even greater increase in the need for shelter beds (and for outpatient, runaway support services as well), if: 1) the runaway problem were to receive better publicity, 2) more people were aware of available program resources, 3) current difficulties related to statutory authority and liability were resolved, and 4) improvements were made in current referral and follow-up procedures. Providing this service could be made less expensive if licensing requirements for adolescent residential facilities were changed to be less restrictive.

Furthermore, if proposed efforts to reach the currently unserved and chronic street populations were to be successful, there would be a need for additional voluntary and involuntary beds, and for those services which should be included as part of a drop-in center program.

e. Long-term Shelter Services

Long-term options for residential care, such as group homes for adolescents, are too minimal to meet the current needs of

runaway and homeless youth. Such community-based facilities would meet the needs of a large group of youngsters who require a structured alternative to home or institutional placement. Group homes could also serve youth who are not runaways or castaways but who share similar needs and problems.

f. Runaway Support Services

Included in this category of services are a wide range of non-residential services (which are currently provided primarily by AYPF and Family Connection) which focus on the runaway or castaway episode and its attendant circumstances.

A network of direct support services needs to include the formal and informal counseling, referral, case management, guidance and support. These services are offered to runaways and their families by local police, school district personnel, health care providers, clergy, parent and youth support groups, non-profit services providers, and state social service and court system agencies.

It is unlikely that a single runaway support agency would be able to meet the needs of all of its clients. In view of the number of agencies which are often involved, and the multiple problems of many runaways and their families, it is very likely that a single agency would be needed to coordinate, facilitate, and monitor the various referrals which are likely to be made in such cases. The runaway support service agency which receives the original referral (from DFYS, Central Intake or Voluntary Shelter) appears to be the agency which is best suited for this coordination or case management role.

The counseling, therapy, skill and advocacy services which the support agency provides would be adequate to deal with and resolve the problems of many of its clients. More specialized, intensive or long-term intervention may be necessary for other clients. These clients would require

referral to an ancillary support service, monitoring, and follow-up by the runaway support service agency.

The system also needs greater coordination at both the interagency and individual case level. In order for such coordination to be successful there must also be the development and integration of uniform or compatible intake, referral and data collection systems, as well as inter-agency agreements governing such systems.

The current support system is operating at the upper limit of its resources. Therefore, any progress which results in reaching more of the population at risk and in need, or in providing better services to those who are already served, will require additional resources for this component.

g. Ancillary Support Services

There are a variety of services available in the community which could serve as more valuable resources for runaway clients if they could be accessed in a more predictable and systematic fashion. There would need to be an improvement in case management and follow-up which was discussed above.

There is a significant incidence of school suspension and drop-outs, unemployment, sexual and physical abuse, neglect, family conflict, alcohol and drug abuse, and medical and legal problems among the population of runaway, castaway, and homeless youth. Unless underlying causes or attendant problems are also dealt with, attempts to solve runaway problems will meet with failure.

In order to successfully obtain these often critical ancillary services, runaway support agencies must have the time and staff to provide the necessary case referral, management and follow-up services.

Similarly, liaison must be established and maintained with ancillary programs in the areas of alcohol and drug abuse treatment, child abuse and sexual assault, vocational educa-

46. APD COUNSELORS	3.63	1.27	0	2.36	2. \$\$ FOR MNTL HLTH	3.10	1.32	0	1.78
31. ADVOCACY	3.15	1.16	0	1.99	31. ADVOCACY	2.60	0.91	0	1.69
11. LEGAL EMANCE.	2.75	1.28	0	1.47	11. LEGAL EMANCE.	2.42	0.99	1	1.43

Recommendations	AVERAGE	Priority STANDARD DEVIATION	N/A	AVG.-S	Recommendations	Overall Average
PREVENTION					PREVENTION	
25. HOMEBASED	4.00	0.81	0	3.19	15. PAR SUPT GRPS	3.50
21. SAVE I & II	3.87	0.81	1	3.06	9. PUB REL.	3.47
28. INCR VOC OPP	3.45	0.86	0	2.59	22. I & R	3.47
29. INCR COORD	3.65	1.10	0	2.55	29. INCR COORD	3.44
9. PUB REL.	3.60	1.06	0	2.54	13. PARENTING ED	3.26
15. PAR SUPT GRPS	3.43	0.93	0	2.50	12. HELPERS-SCHOOLS	3.25
32. FAM COUNSLING	3.18	0.94	0	2.24	28. INCR VOC OPP	3.23
35. SCHL CNSLERS	3.40	1.22	0	2.18	21. SAVE I & II	3.22
44. NAT. ATTENT.	3.39	1.21	2	2.18	25. HOMEBASED	3.21
12. HELPERS-SCHOOLS	3.14	0.98	2	2.16	35. SCHL CNSLERS	3.14
22. I & R	3.00	1.03	0	1.97	31. ADVOCACY	3.04
13. PARENTING ED	3.13	1.19	0	1.94	36. PAR. RIGHTS ED	2.92
5. WORKING GRP	3.05	1.16	0	1.89	58. PRVT INDUSTRY	2.91
47. REPORT CARDS	2.75	1.04	2	1.71	32. FAM COUNSLING	2.86
31. ADVOCACY	2.70	1.01	0	1.69	44. NAT. ATTENT.	2.83
2. \$\$ FOR MNTL HLTH	2.85	1.19	0	1.66	47. REPORT CARDS	2.79
50. PRVT INDUSTRY	2.95	1.43	0	1.52	8. NEEDS ASSESS.	2.78
36. PAR. RIGHTS ED	2.58	1.24	0	1.34	5. WORKING GRP	2.75
8. NEEDS ASSESS.	2.10	1.02	0	1.08	42. \$ TO ED PAR.	2.61
42. \$ TO ED PAR.	2.39	1.34	2	1.05	2. \$\$ FOR MNTL HLTH	2.00

INTERVENTION					INTERVENTION	
25. HOMEBASED	4.00	0.81	0	3.19	45. HOTLINE	3.87
21. SAVE I & II	3.87	0.81	1	3.06	19. INTR PROTOCOL	3.78
35. CRISIS INTERV.	4.00	0.96	0	3.04	49. REPORT TO DFYS	3.70
14. DROPIV CNTR	4.00	1.05	0	3.03	51. SECURE DETENT	3.68
51. SECURE DETENT	3.92	1.03	0	2.89	23. IN-SCHOOL SUSP	3.68
19. INTR PROTOCOL	3.78	0.91	0	2.87	26. CRISIS INTERV.	3.63
23. IN-SCHOOL SUSP	3.88	1.07	0	2.81	15. PAR SUPT GRPS	3.50
49. REPORT TO DFYS	3.72	1.01	0	2.72	22. I & R	3.47
33. COMM. BEDS	3.87	1.20	1	2.67	29. INCR COORD	3.44
18. OUTREACH	3.47	0.82	1	2.65	40. CHANGE CODES	3.42
33. INCR FOSTER CAR	3.60	1.00	0	2.60	33. INCR FOSTER CAR	3.41
45. HOTLINE	3.73	1.14	0	2.59	52. RUNAWAY DETENT	3.39
7. DROPOUT ED	3.53	0.94	0	2.59	14. DROPIV CNTR	3.35
29. INCR COORD	3.65	1.10	0	2.55	48. REPORT R/A'S	3.33
15. PAR SUPT GRPS	3.43	0.93	0	2.50	10. CENTRAL INTAKE	3.28
39. DFYS STAFF	3.74	1.28	1	2.46	12. HELPERS-SCHOOLS	3.25
40. CHANGE CODES	3.58	1.18	1	2.40	43. TRAIN FOSTER	3.23
6. SPECIFIC \$\$	3.50	1.11	0	2.39	21. SAVE I & II	3.22
3. CLEARINGHOUSE	3.55	1.28	0	2.27	7. DROPOUT ED	3.22
52. RUNAWAY DETENT	3.68	1.42	0	2.26	25. HOMEBASED	3.21
32. FAM COUNSLING	3.18	0.94	0	2.24	35. SCHL CNSLERS	3.14
43. TRAIN FOSTER	3.24	1.03	1	2.21	34. SPEC. INST BED	3.05
35. SCHL CNSLERS	3.40	1.22	0	2.18	31. ADVOCACY	3.04
44. NAT. ATTENT.	3.39	1.21	2	2.18	38. COMM. BEDS	3.03
10. CENTRAL INTAKE	3.53	1.35	0	2.18	6. SPECIFIC \$\$	2.99
12. HELPERS-SCHOOLS	3.14	0.98	2	2.16	46. APD COUNSELORS	2.95
48. REPORT R/A'S	3.24	1.12	1	2.12	36. PAR. RIGHTS ED	2.92

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In view of the statutory requirements regarding child abuse and neglect, there must be, in effect, a State-operated intake system for runaway and homeless youth who are deemed to be Children in Need of Aid. In view of the practical realities and constraints of this intake system (operated by DFYS), there also needs to be an intake system for runaway and homeless youth who do not appear to meet DFYS intake requirements.

A central intake component could be an effective complement to the DFYS intake system. This central intake could be operated jointly by two or more service provider agencies.

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Furthermore, if proposed efforts to reach the currently unserved and chronic street populations were to be successful, there would be a need for additional voluntary and involuntary beds, and for those services which should be included as part of a drop-in center program.

e. Long-term Shelter Services

Long-term options for residential care, such as group homes for adolescents, are too minimal to meet the current needs of

tion and training, job placement, mental health, foster home placement, teenage pregnancy, and the like.

3. Aftercare and Follow-up Services

Existing agencies which provide some aftercare and follow-up services, have resources to do so for only a small number of clients.

There is currently no established system for tracking or assessing client progress or outcome. In addition, there is a need for home-based and long term counseling services, community support groups for children and parents and transitional living services for youth who are going through an emancipation process.

4. Administrative Services

a. Inter-agency Services

Some agencies which are part of the system have similarities in terms of staff background and expertise, the services provided general orientation and philosophy toward intervention. However, there are agencies involved in the system which have quite disparate functions, professional backgrounds and orientations.

Inter-agency training offers an excellent opportunity for learning about new ideas, philosophies and skills and for establishing positive working relationships among professionals from the various disciplines and agencies represented in the system.

Workshops, in-service training sessions, etc. could address topics of immediate practical concern such as referral procedures, intake protocols, and the use of new data collection forms, and subjects of a more general nature such as crisis intervention techniques or current research in the effectiveness of multiple family therapy.

b. Data Collection and Reporting

Uniformity in data collection and reporting is essential to effectively define and monitor information about clients and services. Without such agreement, it is difficult to describe the services being provided, the kinds of clients being served and the outcomes. There is no such uniform data collection at present.

In order to close this gap, efforts need to be undertaken to develop a standard set of basic client intake, service provision and case disposition items to be used by all agencies. The information would be used by all agencies who provide information and referral, intake, shelter and runaway support services (e.g., DFYS, AYPF, FC, Alaska Baptist, Booth and McAuley Manor).

In addition, ancillary agencies (e.g., APD, Court and Juvenile Probation Systems, CRISIS, Mental Health and child and substance abuse treatment programs) would be encouraged to collect data on whether a contact or case was a runaway, castaway, or homeless youth; on the action taken (i.e., case disposition); and on the basic demographics of this group of clients or contacts.

c. Research and Evaluation

Ongoing research and evaluation are essential to program planning, funding and policy development. There currently are no such provisions for assuring such activities within the Municipality of Anchorage. However, the routine collection, aggregation and reporting of such uniform data would greatly reduce the time, effort and cost of any subsequent planning or research effort.

An area in need of significant research study is the subject of chronic, permanent or street runaway, castaway and homeless youth. More data and information is needed to further quantify and differentiate this population, to assess its special needs and problems and to identify various optimal types and levels of appropriate service.

Ongoing research is also needed to study the numbers, characteristics and needs of clients served by the system, and the quality of services provided (i.e., the effectiveness, efficiency and the type and frequency of services).

The short-term outcome of treatment represents another important area for evaluation and one that is appropriate at the current stage of system development.

Long-term outcome and impact evaluation depend on both meaningful and appropriate criteria and on the system reaching an appropriate stage of development. It may be appropriate to begin the process of defining and selecting criteria, their measures, and the mechanisms for monitoring them. However, research would be premature before the complexities of the problem and the strategies for solution are better known and understood, or before the system as a whole has had a chance to operate as intended.

B. SERVICES CURRENTLY AVAILABLE

The following section of this report provides a detailed description of present services that addresses the target population categories and identified causes of runaway behavior.

The services are divided into the categories of Prevention, Interventions and Aftercare. Each category is then divided into sub-sections, reflecting the specific target populations identified in this report. The services are listed, with the services provider in parenthesis after the listing. Additionally, the services are identified as being either 'established programs', or 'other programs'.

"Established programs" are those which assist either adolescent youth in trouble or runaway or homeless youth and their families. It should be noted that the vast majority of listed service programs do not provide services to runaway per se. There are only four agencies in the following list which provide partial services to runaways. The number and types of services are totally inadequate; for example, there are only nine (9) community beds available for approximately 600 chronic runaways.

"Other programs" are those services which may be offered informally (i.e., the "service" provider is not incorporated for that purpose) or are available to adolescents, but not designed to serve them.

Acronyms and abbreviations have been used throughout the the following table to save space. These acronyms are:

- ACAB: Anchorage Child Abuse Board, which contains the Center for Children and Parents (CCP) and the Intermission Nursery.
- ACS: Alaska Children's Services
- ANHC: Alaska Native Health Center
- APD: Anchorage Police Department
- API: Alaska Psychiatric Institute
- ASD: Anchorage School District, which includes high schools (H.S.) and Junior High Schools (Jr. H.S.).

AWRC: Alaska Women's Resource Center

AYPF: Alaska Youth and Parent Foundation

BB/BS: Big Brothers/Big Sisters of Anchorage

BFS: Brother Francis Shelter

Booth: The Salvation Army, Booth Memorial Home

CINA: Cook Inlet Native Association

CITC: Cook Inlet Tribal Association

CN: Charter North Hospital

CRISIS: Crisis, Referral, Information, and Suicide Intervention
Services (formerly Suicide Prevention and Crisis Center)

DFYS: AK Division of Family and Youth Services

FC: Family Connection

FPC: Family Planning Clinic (Municipality of Anchorage)

MYC: McLaughlin Youth Center

PPA: Planned Parenthood of Alaska

PU: Parents United

SCC: Southcentral Counseling Center (also known as Anchorage
Community Mental Health Services)

STAR: Standing Together Against Rape

STD: Sexually Transmitted Disease (Municipality of Anchorage)

WIC: Women, Infants and Children

1. PREVENTION

<u>Target Population</u>	<u>Established Programs</u>	<u>Other Programs</u>
Pre-runaways	<p><u>Education Services</u></p> <p><u>Counseling Services</u> Student Assistance Program - (ASD in H.S.) teachers identify problem youth and provide support.</p> <p>School Liason Program - Police Officers in targeted Jr. HS's as resource persons (APD/ASD)</p> <p>School Support Project - provide counseling in targeted elementary schools through agreement with ASD (ACS)</p> <p>Smooth Move - a group for kids and families in transition to Jr. high (FC*)</p> <p><u>Other Services</u></p>	<p>Parent Training Classes are available to anyone 10 years or older (ACAB)</p> <p>Provide an adult support person to youth from single parent homes (BB/BS).</p> <p>Some programs in community schools provide activities for teens when a community has identified the need for such activities (i.e., Girdwood).</p>

2. INTERVENTION

<u>Target Population</u>	<u>Established Programs</u>	<u>Other Programs</u>
First Time Runaways	<p><u>Shelter</u> If abuse/neglect present (DFYS)</p>	<p>An informal network consisting of families, friends, etc. acts to meet the need for basic services (shelter, food, clothing) on the part of these youth.</p>

* A service specifically designed to meet the needs of runaway and homeless youth and their families.

INTERVENTION (continued)

<u>Target Population</u>	<u>Established Programs</u>	<u>Other Programs</u>
First Time Runaways (continued)	<u>Counseling Services</u> Crisis Counseling - 24 hr. line (AYPF*, CRISIS) Outpatient Counseling (FC* AYPF*) <u>Other Services</u> Legal Information (AYPF*)	(APD*) School personnel - nurses, counselors, administrators, etc. (ASD) (Churches, Youth-for-Christ)
Chronic Runaways	<u>Shelter -Voluntary</u> (AYPF*, McAuley Manor*) <u>Shelter - Involuntary</u> Foster Care (DFYS) Contract Beds (AB, AYPF, Booth) Institutional (MYC, API) <u>Medical Services</u> Assistance related to being sexually active - FPC (PPA, WIC, STD, ANHC and hospital emergency rooms) rooms) <u>Educational Services</u> Life Skills educational program for youth in voluntary and involuntary care (AYPF*)	An informal network con- sisting of informal shelters which do not receive govern- ment funds and may not be licensed. Alcohol or drug treatment programs (ARCH, CN) Other Psychiatric (CN) (ASD - last chance)

* A service specifically designed to meet the needs of runaway and homeless youth and their families.

INTERVENTION (continued)

<u>Target Population</u>	<u>Established Programs</u>	<u>Other Programs</u>
Chronic Runaways (continued)	<u>Counseling Services</u> Counseling services shift away from a family focus toward the individual. An accompanying shift is away from the immediate runaway episode and related events toward multiple family problems. (AYPF*, FC*)	Many agencies in Anchorage have 1 to 2 misdirected runaway contacts per month. (STAR, AWRC, Identity, SCC, CCP, CINA, CITC and PU) (APD*)
Castaways	<u>Food</u> On a very limited basis (Bean's Cafe) <u>Clothing</u> (AYPF*) <u>Shelter - voluntary</u> (AYPF*, McAuley Manor*) <u>Shelter - involuntary</u> Contract Beds (AB, ACS, AYPF, Booth) Foster Care (DFYS) Institutional (MYC) <u>Medical Services</u> Assistance related to being sexually active - FPC (PPA, WIC, STD, ANHC, and hospital emergency rooms)	A safe place for youth to stay if they can afford a minimal fee (Anchorage Youth Hostel) Also, youth may use the BFS until they are recognized as being under 18. Informal network which frequently presents criminally exploitative situations.

* A service specifically designed to meet the needs of runaway and homeless youth and their families.

INTERVENTION (continued)

<u>Target Population</u>	<u>Established Programs</u>	<u>Other Programs</u>
Castaways (continued)	<u>Educational Services</u> Largely unavailable to youth if not institutionalized. <u>Counseling Services</u> Largely unavailable to youth if not institutionalized.	

3. AFTERCARE

<u>Target Population</u>	<u>Established Programs</u>	<u>Other Programs</u>
Post Runaways and Their Families	<u>Counseling Services</u> Limited aftercare services are available through Home-Based, Intensive, In-Home Services (DFYS, FC) Follow-up phone contact is made by some agencies on a limited basis. (AYPF*)	If a runaway youth becomes delinquent - follow-up services occur through requirements of probation (DFYS) Community-based support groups for parents (Toughlove*)

* A service specifically designed to meet the needs of runaway and homeless youth and their families.

IV. RECOMMENDATIONS

A. INTRODUCTION

The Runaway and Homeless Youth Task Force developed recommendations in the following manner. Three committees were designated to address the problems of runaway and homeless youth that were within the Prevention, Intervention, and Aftercare areas. A Legal Concerns Committee was established and considered all of the recommendations that had statutory or other legal implications. Each of the four committees then presented the recommendations to the full Task Force. A meeting was held to resolve the differences between Task Force members related to specific recommendations.

B. CONTINUUM CONCEPT

The concept of providing a continuum of care for runaway and homeless youth and their families is pervasive in this report and provided a superstructure for prioritizing the recommendations. The continuum of care concept may be defined as a system of services which address the needs of individuals in all the stages related to a certain experience. In the case of runaway and homeless youth and their families, this means a system of services designed:

- 1) to prevent unnecessary runaway incidents (Prevention),
- 2) to assist the youth and their families by providing a range of services designed to meet a wide variety of needs when the youth is out of the home (Intervention), and
- 3) to prevent additional unnecessary runaway incidents or to reduce the danger to youth living away from home by providing a range of services designed to address the causes of the problems which led to the runaway incident and to stabilize the family and/or to increase the youth's ability to live safely away from his/her parents (Aftercare).

Concern has been expressed that the policy makers and others who may use this report or implement one or more of the prioritized recommendations consider the continuum of care concept when doing so.

Implementing a single recommendation will affect the demand for other services in the system. In some cases, the rationale for a recommendation may be lost without supporting recommendations. For example: the effectiveness of a Central Intake Service would be severely hampered without places to which those in need of services may be referred. The services currently available in this system are already operating close to capacity, so adding components without expanding current programs could reduce the effectiveness of the whole.

C. KEY AND OTHER RECOMMENDATIONS

The recommendations can be organized into the Prevention, Intervention, and Aftercare framework, with some exceptions. This list includes all the recommendations considered by the RHYTF. Top priority recommendations are those in the boxes. Additional key recommendations are identified by an asterisk at the end of the recommendation explanation. Also, when a recommendation relates directly to one of the services described in the 'Gaps in Services' section (pp. 41-52) the page to be referred to for more information about the service is noted in brackets after the recommendation.

1. Prevention

Prevention recommendations include those focused on adapting current Anchorage School District programs to better meet the needs of runaway or homeless youth, public education or public relations recommendations, and research to further increase our ability to identify youth who are more likely to runaway from home.

Create a working group of juvenile justice and child protection professionals, school administrators, drug and alcohol services providers, and concerned citizens to do a thorough review of the truancy problem in Anchorage, leading to enforceable truancy laws. This group would act to implement systematic changes to address the truancy problem, rather than simply studying it and making recommendations.

Expand Anchorage School District drop-out prevention programs, such as SAVE I and II, SEARCH and Re-Start. [pp. 34-35].

Establish a community-wide public relations campaign using non-traditional resources which would have information on parenting, runaways, street-life, and other youth issues.*

Expand current programs providing information about services for runaways, and runaway problems to target populations.

Increase public education about state custody procedures and parent rights.*

Publicize the existence of a 24-hour, toll-free statewide hotline to meet the crisis intervention needs of runaway youth and parents. [p. 36]

Replicate a public relations campaign on parenting and report cards to be used when report cards are issued.

Expand in-school suspension programs to be used instead of long-term suspension away from school attendance.*

Develop an educational and activity program for youth who have dropped out or have been expelled from school. [p. 34-35]*

Establish a natural helpers program in all the schools.*

Increase the number of youth and family counselors to expand services to all schools in the Anchorage School District.*

Establish a parenting course in the schools so youth better understand what parenting is all about: could be part of the 'Healthy Life Skills' course.[p. 34]*

Expand vocational opportunities for troubled youth.*

Do a comprehensive needs assessment of youth to determine why some run away and some don't but think about it.

2. Intervention

Intervention recommendations focus on developing and providing adequate staff for a centralized intake service for runaway or homeless youth; increasing service options for troubled, runaway and homeless youth and their families; and increasing the coordination of current services.

Expand home-based counseling services to assist and support dysfunctional or crisis-oriented families

Expand crisis intervention counseling services to runaways and/or troubled youth and their families.

Establish coordinated, cooperative interagency procedures for case management of runaway youth and their families, including follow-up.

Add staff to the Anchorage Police Department to locate runaways while they are on the run, and to increase use of the missing persons network.

Establish a comprehensive, centralized intake service which includes family assessment of runaways and troubled youth to identify needed services for both parents and youth. This intake would act as a central clearinghouse for reporting missing and runaway children, and would include information and referral services, case management with DFYS and contract agencies, and a mechanism for follow-up. [pp. 37-38]*

Increase social work staff at DFYS so they can intervene in runaway situations early, even physical and/or sexual abuse is not involved.

Put counselors in the Anchorage Police Department to take and follow-up on runaway reports and make appropriate referrals.

Require police agencies to report all apprehended runaways to DFYS. This would allow DFYS or contract agencies to provide follow-up services, even to families of runaways who return home without contacting a service provider.

Establish a refuge/drop-in center to provide unrestricted shelter, counseling, food and medical care for runaway/homeless youth. This center should include an active outreach program to youth who are currently not receiving services. [p. 37]*

Increase shelter space available for voluntary, or community referred runaways. [p. 38]*

The legislature should enact statutes to allow temporary detention of runaways from court-ordered placements. Juveniles detained under these statutes could not be placed in any jail facilities with adults, and must be separated from delinquent juveniles if placed in a juvenile detention facility.*

Amend statutes and the AK Administrative Code to allow private agencies and DFYS to operate residential programs serving non-delinquent runaway youth. Two types of security should be authorized within these programs:

- a) Temporary secure holding areas for handling out of control behavior, ie "Attitude Adjustment Rooms,"
- b) A secure diagnostic unit capable of holding youth for periods of up to 30 days for evaluation purposes.*

Publicize the existence of a 24-hour, toll-free statewide hotline to meet the crisis intervention needs of runaway youth and parents. [p.36]

Increase the level of advocacy services for youth.

Increase social work staff at DFYS so they can intervene in runaway situations early, even physical and/or sexual abuse is not involved.

Establish better legal follow-through for first-time status offenders (liquor law offenses and curfew laws).

Increase coordination and cooperation between ASD, the Municipality, state agencies, military, community providers, and private industry in matters relating to runaway youth.

Improve transition and coordination of adult services for youth who turn 18.

Establish a system for identifying youth who are changing types of care, as these youth are at high risk of running away. [p. 35]

3. Aftercare

Recommendations related to aftercare services for runaway or homeless youth and their families suggest changes to increase the accessibility of the auxiliary support services to runaway or homeless youth, increasing the options available to youth who should not return home, preventing additional runaway incidents, and assuring adequate follow-up on services provided to runaway or homeless youth and their families.

Increase funding for all runaway services providers to assure adequate follow-up of clients.

Increase long-term group living options for chronic runaway and castaway youth

Provide focused training to foster parents on runaway issues.

Establish a variety of support groups for parents and troubled youth.

Expand out-patient drug and alcohol services for youth.*

Increase the level of subsidized long term family counseling services available.*

Increase the number of specialized institutional beds.

Establish a low-cost or free legal assistance program for youth seeking emancipation and help with other similar legal concerns.

Provide a supervised independent living option for self-emancipated youth.

Increase the number of foster families trained to take runaway youth.

4. Other Recommendations

Other recommendations which could not be placed in one of these service categories included recommendations related to establishing a consistent funding source for these services, easing licensing requirements to decrease the cost of operating a residential facility for adolescent youth, to increase the involvement of private industry in youth issues, and to improve services for Alaska Native youth and their families.

Create statewide and local funding mechanisms specifically for runaway and troubled youth services.*

Assure that family income does not prevent or limit access to psychiatric, psychological, or medical evaluation and services through adequate funding of subsidized services and changes in third party payments.*

Start a program which increases the involvement of private industry in Anchorage youth: potential projects would be to sponsor youth 10-14 years old in meaningful activities, or to provide retail space for youth-produced goods. The purpose of this

program would be to increase the ownership felt by youth in our community.

Modify existing municipal childcare and quasi-institutional codes and licensing requirements to relieve providers of adolescent residential care of provisions designed to assure the safety of infants and youth children which are unnecessary for more mature individuals.

Provide services designed to assist Alaska Native youth and their families.

D. BACKGROUND TO THE RECOMMENDATIONS

The RHYTF used several methods to identify the recommendations of highest priority. These included: a panel discussion of runaway youth and their parents; measuring the opinions of the Task Force members with a statistically based questionnaire; interviewing youth in the AYPF shelters; and holding a public hearing. (Please see Appendix C for a sample of the questionnaire. The minutes from the panel discussion and a synopsis of the testimony given at the public hearing are attached as Appendices A and B, respectively.)

1. Panel Discussion

Members of the RHYTF met with two runaways and three parents of runaways on Thursday, September 4th. Both runaways were girls running from abusive home situations. All three parents had daughters who had run away.

Needs of runaway and homeless youth and their parents were identified by the panel to be:

- Some place safe for a parent to go to get help without feeling faced with a brick wall;
- A runaway hotline for both parents and youth, which could help meet the need stated above;
- For aftercare;
- A place for runaway youth to go to get walk-in shelter;
- For services, particularly family mediation or therapy to be provided on a free or donation basis. If parents are paying

for the service and their child is not responding, resentment will build toward the child and service use will be stopped earlier than it would be if payment were not required; and

- Runaways on the street need to be able to 'check out' services, especially in the case of those youth who are suspicious of authority and adults.

2. Public Hearing

Twenty (20) people testified at the Public Hearing. All but four said they were parents of runaway youth.

Several themes were found in the testimony. They are: a set of concerns to establish legal controls of runaways, comments about the need for public education and Anchorage School District attention to issues related to runaway behavior, and comments related to drug use and abuse by runaway youth.

The RHYTF met following the Public Hearing on November 12th to discuss and prioritize the recommendations, taking into consideration public comment and group debate.

3. Ranking of the Burden Presented by Each Target Population

The method which was developed for measuring each task force member's opinion on all of the burden presented by each target population to the Anchorage community was measured using a methodology similar to that being used by the Health and Human Services Commission. The Health and Human Services Commission members had to assess each of the problems identified by this commission with respect to the burden each presents to the community.

The RHYTF used similar categories and questions to measure the relative burden of each of the six sub-populations: Pre-runaway, First Time Runaway, Chronic Runaway, Post Runaway Youth and Their Families, and Parents. These categories were:

- The number of people directly affected by the problem;
- The number of people indirectly affected by the problem;

- The severity of the impact of the problem on individuals;
- The growth of the problem in the last two-three years;
- Whether or not the problem compounds other problems; and,
- Each RHYTF member's "gut feeling" about the target population.

A higher score meant a stronger personal priority. A copy of the Categorical Scoring Sheet is attached as Appendix D.

The results of this part of the process found:

<u>Target Population</u>	<u>Dimension Ranking</u>						Average Ranking
	Direct	Indirect	Severity	Growth	Compounds	Gut Feeling	
Pre-runaway	3	5	6	6	6	6	5.3
1st Time Runaway	4	3	5	2	5	5	4.0
Chronic Runaway	5	1	1	1	1	3	2.0
Post Runaway	1	2	3	3	3	1	2.2
Castaway	6	6	2	5	2	2	3.8
Parents	2	4	4	4	4	4	3.7

These results indicate that the most important target population for runaway and homeless youth services, in the opinion of the RHYTF, is the Chronic Runaways, followed closely by Post-Runaways and Their Families.

4. Youth Response to the Recommendations

Youth staying at the AYPF Youth House were asked to give their opinion of the recommendations. Ten (10) youth occupying both voluntary and involuntary beds in the shelter were involved in the review. The responses were as follows:

a. Prevention

Two prevention recommendations received a unanimous response. One was the suggestion that research be done to find out why some children run and some don't, which was opposed. On the other hand, the recommendation to increase private industry's involvement in youth was unanimously supported.

b. Intervention

The youth unanimously supported the key recommendation of expanding crisis intervention counseling. Intervention recommendations in the 'additional key' recommendations group that were unanimously supported include: doing active outreach to find and serve runaway and homeless youth not currently receiving services; and expanding the number of beds available to voluntary referrals for shelter (community beds).

Other recommendations which were unanimously supported included: establishing a Refuge/Drop-in Center; doing public relations targeted toward youth in need; increasing coordination and cooperation between the Anchorage School District, Municipality, state agencies, military, community providers, and private industry in matters related to runaway youth; increasing the level of advocacy services for youth; increasing the number of trained foster families to receive runaway youth; publicizing a 24-hour hotline; putting counselors in the Anchorage Police Dept.(APD); and requiring the APD to report runaways to the AK. Division of Family and Youth Services.

c. Aftercare

Recommendations related to aftercare which received unanimous support were: to establish a low-cost or free legal assistance program for self-emancipated youth seeking legal emancipation and help with similar legal concerns; establishing a community-based parent and youth support groups; expanding out-patient drug and alcohol services for youth; and, establishing a supervised independent living option for self-emancipated youth. None of these recommendations is a key recommendation of the RHYTF.

d. Other Recommendations

Other recommendations which were unanimously supported include: creating statewide or local funding mechanisms specifi-

cally for runaway and troubled youth services; changing licensing and codes related to adolescent residential care; and, providing services designed to assist Native youth and their families in culturally appropriate ways.

5. Questionnaire

The method used to measure each Task Force member's priority ranking of the recommendations was based the Health and Human Services Commission methodology. The dimensions used to assess each of the recommendations were:

- Easy to do
- Cost
- Potential for Positive Impact
- Severity if Nothing Done
- Overall Priority.

A computer printout of the results of this process is attached as Appendix D.

6. Analysis of Questionnaire Results

Only those items receiving a score of 2.95 or higher (out of a maximum of 5.0) after subtracting the standard deviation were considered in the process of identifying the key recommendations.

Two matrices were developed to identify and group the recommendations found to be feasible and the recommendations found to be important. A high rating on the 'Easy to do' and 'Cost' dimensions meant the scorer felt the recommendation was relatively feasible and would be easy to do and of low cost. A high rating on the 'Potential for Positive Impact', 'Severity if Nothing Done', and 'Overall Priority' dimensions meant that the scorer felt the recommendation was important, in that it had a high potential for a positive impact on the problem, that the problem would be severe if nothing were done, and that the scorer felt that the recommendation had a high overall priority. Results of these matrices found that none of the recommendations which scored highly on the 'Easy' and 'Cost' dimensions also scored highly on the 'Potential', 'Severity', and 'Priority' dimensions.

Two groupings were used to identify key recommendations based on two ways of organizing the data. First, the recommendations were organized based on the services type proposed (Prevention, Intervention or Aftercare). Second, they were organized based on the target population to be impacted by the proposed recommendation (Pre-Runaways, First-Time Runaways, Chronic Runaways, Post-Runaway Youth and Their Families, Castaway Youth, and Parents). Items which scored highly across both categories became key recommendations along the feasibility or importance matrices.

* * * * *

APPENDICES

- A. Panel Discussion
- B. Synthesis of Testimony of the RHYTF Public Hearing
- C. Recommendation Prioritization Questionnaire
- D. Categorical Scoring Sheet
- E. Statistical Data With Recommendations Ranked By Dimension, Service Type, Target Population and By Overall Category
- F. Bibliography

PANEL DISCUSSION: Runaway Youth and Parents

Members of the Mayor's Runaway and Homeless Youth Task Force met with two runaways and three parents of runaways on Thursday, Sept. 4th in the 4th Floor Conference Room of the 825 L St. Building.

Both runaways were girls running from abusive home situations. One of the girls had basically run from her father, who had legal custody of her since her parents divorce, to her mother. As such, the mother felt legally prevented from providing shelter to her daughter and the girl spent some time under adult supervision but in a location(s) unknown to her mother. During this time, she did spend some time on the streets with her informal guardian. The situation was resolved when the mother was given custody of her daughter.

The second runaway had run for the first time as a 12 year old in New York City. She then moved to Anchorage with her parents: her father was in the military. She ran away again at about 14, and she has never really returned home. She has just turned 18, and said that she had received services from ARCH and had been placed in an AK Children's Services 5-bed group home for about a year and then a foster home by the state. She ran away from ARCH and the foster home, but called the group home experience successful. The group home placement preceeded the foster home placement: after she ran from the foster home, she was released from state custody. The remainder of her time, or about 2 years, was spent outside formal adult supervision: she and the other street kids she lived with would steal or deal drugs to support themselves. She also became involved for a short time in child pornography for the same reason. Her situation was resolved when she turned 18 and was able to re-enter school and get a job without the involvement of a parent or guardian. An important factor to the resolution was the sponsorship of a woman who gave her a nonpaying job that provided stability, emotional support, and self-respect.

All three parents had daughters who had run away. One was the first girl's mother, one had her daughter back in her home, and one had a daughter still outside the home. Abuse was not an issue in the latter two situations.

All of the parents said that their primary need when their child was away from home was to know that she was safe. The specifics of where, how, and who was involved in her safety were relatively less important.

The involvement and attitude of the Anchorage Police Department was criticized by both the runaways and the parents. Of particular concern to the parents was the lack of follow-through on the part of patrolling officers to the reporting of a runaway. Concern was expressed that even though verbal assurances of assistance had been given, patrol officers had been known to drive right past a reported runaway without stopping. A rumor was passed on that a reported runaway had even asked an officer for directions and had not been detained or questioned.

Another concern about the Anchorage Police Department's involvement was related to the manner in which officers treated youth when abuse was reported. Although the need to avoid false child abuse reports was recognized, the concern was that youth were being treated with undue harshness during the report investigation.

Needed services were identified as:

The need for some place to go to get help without feeling faced with a brick wall (parents).

The need for a runaway hotline for both parents and youth - which would help meet the need for a place to go to talk.

The need for aftercare.

The need for a place for runaway youth to go to get shelter off the street (walk-in) was also noted.

The need for services, particularly family mediation or therapy to be provided on a free or donation basis. If parents are paying for the service and their child is not responding, resentment will build toward the child and service use will be stopped earlier than it would be if payment were not required.

Finally, it was noted that whatever assistance was offered to the runaways on the street was going to need to be 'checked out' by at least some of the runaways who are suspicious of authority and adults before it would be useful.

Synthesis of Testimony
Runaway and Homeless Youth Task Force
Public Hearing

Twenty (20) people testified. All but four said they were parents of runaway youth.

Several themes were found in the testimony. They are: a set of concerns to establish legal controls of runaways, comments about the need for public education and Anchorage School District attention to issues related to runaway behavior, and comments related to drug use and abuse by runaway youth.

Legal concerns in testimony:

- Want prosecution of anyone who has sex with a minor, regardless of the minor's consent;
- Want to make it illegal to be on the streets, such that a youth would be forced to choose between going home and being in state custody when s/he was picked up;
- Want to prosecute adults who harbor runaways (move toward increasing the stringency of Contributing to the Delinquency of a Minor laws);
- Want laws written that differentiate between children and youth who are running from abuse and those who are running toward 'freedom';
- Want prosecution of youth who are caught breaking and entering into parent's home while a runaway;
- Want someone other than the parents (ie the youth or the state) to be responsible for the youth's actions while a runaway.

Educational theme:

- Need public education which disseminates accurate information to parents about parent rights and the services system;
- Need public education about the interaction of homosexuality and runaway behavior;

- Need to organize panels of runaway youth who have either returned home, been taken into state custody, and/or reached 18 to talk to youth who may be considering running away and inform them of the reality of being on the streets and/or dependent on oneself.
- Need to take elementary school aged children on supervised field trips to 'the other side of the double doors', or to prisons and/or McLaughlin as a deterrent;
- Need to enforce the truancy laws;
- Want to make kids responsible for being in school, rather than making school attendance and/or truancy an issue to be tossed back and forth by the school district and the parents;
- Several individuals indicated that intervention into the situation which eventually lead to their child's running away could have happened in the 6th to 8th grades, but there was no support from school counselors.

Drug theme:

- There is a high correlation between being a runaway and being involved in alcohol or drug abuse, whether or not the youth was involved in drugs before s/he ran away;
- There is a lack of sufficient drug education in the Anchorage School District;
- The therapeutic community is not well-trained in alcohol or drug use/abuse assessment and intervention;
- Need a more systematic assessment for alcohol or drug use by all youth picked up as runaways;
- The current alcohol and drug problem is a new problem, different from the problems presented by alcohol and drugs in the past due to new drugs on the market and the now widespread availability of many drugs;
- It was suggested that the drug programs currently available to youth in Anchorage do not last long enough to resolve the problem;
- The Juvenile Crime Commission will be lobbying for a Juvenile Drug Unit in the Anchorage Police Dept. in Juneau this year. This unit would be a com-

panion to the Child Exploitation Unit, and would pursue adults dealing drugs to juveniles;

- Pursue juvenile drug dealers as well as adults.

Miscellaneous:

- Support was expressed for the police liason program in the schools;
- A philosophical question was expressed about the age at which a youth could be considered mature enough to take care of him/herself and make important decisions about his/her welfare;
- The philosophical question about discipline was also raised - it was suggested that parents should be able to discipline their children in their homes and laws restricting such discipline should be decreased;
- It was suggested that the cost of not having adequate facilities for youth is more costly than establishing and maintaining the facilities.

Recommendations:

- Need a state facility that would treat alcohol and drug abuse and runaway youth (the Goose Bay facility was suggested);
- Establish a 'Prevention Center', similar to facilities in Ohio where running away is illegal. This center would provide secure detention of runaway youth and would act as a deterrent for runaways;
- Mandate drug treatment for juveniles;
- Three people supported the Refuge/Drop In Center recommendation;
- Small, pro-active issue resolution groups should be developed and promoted;
- Need to encourage planning for the permanent placement of children and youth in state custody (both in the AYPF shelter and with foster families);
- Need a deterrent to running away (ie scare first time runaways to the point that they will not run away again);
- Need to recognize two types of runaway - those running away from abuse and those running toward freedom from parental supervision;

- There was general support for a secure detention facility;
- Urine Analyses should be available, free, to anyone;
- The Anchorage Police Dept. should 'crack down' on teenage flop houses;
- Juvenile drug dealers should be locked up;
- Should establish a program which includes parental input in the planning for services for his/her child.

Mayo
Runaway and Homeless Youth
Task Force

Recommendation Prioritization Questionnaire

Date completed: _____

This is a questionnaire designed to help RAHYTF members prioritize proposed recommendations.

Each recommendation is to be scored according to the priority you place on the proposed recommendation. Once all the members have prioritized the recommendations, scores will be aggregated. The totaled scores will indicate the priority placed on the recommendation as collectively determined by this Task Force.

In each box below, place the number which most closely approximates your opinion and perception of how the recommendation should be prioritized. In each case, a high score (5) is a more positive assessment than a low score (1). If you don't have an opinion about a recommendation, leave the box blank.

Recommendation:

Easy to do	Cost	Potential for Positive Impact	Severity if Nothing Done	Overall Priority
5 - 1 Easy - Hard	5 - 1 Low - High	5 - 1 High - Low	5 - 1 High - Low	5 - 1 High - Low

1. Add staff to the Anchorage Police Department to locate runaways while they are on the run, and increase use of the missing persons network. (I/FT/lb)					
2. Assure that family income does not prevent or limit access to psychiatric, psychological or medial evaluation and services through adequate funding of subsidized services, and changes in 3rd party payment requirements. (I/FT/2d)					
3. Create a central clearinghouse for reporting missing and runaway children, which would include information and referral services, case management with DFYS and contract agencies, and a mechanism for follow-up.					

Recommendation:

Easy to do

Cost

Potential for
Positive Impact

Severity if
Nothing Done

Overall
Priority

5 - 1
Easy - Hard

5 - 1
Low - High

5 - 1
High - Low

5 - 1
High - Low

5 - 1
High - Low

Recommendation:	Easy to do	Cost	Potential for Positive Impact	Severity if Nothing Done	Overall Priority
	5 - 1 Easy - Hard	5 - 1 Low - High	5 - 1 High - Low	5 - 1 High - Low	5 - 1 High - Low
4. Create a program which would do an initial assessment of the service needs of runaways and their families. (I/FT/2e)					
5. Create a working group of juvenile justice and child protection professionals, school administrators, and concerned citizens to do a thorough review of the truancy problem in Anchorage. (L1b)					
6. Create statewide and local funding mechanisms specifically for runaway and troubled youth services. (A)					
7. Develop an educational and activity program for youth who have dropped out or have been expelled from school. (I/CR/4b)					
8. Do a comprehensive needs assessment of youth to determine why some run away and some don't but think about it. (P6)					
9. Establish a community-wide public relations campaign which would have information on parenting, runaways, street-life, and other youth issues.					
10. Establish a comprehensive, centralized intake service which includes family assessment of runaways and troubled youth to identify needed services for both parents and youth.					

Recommendation:

Ease of 00

Cost

Potential for
Positive Impact

Severity of
Nothing Done

Overall
Priority

5 - 1
Easy - Hard

5 - 1
Low - High

5 - 1
High - Low

5 - 1
High - Low

5 - 1
High - Low

Recommendation:	Ease of 00	Cost	Potential for Positive Impact	Severity of Nothing Done	Overall Priority
	5 - 1 Easy - Hard	5 - 1 Low - High	5 - 1 High - Low	5 - 1 High - Low	5 - 1 High - Low
11. Establish a low-cost or free legal assistance program for youth seeking emancipation and help with other similar legal concerns. (I/CR/4a)					
12. Establish a natural helpers program in all the schools. (P8, I/FT/2g)					
13. Establish a parenting course in the schools so youth better understand what parenting is all about: could be part of the 'Healthy Life Skills' course. (P9)					
14. Establish a refuge/drop-in center to provide unrestricted shelter, counseling, food and medical care for runaway/homeless youth.					
15. Establish a variety of parent support groups in the community for parents of runaways and troubled teens					
17. Establish a variety of youth support groups in the community for youth leaving residential and/or institutional care.					
18. Establish an active outreach program to youth who are currently not receiving services.					
19. Establish an interagency protocol for case management of runaway youth, including follow-up.					

Recommendation:

Easy to do

Cost

Potential for
Positive Impact

Severity if
Nothing Done

Overall
Priority

5 - 1
Easy - Hard

5 - 1
Low - High

5 - 1
High - Low

5 - 1
High - Low

5 - 1
High - Low

Recommendation:	Easy to do 5 - 1 Easy - Hard	Cost 5 - 1 Low - High	Potential for Positive Impact 5 - 1 High - Low	Severity if Nothing Done 5 - 1 High - Low	Overall Priority 5 - 1 High - Low
20. Establish a system for identifying youth who are changing types of care, as these youth are at high risk of running away.					
21. Establish better legal follow-through for first-time status offenders. (RAHYTF9/16)					
22. Expand Anchorage School District drop-out prevention programs, such as SAVE I and II and SEARCH. (P8, I/FT/3b)					
23. Expand current programs providing information about services for runaways, and runaway problems to target populations. (I)					
24. Expand in-school suspension programs to be used instead of long-term suspension away from school attendance. (L1a)					
25. Expand out-patient drug and alcohol services for youth. (I/CR/3a)					
26. Expand public/private home-based counseling services to assist and support dysfunctional or crisis-oriented families. (P3, I/FT/3a)					
27. Expand crisis intervention counseling services to runaways and/or troubled youth and their families. (I/FT/2f)					

Recommendation:

Ease to do

Cost

Potential for
Positive Impact

Severity if
Nothing Done

Overall
Priority

5 - 1
Easy - Hard

5 - 1
Low - High

5 - 1
High - Low

5 - 1
High - Low

5 - 1
High - Low

Recommendation:	Ease to do 5 - 1 Easy - Hard	Cost 5 - 1 Low - High	Potential for Positive Impact 5 - 1 High - Low	Severity if Nothing Done 5 - 1 High - Low	Overall Priority 5 - 1 High - Low
28. Expand vocational opportunities for troubled youth. (A3e)					
29. Increase coordination and cooperation between ASD, Municipality, state agencies, military, community providers, and private industry in matters relating to runaway youth. (I/CA/4b)					
30. Increase long-term group living options for chronic runaway and castaway youth. (I/CA/1)					
31. Increase the level of advocacy services for youth. (I)					
32. Increase the level of subsidized long term family counseling services available. (I)					
33. Increase the number of foster families trained to take runaway youth. (I/CA/2d)					
34. Increase the number of specialized institutional beds. (I/CR)					
35. Increase the number of youth and family counselors to expand services to all schools in ASD. (P8)					
36. Increase public education about state custody procedures and parent rights. (I/CR/5a)					

Recommendation:

Easy to do

Cost

Potential for
Positive Impact

Severity if
Nothing Done

Overall
Priority

5 - 1
Easy - Hard

5 - 1
Low - High

5 - 1
High - Low

5 - 1
High - Low

5 - 1
High - Low

Recommendation:	Easy to do 5 - 1 Easy - Hard	Cost 5 - 1 Low - High	Potential for Positive Impact 5 - 1 High - Low	Severity if Nothing Done 5 - 1 High - Low	Overall Priority 5 - 1 High - Low
37. Improve transition and coordination of adult services for youth who turn 18. (I/CA/2b)					
38. Increase shelter space available for voluntary, or community referred runaways.					
39. Increase social work staff at DFYS so they can intervene in runaway situations early, even physical and/or sexual abuse is not involved.					
40. Modify existing municipal childcare and quasi-institutional codes and licensing requirements, to relieve providers of adolescent residential care of provisions designed to assure the safety of infants and young children which are unnecessary for more mature individuals. (I/CR/5b)					
41. Provide a supervised independent living option for self-emancipated youth. (A3g)					
42. Provide a 'pocketbook' incentive to parents who complete a certified family communications course.					
43. Provide focused training to foster parents on runaway issues.					
44. Provide services designed to assist native youth and their families.					

Recommendation:

Easy to do	Cost	Potential for Positive Impact	Severity if Nothing Done	Overall Priority
5 - 1 Easy - Hard	5 - 1 Low - High	5 - 1 High - Low	5 - 1 High - Low	5 - 1 High - Low

45. Publicize the existence of a 24-hour, toll-free statewide hotline to meet the crisis intervention needs of runaway youth and parents. (I/FT/2a,b)					
46. Put counselors in the Anchorage Police Department to take and follow-up on runaway reports and make appropriate referrals. (A1)					
47. Replicate a public relations campaign on parenting and report cards to be used when report cards are issued.					
48. Require teachers, health officials, law enforcement, etc. to report runaways to DFYS, the Anchorage Police Department, or the AK State Troopers. (I/FT/1d)					
49. Require police agencies to report all apprehended runaways to DFYS. This would allow DFYS or contract agencies to provide follow-up services, even to families of runaways who return home. (L3)					
50. Start a program which increases the involvement of private industry in Anchorage youth: potential projects would be to sponsor youth 10-14 years old in meaningful activities, or to provide retail space for youth produced goods. The purpose of this program would be to increase the ownership felt by youth in our community. (P2, 4)					

Mayor's
Runaway and Homeless Youth
Task Force

Recommendation Prioritization Questionnaire, part two

Date completed: _____

Please prioritize the final recommendations of the Legal Concerns Committee using the same dimensions and scale as we used for the earlier recommendations.

We will be calling Wednesday or Thursday next week to collect your results.

Recommendation:	Easy to do 5 - 1 Easy - Hard	Cost 5 - 1 High - Low	Potential for Positive Impact 5 - 1 High - Low	Severity if Nothing Done 5 - 1 High - Low	Overall Priority 5 - 1 High - Low
<p>1. Amend statutes and the AK Administrative Code to allow private agencies AND DFYS to operate residential programs serving nondelinquent runaway youth. Two types of security should be authorized within these programs:</p> <p>A) Temporary secure holding areas for handling out of control behavior, ie "Adjustment Rooms,"</p> <p>B) A secure diagnostic unit capable of holding youth for periods of up to 30 days for evaluation purposes.</p>					
<p>3. The legislature should enact statutes to allow temporary detention of runaways from court-ordered placements. Juveniles detained under these statutes could not be placed in any jail facilities with adults, and must be separated from delinquent juveniles if placed in a juvenile detention facility</p>					

Mayor's Runaway and Homeless Youth
Task Force

Categorical Scoring Sheet

Assessment of each Task Force member's perception of the burden of the problem on the community.

Each problem statement will be scored as to the burden on the community by assessing each of the dimensions listed below. Once all the members have assessed all the problem statements, scores will be aggregated. The aggregated scores will indicate the relative burden of the problems as collectively determined by the Task Force members.

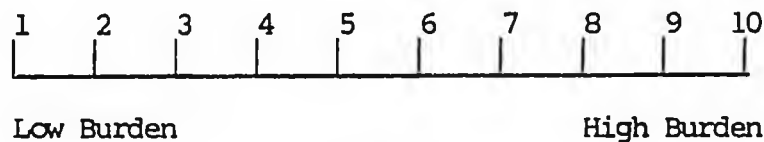
Once the questions are answered, we will be prepared to sort the problems into categories.

Problem being scored: Pre-Runaway Youth Date completed: _____

Dimensions	Low	Mod- erate	High	Very High	Ex- treme	Don't Know
1. The number of persons directly affected by the problem over the last two to three years.						
2. The number of persons indirectly affected by the problem over the last two to three years.						
3. The severity to which individuals are usually affected.						
4. The relative growth of the problem (incidence) over the last two to three years.						
5. The extent to which the problem leads to or compounds health, social, family or other problems.						

What is your 'gut-level' feeling about the burden of the problem in Anchorage?

(Circle a number)



Appendix E

Computer Print-out of Recommendation Rankings

1. Recommendations by Dimension

Recommendations	Easy to Do			Recommendations	Cost		
	AVERAGE	STANDARD DEVIATION	N/A		AVERAGE	STANDARD DEVIATION	N/A
5. WORKING GRP	4.50	0.80	0	5. WORKING GRP	4.55	0.80	0
15. PAR SUPT GRPS	4.15	0.73	0	40. CHANGE CODES	4.42	1.01	1
22. I & R	4.18	0.77	0	19. INTR PROTOCOL	4.30	0.94	0
36. PAR. RIGHTS ED	4.20	0.92	0	29. INCR COORD	4.15	1.01	0
19. INTR PROTOCOL	4.15	1.09	0	43. TRAIN FOSTER	4.00	0.87	2
43. TRAIN FOSTER	4.00	0.94	1	36. PAR. RIGHTS ED	3.85	0.93	0
45. HOTLINE	4.15	1.15	0	12. HELPERS-SCHOOLS	3.94	1.02	3
47. REPORT CARDS	4.05	1.07	1	17. YTH SUPT GRPS	3.80	0.94	0
49. REPORT TO DFYS	4.00	1.08	0	49. REPORT TO DFYS	3.95	1.13	0
13. PARENTING ED	3.85	1.14	0	47. REPORT CARDS	3.84	1.06	1
9. PUB REL.	3.55	1.07	0	48. REPORT R/A'S	4.00	1.24	2
12. HELPERS-SCHOOLS	3.56	1.09	2	15. PAR SUPT GRPS	3.90	1.16	0
17. YTH SUPT GRPS	3.43	1.03	0	22. I & R	3.45	0.84	0
48. REPORT R/A'S	3.74	1.36	1	45. HOTLINE	3.65	1.06	0
23. IN-SCHOOL SUSP	3.55	1.36	0	13. PARENTING ED	3.35	0.85	0
26. CRISIS INTERV.	3.38	1.21	0	9. PUB REL.	3.23	0.81	0
31. ADVOCACY	3.30	1.15	0	8. NEEDS ASSESS.	3.32	0.97	1
29. INCR COORD	3.50	1.40	0	50. PRVT INDUSTRY	3.16	0.98	1
4. ASSESSMENT	3.20	1.11	0	33. INCR FOSTER CAR	3.15	1.11	0
8. NEEDS ASSESS.	3.25	1.18	0	20. LEGAL STAT OFF	3.12	1.08	3
40. CHANGE CODES	3.42	1.35	1	37. 18/19 TRANS	3.00	0.98	1
11. LEGAL EMANCE.	3.40	1.35	0	18. OUTREACH	2.92	1.01	1
51. SECURE DETENT	3.36	1.43	0	4. ASSESSMENT	2.70	0.91	0
24. DRUG SERVICES	3.10	1.22	0	31. ADVOCACY	2.85	1.16	0
3. CLEARINGHOUSE	3.15	1.29	0	3. CLEARINGHOUSE	2.70	1.12	0
20. LEGAL STAT OFF	3.00	1.24	3	7. DROPOUT ED	2.63	1.08	0
37. 18/19 TRANS	3.05	1.33	1	42. \$ TO ED PAR.	2.61	1.06	1
7. DROPOUT ED	2.70	1.01	0	23. IN-SCHOOL SUSP	2.80	1.38	0
33. INCR FOSTER CAR	2.60	0.93	0	44. NAT. ATTENT.	2.50	1.10	2
44. NAT. ATTENT.	2.83	1.25	2	26. CRISIS INTERV.	2.60	1.22	0
35. SCHL CNSLERS	2.88	1.31	0	41. INDEP LIVING	2.45	1.12	1
38. COMM. BEDS	2.92	1.44	1	24. DRUG SERVICES	2.25	0.93	0
52. RUNAWAY DETENT	3.00	1.52	0	11. LEGAL EMANCE.	2.65	1.33	0
1. APD STAFF	3.00	1.55	0	28. INCR VOC OPP	2.30	1.13	0
28. INCR VOC OPP	2.40	0.96	0	52. RUNAWAY DETENT	2.52	1.37	0
18. OUTREACH	2.48	1.17	0	46. APD COUNSELORS	2.16	1.05	1
25. HOMEBASED	2.43	1.12	0	10. CENTRAL INTAKE	2.30	1.24	0
41. INDEP LIVING	2.53	1.22	1	6. SPECIFIC \$\$	2.00	0.95	0
32. FAM COUNSLING	2.50	1.20	0	25. HOMEBASED	2.10	1.07	0
46. APD COUNSELORS	2.70	1.43	0	1. APD STAFF	2.10	1.09	0
21. SAVE I & II	2.60	1.33	0	32. FAM COUNSLING	2.05	1.04	0
50. PRVT INDUSTRY	2.45	1.21	0	27. FOLLOW-UP	2.05	1.12	0
10. CENTRAL INTAKE	2.60	1.42	0	35. SCHL CNSLERS	2.23	1.35	0
14. DROPIN CNTR	2.65	1.47	0	2. \$\$ FOR MNTL HLTH	1.95	1.07	0
34. SPEC. INST BED	2.40	1.33	0	38. COMM. BEDS	2.26	1.38	1
2. \$\$ FOR MNTL HLTH	2.10	1.05	0	39. DFYS STAFF	1.74	0.91	1
6. SPECIFIC \$\$	2.00	1.08	0	30. GRP LIVING	2.03	1.21	0
30. GRP LIVING	2.30	1.30	0	14. DROPIN CNTR	2.03	1.23	1
39. DFYS STAFF	2.47	1.57	1	34. SPEC. INST BED	1.80	1.06	0
42. \$ TO ED PAR.	1.97	1.16	1	21. SAVE I & II	2.20	1.29	0
27. FOLLOW-UP	2.20	1.52	0	51. SECURE DETENT	2.70	2.08	0

Recommendations	Potential Impact			AVG-S	Recommendations	Severity			AVG-S
	AVERAGE	STANDARD DEVIATION	N/A			AVERAGE	STANDARD DEVIATION	N/A	
51. SECURE DETENT	4.52	0.49	0	4.03	26. CRISIS INTERV.	4.10	0.85	0	3.25
23. IN-SCHOOL SUSP	4.50	0.84	0	3.66	25. HOMEBASED	4.03	0.81	0	3.22
25. HOMEBASED	4.38	0.75	0	3.63	27. FOLLOW-UP	3.85	0.90	0	2.95
21. SAVE I & II	4.37	0.76	1	3.61	23. IN-SCHOOL SUSP	3.93	0.99	0	2.94
26. CRISIS INTERV.	4.33	0.74	0	3.59	30. GRP LIVING	3.78	0.84	0	2.94
30. GRP LIVING	4.35	0.91	0	3.44	51. SECURE DETENT	3.92	1.11	0	2.81
10. CENTRAL INTAKE	4.25	0.93	0	3.32	39. DFYS STAFF	3.79	1.07	1	2.72
7. DROPOUT ED	4.20	0.91	0	3.29	38. COMM. BEDS	3.74	1.03	1	2.71
3. CLEARINGHOUSE	4.30	1.04	0	3.26	14. DROPIN CNTR	3.93	1.25	0	2.68
52. RUNAWAY DETENT	4.12	0.91	0	3.21	33. INCR FOSTER CAR	3.55	0.91	0	2.64
28. INCR VOC OPP	4.05	0.88	0	3.17	18. OUTREACH	3.50	0.87	1	2.63
9. PUB REL.	4.15	1.01	0	3.14	10. CENTRAL INTAKE	3.50	0.92	0	2.58
19. INTR PROTOCOL	3.95	0.84	0	3.11	7. DROPOUT ED	3.55	0.97	0	2.58
27. FOLLOW-UP	3.95	0.95	0	3.00	21. SAVE I & II	3.50	0.93	1	2.57
14. DROPIN CNTR	4.08	1.15	0	2.93	52. RUNAWAY DETENT	3.64	1.11	0	2.53
39. DFYS STAFF	3.89	0.98	1	2.91	40. CHANGE CODES	3.53	1.09	1	2.44
41. INDEP LIVING	3.84	0.97	1	2.87	32. FAM COUNSLING	3.15	0.73	0	2.42
24. DRUG SERVICES	3.85	0.98	0	2.87	24. DRUG SERVICES	3.61	1.20	1	2.41
29. INCR COORD	3.90	1.04	0	2.86	34. SPEC. INST BED	3.35	0.96	0	2.39
6. SPECIFIC \$\$	3.90	1.09	0	2.81	41. INDEP LIVING	3.37	0.98	1	2.39
33. INCR FOSTER CAR	3.80	1.03	0	2.77	45. HOTLINE	3.40	1.04	0	2.36
49. REPORT TO DFYS	3.80	1.03	0	2.77	17. YTH SUPT GRPS	3.08	0.73	0	2.35
38. COMM. BEDS	3.84	1.09	1	2.75	6. SPECIFIC \$\$	3.50	1.16	0	2.34
12. OUTREACH	3.74	1.02	1	2.72	49. REPORT TO DFYS	3.39	1.09	1	2.3
13. PARENTING ED	3.70	1.00	0	2.70	44. NAT. ATTENT.	3.44	1.16	2	2.28
17. YTH SUPT GRPS	3.60	0.91	0	2.69	28. INCR VOC OPP	3.38	1.10	0	2.28
45. HOTLINE	3.80	1.12	0	2.68	3. CLEARINGHOUSE	3.45	1.20	0	2.25
32. FAM COUNSLING	3.48	0.74	0	2.66	19. INTR PROTOCOL	3.18	0.93	0	2.25
2. \$\$ FOR MNTL HLTH	3.80	1.15	0	2.65	43. TRAIN FOSTER	2.94	0.75	2	2.19
15. PAR SUPT GRPS	3.50	0.85	0	2.65	29. INCR COORD	3.20	1.03	0	2.17
12. HELPERS-SCHOOLS	3.72	1.10	2	2.62	13. PARENTING ED	3.25	1.10	0	2.15
40. CHANGE CODES	3.79	1.21	1	2.58	15. PAR SUPT GRPS	2.83	0.69	0	2.14
34. SPEC. INST BED	3.50	0.97	0	2.53	9. PUB REL.	3.18	1.05	0	2.13
1. APD STAFF	3.50	0.97	0	2.53	37. 18/19 TRANS	3.16	1.05	1	2.11
35. SCHL CNSLERS	3.78	1.25	0	2.53	35. SCHL CNSLERS	3.13	1.11	0	2.02
4. ASSESSMENT	3.70	1.18	0	2.52	20. LEGAL STAT OFF	3.00	1.05	3	1.95
20. LEGAL STAT OFF	3.65	1.14	3	2.51	48. REPORT R/A'S	2.97	1.11	2	1.86
37. 18/19 TRANS	3.53	1.02	1	2.51	12. HELPERS-SCHOOLS	2.83	0.98	2	1.85
44. NAT. ATTENT.	3.61	1.16	2	2.45	1. APD STAFF	3.05	1.21	0	1.84
43. TRAIN FOSTER	3.37	0.92	1	2.45	22. I & R	2.73	0.91	0	1.82
46. APD COUNSELORS	3.63	1.27	0	2.36	46. APD COUNSELORS	3.10	1.30	0	1.8
48. REPORT R/A'S	3.26	0.96	1	2.30	2. \$\$ FOR MNTL HLTH	3.10	1.32	0	1.78
22. I & R	3.38	1.12	0	2.26	31. ADVOCACY	2.60	0.91	0	1.69
5. WORKING GRP	3.35	1.20	0	2.15	5. WORKING GRP	2.60	0.96	0	1.64
50. PRVT INDUSTRY	3.38	1.24	0	2.14	4. ASSESSMENT	2.75	1.20	0	1.55
47. REPORT CARDS	3.22	1.22	2	2.00	47. REPORT CARDS	2.56	1.03	2	1.53
31. ADVOCACY	3.15	1.16	0	1.99	11. LEGAL EMANCE.	2.42	0.99	1	1.43
8. NEEDS ASSESS.	2.65	1.10	0	1.55	42. \$ TO ED PAR.	2.36	1.03	2	1.33
36. PAR. RIGHTS ED	2.90	1.38	0	1.52	36. PAR. RIGHTS ED	2.45	1.13	0	1.32
42. \$ TO ED PAR.	2.92	1.42	2	1.50	50. PRVT INDUSTRY	2.63	1.33	0	1.3
11. LEGAL EMANCE.	2.75	1.28	0	1.47	8. NEEDS ASSESS.	1.95	0.86	0	1.09

Recommendations	Overall Priority				Recommendations	Overall Average
	AVERAGE	STANDARD DEVIATION	N/A	AVG-S		
25. HOMEBASED	4.00	0.81	0	3.19	45. HOTLINE	3.87
30. GRP LIVING	4.00	0.89	0	3.11	19. INTR PROTOCOL	3.78
21. SAVE I & II	3.87	0.81	1	3.06	49. REPORT TO DFYS	3.70
26. CRISIS INTERV.	4.00	0.96	0	3.04	23. IN-SCHOOL SUSP	3.68
14. DROPIN CNTR	4.08	1.05	0	3.03	51. SECURE DETENT	3.68
27. FOLLOW-UP	3.95	0.93	0	3.02	26. CRISIS INTERV.	3.63
51. SECURE DETENT	3.92	1.03	0	2.89	15. PAR SUPT GRPS	3.50
19. INTR PROTOCOL	3.78	0.91	0	2.87	9. PUB REL.	3.47
23. IN-SCHOOL SUSP	3.88	1.07	0	2.81	22. I & R	3.47
49. REPORT TO DFYS	3.73	1.01	0	2.72	24. DRUG SERVICES	3.45
38. COMM. BEDS	3.87	1.20	1	2.67	29. INCR COORD	3.44
18. OUTREACH	3.47	0.82	1	2.65	40. CHANGE CODES	3.42
17. YTH SUPT GRPS	3.55	0.92	0	2.63	33. INCR FOSTER CAR	3.41
33. INCR FOSTER CAR	3.60	1.00	0	2.60	17. YTH SUPT GRPS	3.39
45. HOTLINE	3.73	1.14	0	2.59	52. RUNAWAY DETENT	3.39
28. INCR VOC OPP	3.45	0.86	0	2.59	14. DROPIN CNTR	3.35
7. DROPOUT ED	3.53	0.94	0	2.59	30. GRP LIVING	3.35
29. INCR COORD	3.65	1.10	0	2.55	48. REPORT R/A'S	3.33
9. PUB REL.	3.60	1.06	0	2.54	10. CENTRAL INTAKE	3.28
15. PAR SUPT GRPS	3.43	0.93	0	2.50	13. PARENTING ED	3.26
24. DRUG SERVICES	3.58	1.09	1	2.49	12. HELPERS-SCHOOLS	3.25
39. DFYS STAFF	3.74	1.28	1	2.46	43. TRAIN FOSTER	3.23
41. INDEP LIVING	3.50	1.07	1	2.43	28. INCR VOC OPP	3.23
40. CHANGE CODES	3.58	1.18	1	2.40	21. SAVE I & II	3.22
6. SPECIFIC \$\$	3.50	1.11	0	2.39	7. DROPOUT ED	3.22
3. CLEARINGHOUSE	3.55	1.28	0	2.27	25. HOMEBASED	3.21
52. RUNAWAY DETENT	3.68	1.42	0	2.26	27. FOLLOW-UP	3.17
32. FAM COUNSLING	3.18	0.94	0	2.24	41. INDEP LIVING	3.14
43. TRAIN FOSTER	3.24	1.03	1	2.21	35. SCHL CNSLERS	3.14
35. SCHL CNSLERS	3.40	1.22	0	2.18	34. SPEC. INST BED	3.05
44. NAT. ATTENT.	3.39	1.21	2	2.18	31. ADVOCACY	3.04
10. CENTRAL INTAKE	3.53	1.35	0	2.18	38. COMM. BEDS	3.03
12. HELPERS-SCHOOLS	3.14	0.98	2	2.16	6. SPECIFIC \$\$	2.99
48. REPORT R/A'S	3.24	1.12	1	2.12	46. APD COUNSELORS	2.95
34. SPEC. INST BED	3.30	1.19	0	2.11	36. PAR. RIGHTS ED	2.92
20. LEGAL STAT OFF	3.06	1.06	3	2.00	58. PRVT INDUSTRY	2.91
22. I & R	3.00	1.03	0	1.97	18. OUTREACH	2.90
13. PARENTING ED	3.13	1.19	0	1.94	39. DFYS STAFF	2.88
46. APD COUNSELORS	3.30	1.38	0	1.92	20. LEGAL STAT OFF	2.87
5. WORKING GRP	3.05	1.16	0	1.89	37. 18/19 TRANS	2.87
37. 18/19 TRANS	3.00	1.19	1	1.81	32. FAM COUNSLING	2.86
1. APD STAFF	2.90	1.15	0	1.75	44. NAT. ATTENT.	2.83
47. REPORT CARDS	2.75	1.04	2	1.71	47. REPORT CARDS	2.79
4. ASSESSMENT	3.00	1.30	0	1.70	8. NEEDS ASSESS.	2.78
31. ADVOCACY	2.78	1.01	0	1.69	5. WORKING GRP	2.75
2. \$\$ FOR MNTL HLTH	2.85	1.19	0	1.66	11. LEGAL EMANCE.	2.63
50. PRVT INDUSTRY	2.95	1.43	0	1.52	42. \$ TO ED PAR.	2.61
11. LEGAL EMANCE.	2.47	1.09	1	1.38	3. CLEARINGHOUSE	2.56
36. PAR. RIGHTS ED	2.58	1.24	0	1.34	4. ASSESSMENT	2.30
8. NEEDS ASSESS.	2.10	1.02	0	1.08	1. APD STAFF	2.12
42. \$ TO ED PAR.	2.39	1.34	2	1.05	2. \$\$ FOR MNTL HLTH	2.00

2. Recommendations by Services Type by Dimension

Recommendations	Easy to Do		N/A	AVG. -S	Recommendations	Cost		N/A	AVG. -S
	AVERAGE	STANDARD DEVIATION				AVERAGE	STANDARD DEVIATION		
PREVENTION					PREVENTION				
5. WORKING GRP	4.50	0.80	0	3.70	5. WORKING GRP	4.55	0.80	0	3.75
15. PAR SUPT GRPS	4.15	0.73	0	3.42	29. INCR COORD	4.15	1.01	0	3.14
22. I & R	4.18	0.77	0	3.41	12. HELPERS-SCHOOLS	3.94	1.02	3	2.92
36. PAR. RIGHTS ED	4.20	0.92	0	3.28	36. PAR. RIGHTS ED	3.85	0.93	0	2.92
47. REPORT CARDS	4.05	1.07	1	2.98	47. REPORT CARDS	3.84	1.06	1	2.78
13. PARENTING ED	3.85	1.14	0	2.71	15. PAR SUPT GRPS	3.90	1.16	0	2.74
9. PUB REL.	3.55	1.07	0	2.48	22. I & R	3.45	0.84	0	2.61
12. HELPERS-SCHOOLS	3.56	1.09	2	2.47	13. PARENTING ED	3.35	0.85	0	2.50
31. ADVOCACY	3.30	1.15	0	2.15	9. PUB REL.	3.23	0.81	0	2.42
29. INCR COORD	3.50	1.40	0	2.10	8. NEEDS ASSESS.	3.32	0.97	1	2.35
8. NEEDS ASSESS.	3.25	1.18	0	2.07	50. PRVT INDUSTRY	3.16	0.98	1	2.18
44. NAT. ATTENT.	2.83	1.25	2	1.58	31. ADVOCACY	2.85	1.16	0	1.69
35. SCHL CNSLERS	2.88	1.31	0	1.57	42. \$ TO ED PAR.	2.61	1.06	1	1.55
28. INCR VOC OPP	2.40	0.96	0	1.44	44. NAT. ATTENT.	2.50	1.10	2	1.40
25. HOMEBASED	2.43	1.12	0	1.31	28. INCR VOC OPP	2.30	1.13	0	1.17
32. FAM COUNSLING	2.50	1.20	0	1.30	25. HOMEBASED	2.10	1.07	0	1.03
21. SAVE I & II	2.60	1.33	0	1.27	32. FAM COUNSLING	2.05	1.04	0	1.01
50. PRVT INDUSTRY	2.45	1.21	0	1.24	35. SCHL CNSLERS	2.23	1.35	0	0.88
2. \$\$ FOR MNTL HLTH	2.10	1.05	0	1.05	2. \$\$ FOR MNTL HLTH	1.95	1.07	0	0.88
42. \$ TO ED PAR.	1.97	1.16	1	0.81	21. SAVE I & II	2.00	1.28	0	0.72
INTERVENTION					INTERVENTION				
15. PAR SUPT GRPS	4.15	0.73	0	3.42	40. CHANGE CODES	4.42	1.01	1	3.41
22. I & R	4.18	0.77	0	3.41	19. INTR PROTOCOL	4.30	0.94	0	3.36
36. PAR. RIGHTS ED	4.20	0.92	0	3.28	29. INCR COORD	4.15	1.01	0	3.14
19. INTR PROTOCOL	4.15	1.09	0	3.06	43. TRAIN FOSTER	4.00	0.87	2	3.13
43. TRAIN FOSTER	4.00	0.94	1	3.06	36. PAR. RIGHTS ED	3.85	0.93	0	2.92
45. HOTLINE	4.15	1.15	0	3.00	12. HELPERS-SCHOOLS	3.94	1.02	3	2.92
49. REPORT TO DFYS	4.00	1.08	0	2.92	49. REPORT TO DFYS	3.95	1.13	0	2.82
12. HELPERS-SCHOOLS	3.56	1.09	2	2.47	48. REPORT R/A'S	4.00	1.24	2	2.76
48. REPORT R/A'S	3.74	1.36	1	2.38	15. PAR SUPT GRPS	3.90	1.16	0	2.74
23. IN-SCHOOL SUSP	3.55	1.36	0	2.19	22. I & R	3.45	0.84	0	2.61
26. CRISIS INTERV.	3.38	1.21	0	2.17	45. HOTLINE	3.65	1.06	0	2.59
31. ADVOCACY	3.30	1.15	0	2.15	33. INCR FOSTER CAR	3.15	1.11	0	2.04
29. INCR COORD	3.50	1.40	0	2.10	18. OUTREACH	2.92	1.01	1	1.91
4. ASSESSMENT	3.20	1.11	0	2.09	4. ASSESSMENT	2.70	0.91	0	1.79
40. CHANGE CODES	3.42	1.35	1	2.07	31. ADVOCACY	2.85	1.16	0	1.69
11. LEGAL EMANCE.	3.40	1.35	0	2.05	3. CLEARINGHOUSE	2.70	1.12	0	1.58
51. SECURE DETENT	3.36	1.43	0	1.93	7. DROPOUT ED	2.63	1.38	0	1.55
3. CLEARINGHOUSE	3.15	1.29	0	1.86	23. IN-SCHOOL SUSP	2.80	1.38	0	1.42
7. DROPOUT ED	2.70	1.01	0	1.69	44. NAT. ATTENT.	2.50	1.10	2	1.40
33. INCR FOSTER CAR	2.60	0.93	0	1.67	26. CRISIS INTERV.	2.60	1.22	0	1.38
44. NAT. ATTENT.	2.83	1.25	2	1.58	11. LEGAL EMANCE.	2.65	1.33	0	1.32
35. SCHL CNSLERS	2.88	1.31	0	1.57	52. RUNAWAY DETENT	2.52	1.37	0	1.15
38. COMM. BEDS	2.92	1.44	1	1.48	46. APD COUNSELORS	2.16	1.05	1	1.11
52. RUNAWAY DETENT	3.00	1.52	0	1.48	10. CENTRAL INTAKE	2.30	1.24	0	1.06
1. APD STAFF	3.00	1.55	0	1.45	6. SPECIFIC \$\$	2.00	0.95	0	1.05
18. OUTREACH	2.48	1.17	0	1.31	25. HOMEBASED	2.10	1.07	0	1.03
25. HOMEBASED	2.43	1.12	0	1.31	1. APD STAFF	2.10	1.09	0	1.01
32. FAM COUNSLING	2.50	1.20	0	1.30	32. FAM COUNSLING	2.05	1.04	0	1.01
46. APD COUNSELORS	2.70	1.43	0	1.27	35. SCHL CNSLERS	2.23	1.35	0	0.88
21. SAVE I & II	2.60	1.33	0	1.27	38. COMM. BEDS	2.26	1.38	1	0.88
10. CENTRAL INTAKE	2.60	1.42	0	1.18	2. \$\$ FOR MNTL HLTH	1.95	1.07	0	0.88

14. DROPIN CNTR	2.65	1.47	0	1.18	39. DFYS STAFF	1.74	0.91	1	0.83
34. SPEC. INST BED	2.40	1.33	0	1.07	14. DROPIN CNTR	2.03	1.23	1	0.80
2. \$\$ FOR MNTL HLTH	2.10	1.05	0	1.05	34. SPEC. INST BED	1.80	1.06	0	0.74
6. SPECIFIC \$\$	2.00	1.00	0	1.00	21. SAVE I & II	2.00	1.28	0	0.72
39. DFYS STAFF	2.47	1.57	1	0.90	51. SECURE DETENT	2.70	2.00	0	0.62

AFTERCARE

15. PAR SUPT GRPS	4.15	0.73	0	3.42
19. INTR PROTOCOL	4.15	1.09	0	3.06
17. YTH SUPT GRPS	3.43	1.03	0	2.40
23. IN-SCHOOL SUSP	3.55	1.36	0	2.19
31. ADVOCACY	3.30	1.15	0	2.15
29. INCR COORD	3.50	1.40	0	2.10
11. LEGAL EMANCE.	3.40	1.35	0	2.05
24. DRUG SERVICES	3.10	1.22	0	1.80
3. CLEARINGHOUSE	3.15	1.29	0	1.86
20. LEGAL STAT OFF	3.00	1.24	3	1.76
37. 18/19 TRANS	3.05	1.33	1	1.72
44. NAT. ATTENT.	2.83	1.25	2	1.50
28. INCR VOC OPP	2.40	0.96	0	1.44
25. HOMEBASED	2.43	1.12	0	1.31
41. INDEP LIVING	2.53	1.22	1	1.31
32. FAM COUNSLING	2.50	1.20	0	1.30
46. APD COUNSELORS	2.70	1.43	0	1.27
21. SAVE I & II	2.60	1.33	0	1.27
2. \$\$ FOR MNTL HLTH	2.10	1.05	0	1.05
6. SPECIFIC \$\$	2.00	1.00	0	1.00
30. GRP LIVING	2.30	1.30	0	1.00
27. FOLLOW-UP	2.20	1.52	0	0.68

AFTERCARE

19. INTR PROTOCOL	4.30	0.94	0	3.36
29. INCR COORD	4.15	1.01	0	3.14
17. YTH SUPT GRPS	3.80	0.94	0	2.86
15. PAR SUPT GRPS	3.90	1.16	0	2.74
20. LEGAL STAT OFF	3.12	1.08	3	2.04
37. 18/19 TRANS	3.00	0.90	1	2.02
31. ADVOCACY	2.85	1.16	0	1.69
3. CLEARINGHOUSE	2.70	1.12	0	1.58
23. IN-SCHOOL SUSP	2.80	1.38	0	1.42
44. NAT. ATTENT.	2.50	1.10	2	1.40
41. INDEP LIVING	2.45	1.12	1	1.33
24. DRUG SERVICES	2.25	0.93	0	1.32
11. LEGAL EMANCE.	2.65	1.33	0	1.32
28. INCR VOC OPP	2.30	1.13	0	1.17
46. APD COUNSELORS	2.16	1.05	1	1.11
6. SPECIFIC \$\$	2.00	0.95	0	1.05
25. HOMEBASED	2.10	1.07	0	1.03
32. FAM COUNSLING	2.05	1.04	0	1.01
27. FOLLOW-UP	2.05	1.12	0	0.93
2. \$\$ FOR MNTL HLTH	1.95	1.07	0	0.80
30. GRP LIVING	2.03	1.21	0	0.82
21. SAVE I & II	2.00	1.29	0	0.72

Recommendations	Potential Impact			
	AVERAGE	STANDARD DEVIATION	N/A	AVG. -S
PREVENTION				
25. HOMEBASED	4.38	0.75	0	3.63
21. SAVE I & II	4.37	0.76	1	3.61
28. INCR VOC OPP	4.05	0.98	0	3.17
9. PUB REL.	4.15	1.01	0	3.14
29. INCR COORD	3.90	1.04	0	2.86
13. PARENTING ED	3.70	1.00	0	2.70
32. FAM COUNSLING	3.40	0.74	0	2.66
15. PAR SUPT GRPS	3.50	0.85	0	2.65
2. \$\$ FOR MNTL HLTH	3.80	1.15	0	2.65
12. HELPERS-SCHOOLS	3.72	1.10	2	2.62
35. SCHL CNSLERS	3.78	1.25	0	2.53
44. NAT. ATTENT.	3.61	1.16	2	2.45
22. I & R	3.38	1.12	0	2.26
5. WORKING GRP	3.35	1.20	0	2.15
50. PRVT INDUSTRY	3.38	1.24	0	2.14
47. REPORT CARDS	3.22	1.22	2	2.00
31. ADVOCACY	3.15	1.16	0	1.99
8. NEEDS ASSESS.	2.65	1.10	0	1.55
36. PAR. RIGHTS ED	2.90	1.30	0	1.52
42. \$ TO ED PAR.	2.92	1.42	2	1.50

INTERVENTION

51. SECURE DETENT	4.52	0.49	0	4.03
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Recommendations	Severity			
	AVERAGE	STANDARD DEVIATION	N/A	AVG. -S
PREVENTION				
25. HOMEBASED	4.03	0.81	0	3.22
21. SAVE I & II	3.50	0.93	1	2.57
32. FAM COUNSLING	3.15	0.73	0	2.42
44. NAT. ATTENT.	3.44	1.16	2	2.28
28. INCR VOC OPP	3.38	1.10	0	2.29
29. INCR COORD	3.20	1.03	0	2.17
13. PARENTING ED	3.25	1.10	0	2.15
15. PAR SUPT GRPS	2.83	0.69	0	2.14
9. PUB REL.	3.18	1.05	0	2.13
35. SCHL CNSLERS	3.13	1.11	0	2.02
12. HELPERS-SCHOOLS	2.83	0.98	2	1.85
22. I & R	2.73	0.91	0	1.82
2. \$\$ FOR MNTL HLTH	3.10	1.32	0	1.78
31. ADVOCACY	2.60	0.91	0	1.69
5. WORKING GRP	2.60	0.96	0	1.64
47. REPORT CARDS	2.56	1.03	2	1.53
42. \$ TO ED PAR.	2.36	1.03	2	1.33
36. PAR. RIGHTS ED	2.45	1.13	0	1.32
50. PRVT INDUSTRY	2.63	1.33	0	1.30
8. NEEDS ASSESS.	1.95	0.86	0	1.09

INTERVENTION

26. CRISIS INTERV.	4.10	0.85	0	3.25
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23. IN-SCHOOL SUSP	4.50	0.84	0	3.66	25. HOMEBASED	4.03	0.81	0	3.22
25. HOMEBASED	4.38	0.75	0	3.63	23. IN-SCHOOL SUSP	3.93	0.99	0	2.94
21. SAVE I & II	4.37	0.76	1	3.61	51. SECURE DETENT	3.92	1.11	0	2.81
25. CRISIS INTERV.	4.33	0.74	0	3.59	39. DFYS STAFF	3.79	1.07	1	2.72
10. CENTRAL INTAKE	4.25	0.93	0	3.32	38. COMM. BEDS	3.74	1.03	1	2.71
7. DROPOUT ED	4.20	0.91	0	3.29	14. DROPIN CNTR	3.93	1.25	0	2.68
3. CLEARINGHOUSE	4.30	1.04	0	3.26	33. INCR FOSTER CAR	3.55	0.91	0	2.64
52. RUNAWAY DETENT	4.12	0.91	0	3.21	18. OUTREACH	3.50	0.87	1	2.63
19. INTR PROTOCOL	3.95	0.84	0	3.11	7. DROPOUT ED	3.55	0.97	0	2.58
14. DROPIN CNTR	4.08	1.15	0	2.93	10. Central Intake 39	3.50	0.92	0	2.58
39. DFYS STAFF	3.89	0.98	1	2.91	21. SAVE I & II	3.50	0.93	1	2.57
29. INCR COORD	3.90	1.04	0	2.86	52. RUNAWAY DETENT	3.64	1.11	0	2.53
6. SPECIFIC \$\$	3.90	1.09	0	2.91	40. CHANGE CODES	3.53	1.09	1	2.44
33. INCR FOSTER CAR	3.80	1.03	0	2.77	32. FAM COUNSLING	3.15	0.73	0	2.42
49. REPORT TO DFYS	3.80	1.03	0	2.77	34. SPEC. INST BED	3.35	0.96	0	2.39
38. COMM. BEDS	3.84	1.09	1	2.75	45. HOTLINE	3.40	1.04	0	2.36
18. OUTREACH	3.74	1.02	1	2.72	6. Specific \$ 3.60	3.50	1.16	0	2.34
45. HOTLINE	3.80	1.12	0	2.68	49. REPORT TO DFYS	3.39	1.09	1	2.30
32. FAM COUNSLING	3.40	0.74	0	2.66	44. NAT. ATTENT.	3.44	1.16	2	2.28
15. PAR SUPT GRPS	3.50	0.85	0	2.65	3. CLEARINGHOUSE	3.45	1.20	0	2.25
2. \$\$ FOR MNTL HLTH	3.80	1.15	0	2.65	19. INTR PROTOCOL	3.18	0.93	0	2.35
12. HELPERS-SCHOOLS	3.72	1.10	2	2.62	43. TRAIN FOSTER	2.94	0.75	2	2.19
40. CHANGE CODES	3.79	1.21	1	2.58	29. INCR COORD	3.20	1.03	0	2.17
1. APD STAFF	3.50	0.97	0	2.53	15. PAR SUPT GRPS	2.83	0.69	0	2.14
34. SPEC. INST BED	3.50	0.97	0	2.53	35. SCHL CNSLERS	3.13	1.11	0	2.02
35. SCHL CNSLERS	3.78	1.25	0	2.53	48. REPORT R/A'S	2.97	1.11	2	1.86
4. ASSESSMENT	3.70	1.18	0	2.52	12. HELPERS-SCHOOLS	2.83	0.98	2	1.85
44. NAT. ATTENT.	3.61	1.16	2	2.45	1. APD STAFF	3.05	1.21	0	1.84
43. TRAIN FOSTER	3.37	0.92	1	2.45	22. I & R	2.73	0.91	0	1.82
46. APD COUNSELORS	3.63	1.27	0	2.36	46. APD COUNSELORS	3.10	1.30	0	1.80
48. REPORT R/A'S	3.26	0.96	1	2.3	2. \$\$ FOR MNTL HLTH	3.10	1.32	0	1.78
22. I & R	3.38	1.12	0	2.26	31. ADVOCACY	2.60	0.91	0	1.69
31. ADVOCACY	3.15	1.16	0	1.99	4. ASSESSMENT	2.75	1.20	0	1.55
36. PAR. RIGHTS ED	2.90	1.38	0	1.52	11. LEGAL EMANCE.	2.42	0.99	1	1.43
11. LEGAL EMANCE.	2.75	1.28	0	1.47	36. PAR. RIGHTS ED	2.45	1.13	0	1.32

AFTERCARE

23. IN-SCHOOL SUSP	4.50	0.84	0	3.66	25. HOMEBASED	4.03	0.81	0	3.22
25. HOMEBASED	4.38	0.75	0	3.63	27. FOLLOW-UP	3.85	0.90	0	2.95
21. SAVE I & II	4.37	0.76	1	3.61	23. IN-SCHOOL SUSP	3.93	0.99	0	2.94
30. GRP LIVING	4.35	0.91	0	3.44	30. GRP LIVING	3.78	0.84	0	2.94
3. CLEARINGHOUSE	4.30	1.04	0	3.26	21. SAVE I & II	3.50	0.93	1	2.57
28. INCR VOC OPP	4.05	0.88	0	3.17	32. FAM COUNSLING	3.15	0.73	0	2.42
19. INTR PROTOCOL	3.95	0.84	0	3.11	24. DRUG SERVICES	3.61	1.20	1	2.41
27. FOLLOW-UP	3.95	0.95	0	2.80	41. INDEP LIVING	3.37	0.98	1	2.39
41. INDEP LIVING	3.34	0.97	1	2.87	17. YTH SUPT GRPS	3.08	0.73	0	2.35
24. DRUG SERVICES	3.65	0.98	0	2.87	6. SPECIFIC \$\$	3.50	1.16	0	2.34
29. INCR COORD	3.90	1.04	0	2.86	44. NAT. ATTENT.	3.44	1.16	2	2.28
6. SPECIFIC \$\$	3.90	1.09	0	2.81	28. INCR VOC OPP	3.38	1.10	0	2.28
17. YTH SUPT GRPS	3.60	0.91	0	2.69	2. CLEARINGHOUSE	3.45	1.20	0	2.25
32. FAM COUNSLING	3.40	0.74	0	2.66	19. INTR PROTOCOL	3.18	0.93	0	2.25
2. \$\$ FOR MNTL HLTH	3.80	1.15	0	2.65	29. INCR COORD	3.20	1.03	0	2.17
15. PAR SUPT GRPS	3.50	0.85	0	2.65	15. PAR SUPT GRPS	2.83	0.69	0	2.14
20. LEGAL STAT OFF	3.55	1.14	3	2.51	37. 18/19 TRANS	3.16	1.05	1	2.11
37. 18/19 TRANS	3.53	1.02	1	2.51	20. LEGAL STAT OFF	3.00	1.05	3	1.95
44. NAT. ATTENT.	3.61	1.16	2	2.45	46. APD COUNSELORS	3.10	1.30	0	1.80

46. APD COUNSELORS	3.63	1.27	0	2.36	2. \$\$ FOR MNTL HLTH	3.10	1.32	0	1.78
31. ADVOCACY	3.15	1.16	0	1.99	31. ADVOCACY	2.60	0.91	0	1.69
11. LEGAL EXANCE.	2.75	1.28	0	1.47	11. LEGAL EXANCE.	2.42	0.99	1	1.43

Recommendations	AVERAGE	Priority STANDARD DEVIATION	N/A	AVG. -S	Recommendations	Overall Average
PREVENTION					PREVENTION	
25. HOMEBASED	4.00	0.81	0	7 19	15. PAR SUPT GRPS	3.50
21. SAVE I & II	3.37	0.81	1	3.06	9. PUB REL.	3.47
28. INCR VOC OPP	3.45	0.86	0	2.59	22. I & R	3.47
29. INCR COORD	3.65	1.10	0	2.55	29. INCR COORD	3.44
9. PUB REL.	3.60	1.06	0	2.54	13. PARENTING ED	3.26
15. PAR SUPT GRPS	3.43	0.93	0	2.50	12. HELPERS-SCHOOLS	3.25
32. FAM COUNSLING	3.18	0.94	0	2.24	28. INCR VOC OPP	3.23
35. SCHL CNSLERS	3.40	1.22	0	2.18	21. SAVE I & II	3.22
44. NAT. ATTENT.	3.39	1.21	2	2.18	25. HOMEBASED	3.21
12. HELPERS-SCHOOLS	3.14	0.98	2	2.16	35. SCHL CNSLERS	3.14
22. I & R	3.00	1.03	0	1.97	31. ADVOCACY	3.04
13. PARENTING ED	3.13	1.19	0	1.94	36. PAR. RIGHTS ED	2.92
5. WORKING GRP	3.05	1.16	0	1.89	50. PRVT INDUSTRY	2.91
47. REPORT CARDS	2.75	1.04	2	1.71	32. FAM COUNSLING	2.86
31. ADVOCACY	2.70	1.01	0	1.69	44. NAT. ATTENT.	2.83
2. \$\$ FOR MNTL HLTH	2.85	1.19	0	1.66	47. REPORT CARDS	2.79
50. PRVT INDUSTRY	2.95	1.43	0	1.52	8. NEEDS ASSESS.	2.78
36. PAR. RIGHTS ED	2.58	1.24	0	1.34	5. WORKING GRP	2.75
8. NEEDS ASSESS.	2.10	1.02	0	1.08	42. \$ TO ED PAR.	2.61
42. \$ TO ED PAR.	2.39	1.34	2	1.05	2. \$\$ FOR MNTL HLTH	2.00

INTERVENTION					INTERVENTION	
25. HOMEBASED	4.00	0.81	0	3.19	45. HOTLINE	3.87
21. SAVE I & II	3.87	0.81	1	3.06	19. INTR PROTOCOL	3.78
25. CRISIS INTERV.	4.00	0.96	0	3.04	49. REPORT TO DFYS	3.70
14. DROPIN CNTR	4.00	1.05	0	3.03	51. SECURE DETENT	3.68
51. SECURE DETENT	3.92	1.03	0	2.89	23. IN-SCHOOL SUSP	3.68
19. INTR PROTOCOL	3.78	0.91	0	2.87	26. CRISIS INTERV.	3.63
23. IN-SCHOOL SUSP	3.88	1.07	0	2.81	15. PAR SUPT GRPS	3.50
49. REPORT TO DFYS	3.73	1.01	0	2.72	22. I & R	3.47
23. COMM. BEDS	3.87	1.20	1	2.67	29. INCR COORD	3.44
16. OUTREACH	3.47	0.82	1	2.65	40. CHANGE CODES	3.42
33. INCR FOSTER CAR	3.60	1.00	0	2.60	33. INCR FOSTER CAR	3.41
45. HOTLINE	3.73	1.14	0	2.59	52. RUNAWAY DETENT	3.39
7. DROPOUT ED	3.53	0.94	0	2.59	14. DROPIN CNTR	3.35
29. INCR COORD	3.65	1.10	0	2.55	48. REPORT R/A'S	3.33
15. PAR SUPT GRPS	3.43	0.93	0	2.50	10. CENTRAL INTAKE	3.28
29. DFYS STAFF	3.74	1.20	1	2.46	12. HELPERS-SCHOOLS	3.25
40. CHANGE CODES	3.58	1.18	1	2.40	43. TRAIN FOSTER	3.23
6. SPECIFIC \$\$	3.50	1.11	0	2.39	21. SAVE I & II	3.22
3. CLEARINGHOUSE	3.55	1.29	0	2.27	7. DROPOUT ED	3.22
52. RUNAWAY DETENT	3.68	1.42	0	2.26	25. HOMEBASED	3.21
32. FAM COUNSLING	3.18	0.94	0	2.24	35. SCHL CNSLERS	3.14
43. TRAIN FOSTER	3.24	1.03	1	2.21	34. SPEC. INST BED	3.05
35. SCHL CNSLERS	3.40	1.22	0	2.18	31. ADVOCACY	3.04
44. NAT. ATTENT.	3.39	1.21	2	2.18	38. COMM. BEDS	3.03
12. CENTRAL INTAKE	3.53	1.35	0	2.18	6. SPECIFIC \$\$	2.99
12. HELPERS-SCHOOLS	3.14	0.98	2	2.16	46. APD COUNSELORS	2.95
48. REPORT R/A'S	3.24	1.12	1	2.12	36. PAR. RIGHTS ED	2.92

34. SPEC. INST BED	3.30	1.19	0	2.11	18. OUTREACH	2.90
22. I & R	3.30	1.03	0	1.97	39. DFYS STAFF	2.88
46. APD COUNSELORS	3.30	1.38	0	1.92	32. FAM COUNSLING	2.86
1. APD STAFF	2.90	1.15	0	1.75	44. NAT. ATTENT.	2.83
4. ASSESSMENT	3.00	1.30	0	1.70	11. LEGAL EMANCE.	2.63
31. ADVOCACY	2.70	1.01	0	1.69	3. CLEARINGHOUSE	2.56
2. \$\$ FOR MNTL HLTH	2.85	1.19	0	1.66	4. ASSESSMENT	2.30
11. LEGAL EMANCE.	2.47	1.09	1	1.38	1. APD STAFF	2.12
36. PAR. RIGHTS ED	2.58	1.24	0	1.34	2. \$\$ FOR MNTL HLTH	2.00

AFTERCARE

25. HOMEBASED	4.00	0.81	0	3.19
30. SRP LIVING	4.20	0.89	0	3.11
21. SAVE I & II	3.87	0.81	1	3.06
27. FOLLOW-UP	3.95	0.93	0	3.02
19. INTR PROTOCOL	3.78	0.91	0	2.87
23. IN-SCHOOL SUSP	3.88	1.07	0	2.81
17. YTH SUPT GRPS	3.55	0.92	0	2.63
28. INCR VOC OPP	3.45	0.86	0	2.59
29. INCR COORD	3.65	1.10	0	2.55
15. PAR SUPT GRPS	3.43	0.93	0	2.5
24. DRUG SERVICES	3.58	1.09	1	2.49
41. INDEP LIVING	3.50	1.07	1	2.43
6. SPECIFIC \$\$	3.50	1.11	0	2.39
3. CLEARINGHOUSE	3.55	1.20	0	2.27
32. FAM COUNSLING	3.18	0.94	0	2.24
44. NAT. ATTENT.	3.39	1.21	2	2.18
20. LEGAL STAT OFF	3.06	1.06	3	2
46. APD COUNSELORS	3.30	1.38	0	1.92
37. 18/19 TRANS	3.00	1.19	1	1.81
31. ADVOCACY	2.70	1.01	0	1.69
2. \$\$ FOR MNTL HLTH	2.85	1.19	0	1.66
11. LEGAL EMANCE.	2.47	1.09	1	1.38

AFTERCARE

19. INTR PROTOCOL	3.78
23. IN-SCHOOL SUSP	3.68
15. PAR SUPT GRPS	3.50
24. DRUG SERVICES	3.45
29. INCR COORD	3.44
17. YTH SUPT GRPS	3.39
30. GRP LIVING	3.35
28. INCR VOC OPP	3.23
21. SAVE I & II	3.22
25. HOMEBASED	3.21
27. FOLLOW-UP	3.17
41. INDEP LIVING	3.14
31. ADVOCACY	3.04
6. SPECIFIC \$\$	2.99
46. APD COUNSELORS	2.95
20. LEGAL STAT OFF	2.87
37. 18/19 TRANS	2.87
32. FAM COUNSLING	2.86
44. NAT. ATTENT.	2.83
11. LEGAL EMANCE.	2.63
3. CLEARINGHOUSE	2.56
2. \$\$ FOR MNTL HLTH	2.00

3. Recommendations by Target Population by Dimension

Recommendations	Easy to Do				Recommendations	Cost			
	AVERAGE	STANDARD DEVIATION	N/A	AVG-S		AVERAGE	STANDARD DEVIATION	N/A	AVG-S
PRE-RUNAWAY					PRE-RUNAWAY				
5. WORKING GRP	4.50	0.80	0	3.70	5. WORKING GRP	4.55	0.80	0	3.75
22. I & R	4.18	0.77	0	3.41	29. INCR COORD	4.15	1.01	0	3.14
45. HOTLINE	4.15	1.15	0	3.00	12. HELPERS-SCHOOLS	3.94	1.02	3	2.92
47. REPORT CARDS	4.05	1.07	1	2.98	47. REPORT CARDS	3.84	1.06	1	2.78
13. PARENTING ED	3.85	1.14	0	2.71	22. I & R	3.45	0.84	0	2.61
9. PUB REL.	3.55	1.07	0	2.48	45. HOTLINE	3.65	1.06	0	2.59
12. HELPERS-SCHOOLS	3.56	1.09	2	2.47	13. PARENTING ED	3.35	0.85	0	2.50
23. IN-SCHOOL SUSP	3.55	1.36	0	2.19	9. PUB REL.	3.23	0.81	0	2.42
26. CRISIS INTERV.	3.38	1.21	0	2.17	8. NEEDS ASSESS.	3.32	0.97	1	2.35
31. ADVOCACY	3.30	1.15	0	2.15	50. PRVT INDUSTRY	3.16	0.98	1	2.18
29. INCR COORD	3.50	1.40	0	2.10	20. LEGAL STAT OFF	3.12	1.08	3	2.04
8. NEEDS ASSESS.	3.25	1.18	0	2.07	31. ADVOCACY	2.85	1.16	0	1.69
24. DRUG SERVICES	3.10	1.22	0	1.88	3. CLEARINGHOUSE	2.70	1.12	0	1.58
3. CLEARINGHOUSE	3.15	1.29	0	1.86	42. \$ TO ED PAR.	2.61	1.06	1	1.55
20. LEGAL STAT OFF	3.00	1.24	3	1.76	23. IN-SCHOOL SUSP	2.80	1.38	0	1.42
44. NAT. ATTENT.	2.83	1.25	2	1.58	44. NAT. ATTENT.	2.50	1.10	2	1.40
35. SCHL CNSLERS	2.88	1.31	0	1.57	26. CRISIS INTERV.	2.60	1.22	0	1.38
28. INCR VOC OPP	2.40	0.96	0	1.44	24. DRUG SERVICES	2.25	0.93	0	1.32
25. HOMEBASED	2.43	1.12	0	1.31	28. INCR VOC OPP	2.30	1.13	0	1.17
32. FAM COUNSLING	2.50	1.20	0	1.30	25. HOMEBASED	2.10	1.07	0	1.03
21. SAVE I & II	2.60	1.33	0	1.27	32. FAM COUNSLING	2.05	1.04	0	1.01
50. PRVT INDUSTRY	2.45	1.21	0	1.24	35. SCHL CNSLERS	2.23	1.35	0	2.33
42. \$ TO ED PAR.	1.97	1.16	1	0.81	21. SAVE I & II	2.00	1.28	0	2.72
FIRST TIME RUNAWAY					FIRST TIME RUNAWAY				
22. I & R	4.18	0.77	0	3.41	40. CHANGE CODES	4.42	1.01	1	3.41
19. INTR PROTOCOL	4.15	1.09	0	3.06	19. INTR PROTOCOL	4.30	0.94	0	3.36
43. TRAIN FOSTER	4.00	0.94	1	3.06	29. INCR COORD	4.15	1.01	0	3.14
45. HOTLINE	4.15	1.15	0	3.00	43. TRAIN FOSTER	4.00	0.87	2	3.13
49. REPORT TO DFYS	4.00	1.08	0	2.92	12. HELPERS-SCHOOLS	3.94	1.02	3	2.92
13. PARENTING ED	3.85	1.14	0	2.71	49. REPORT TO DFYS	3.95	1.13	0	2.92
9. PUB REL.	3.55	1.07	0	2.48	40. REPORT R/A'S	4.00	1.24	2	2.76
12. HELPERS-SCHOOLS	3.56	1.09	2	2.47	22. I & R	3.45	0.84	0	2.61
48. REPORT R/A'S	3.74	1.36	1	2.38	45. HOTLINE	3.65	1.06	0	2.59
23. IN-SCHOOL SUSP	3.55	1.36	0	2.19	13. PARENTING ED	3.35	0.85	0	2.50
26. CRISIS INTERV.	3.38	1.21	0	2.17	9. PUB REL.	3.23	0.81	0	2.42
31. ADVOCACY	3.30	1.15	0	2.15	33. INCR FOSTER CAR	3.15	1.11	0	2.04
29. INCR COORD	3.50	1.40	0	2.10	4. ASSESSMENT	2.70	0.91	0	1.79
4. ASSESSMENT	3.20	1.11	0	2.09	31. ADVOCACY	2.85	1.16	0	1.69
40. CHANGE CODES	3.42	1.35	1	2.07	3. CLEARINGHOUSE	2.70	1.12	0	1.58
24. DRUG SERVICES	3.10	1.22	0	1.88	23. IN-SCHOOL SUSP	2.30	1.38	0	1.42
3. CLEARINGHOUSE	3.15	1.29	0	1.86	44. NAT. ATTENT.	2.50	1.10	2	1.40
33. INCR FOSTER CAR	2.60	0.93	0	1.67	26. CRISIS INTERV.	2.60	1.22	0	1.38
44. NAT. ATTENT.	2.83	1.25	2	1.58	24. DRUG SERVICES	2.25	0.93	0	1.32
35. SCHL CNSLERS	2.88	1.31	0	1.57	28. INCR VOC OPP	2.30	1.13	0	1.17
52. RUNAWAY DETENT	3.00	1.52	0	1.48	52. RUNAWAY DETENT	2.52	1.37	0	1.15
38. COMM. BEDS	2.92	1.44	1	1.48	46. APD COUNSELORS	2.16	1.05	1	1.11
1. APD STAFF	3.00	1.55	0	1.45	10. CENTRAL INTAKE	2.30	1.24	0	1.06
29. INCR VOC OPP	2.40	0.96	0	1.44	5. SPECIFIC \$\$	2.00	0.95	0	1.05
25. HOMEBASED	2.43	1.12	0	1.31	25. HOMEBASED	2.10	1.07	0	1.03
32. FAM COUNSLING	2.50	1.20	0	1.30	1. APD STAFF	2.10	1.09	0	1.01
46. APD COUNSELORS	2.70	1.43	0	1.27	32. FAM COUNSLING	2.05	1.04	0	1.01
21. SAVE I & II	2.60	1.33	0	1.27	27. FOLLOW-UP	2.05	1.12	0	2.33

10. CENTRAL INTAKE	2.60	1.42	0	1.18
2. \$\$ FOR MNTL HLTH	2.10	1.05	0	1.05
6. SPECIFIC \$\$	2.00	1.00	0	1.00
39. DFYS STAFF	2.47	1.57	1	0.90
27. FOLLOW-UP	2.20	1.52	0	0.68

38. COMM. BEDS	2.26	1.38	1	2.88
35. SCHL CNSLERS	2.23	1.35	0	3.38
2. \$\$ FOR MNTL HLTH	1.95	1.07	0	0.88
39. DFYS STAFF	1.74	0.91	1	0.83
21. SAVE I & II	2.00	1.28	0	0.72

CHRONIC RUNAWAY

22. I & R	4.18	0.77	0	3.41
19. INTR PROTOCOL	4.15	1.09	0	3.06
45. HOTLINE	4.15	1.15	0	3.00
49. REPORT TO DFYS	4.00	1.08	0	2.92
9. PUB REL.	3.55	1.07	0	2.48
17. YTH SUPT GRPS	3.43	1.03	0	2.40
48. REPORT R/A'S	3.74	1.36	1	2.38
23. IN-SCHOOL SUSP	3.55	1.36	0	2.19
31. ADVOCACY	3.30	1.15	0	2.15
29. INCR COORD	3.59	1.40	0	2.10
4. ASSESSMENT	3.20	1.11	0	2.09
40. CHANGE CODES	3.42	1.35	1	2.07
11. LEGAL EMANCE.	3.40	1.35	0	2.05
51. SECURE DETENT	3.36	1.43	0	1.93
24. DRUG SERVICES	3.10	1.22	0	1.88
3. CLEARINGHOUSE	3.15	1.29	0	1.86
37. 18/19 TRANS	3.05	1.33	1	1.72
7. DROPOUT ED	2.78	1.01	0	1.69
44. NAT. ATTENT.	2.83	1.25	2	1.58
52. RUNAWAY DETENT	3.00	1.52	0	1.48
28. INCR VOC OPP	2.40	0.96	0	1.44
18. OUTREACH	2.48	1.17	0	1.31
25. HOMEBASED	2.43	1.12	0	1.31
41. INDEP LIVING	2.53	1.22	1	1.31
21. SAVE I & II	2.60	1.33	0	1.27
10. CENTRAL INTAKE	2.58	1.42	0	1.18
14. DROPIN CNTR	2.65	1.47	0	1.18
34. SPEC. INST BED	2.40	1.33	0	1.07
2. \$\$ FOR MNTL HLTH	2.10	1.05	0	1.05
6. SPECIFIC \$\$	2.00	1.00	0	1.00
30. GRP LIVING	2.30	1.30	0	1.00
39. DFYS STAFF	2.47	1.57	1	0.90
27. FOLLOW-UP	2.20	1.52	0	0.68

CHRONIC RUNAWAY

40. CHANGE CODES	4.42	1.01	1	3.41
19. INTR PROTOCOL	4.30	0.94	0	3.36
29. INCR COORD	4.15	1.01	0	3.14
17. YTH SUPT GRPS	3.80	0.94	0	2.86
49. REPORT TO DFYS	3.95	1.13	0	2.82
48. REPORT R/A'S	4.00	1.24	2	2.76
22. I & R	3.45	0.84	0	2.61
45. HOTLINE	3.65	1.06	0	2.59
9. PUB REL.	3.23	0.81	0	2.42
37. 18/19 TRANS	3.00	0.98	1	2.32
18. OUTREACH	2.92	1.01	1	1.91
4. ASSESSMENT	2.70	0.91	0	1.79
31. ADVOCACY	2.85	1.16	0	1.69
3. CLEARINGHOUSE	2.70	1.12	0	1.58
7. DROPOUT ED	2.63	1.08	0	1.55
23. IN-SCHOOL SUSP	2.80	1.38	0	1.42
44. NAT. ATTENT.	2.50	1.10	2	1.40
41. INDEP LIVING	2.45	1.12	1	1.33
24. DRUG SERVICES	2.25	0.93	0	1.32
11. LEGAL EMANCE.	2.65	1.33	0	1.32
28. INCR VOC OPP	2.30	1.13	0	1.17
52. RUNAWAY DETENT	2.52	1.37	0	1.15
10. CENTRAL INTAKE	2.30	1.24	0	1.06
6. SPECIFIC \$\$	2.00	0.95	0	1.05
25. HOMEBASED	2.10	1.07	0	1.03
27. FOLLOW-UP	2.05	1.12	0	0.93
2. \$\$ FOR MNTL HLTH	1.95	1.07	0	0.88
39. DFYS STAFF	1.74	0.91	1	0.83
30. GRP LIVING	2.03	1.21	0	0.82
14. DROPIN CNTR	2.03	1.23	1	0.80
34. SPEC. INST BED	1.80	1.06	0	0.74
21. SAVE I & II	2.00	1.28	0	0.72
51. SECURE DETENT	2.70	2.08	0	2.62

POST RUNAWAY AND THEIR FAMILIES

9. PUB REL.	3.55	1.07	0	2.48
29. INCR COORD	3.50	1.40	0	2.10
24. DRUG SERVICES	3.10	1.22	0	1.88
44. NAT. ATTENT.	2.83	1.25	2	1.58
28. INCR VOC OPP	2.40	0.96	0	1.44
6. SPECIFIC \$\$	2.00	1.00	0	1.00

POST RUNAWAY AND THEIR FAMILIES

29. INCR COORD	4.15	1.01	0	3.14
9. PUB REL.	3.23	0.81	0	2.42
44. NAT. ATTENT.	2.50	1.10	2	1.40
24. DRUG SERVICES	2.25	0.93	0	1.32
28. INCR VOC OPP	2.30	1.13	0	1.17
6. SPECIFIC \$\$	2.00	0.95	0	1.05

CASTAWAY

45. HOTLINE	4.15	1.15	0	3.00
9. PUB REL.	3.55	1.07	0	2.48
17. YTH SUPT GRPS	3.43	1.03	0	2.40
31. ADVOCACY	3.30	1.15	0	2.15
29. INCR COORD	3.50	1.40	0	2.10
40. CHANGE CODES	3.42	1.35	1	2.07

CASTAWAY

40. CHANGE CODES	4.42	1.01	1	3.41
29. INCR COORD	4.15	1.01	0	3.14
17. YTH SUPT GRPS	3.80	0.94	0	2.86
45. HOTLINE	3.65	1.06	0	2.59
9. PUB REL.	3.23	0.81	0	2.42
37. 18/19 TRANS	3.00	0.98	1	2.32

11. LEGAL EMANCE.	3.40	1.35	0	2.05	18. OUTREACH	2.92	1.01	1	1.91
51. SECURE DETENT	3.36	1.43	0	1.93	31. ADVOCACY	2.85	1.16	0	1.69
24. DRUG SERVICES	3.10	1.22	0	1.88	3. CLEARINGHOUSE	2.70	1.12	0	1.58
3. CLEARINGHOUSE	3.15	1.29	0	1.86	7. DROPOUT ED	2.63	1.08	0	1.55
37. 18/19 TRANS	3.05	1.33	1	1.72	44. NAT. ATTENT.	2.58	1.12	2	1.40
7. DROPOUT ED	2.70	1.01	0	1.69	41. INDEP LIVING	2.45	1.12	1	1.33
44. NAT. ATTENT.	2.83	1.25	2	1.58	24. DRUG SERVICES	2.25	0.93	0	1.32
28. INCR VOC OPP	2.40	0.96	0	1.44	11. LEGAL EMANCE.	2.65	1.33	0	1.32
18. OUTREACH	2.48	1.17	0	1.31	28. INCR VOC OPP	2.30	1.13	0	1.17
41. INDEP LIVING	2.53	1.22	1	1.31	10. CENTRAL INTAKE	2.30	1.24	0	1.06
10. CENTRAL INTAKE	2.60	1.42	0	1.18	6. SPECIFIC \$\$	2.20	0.95	0	1.25
14. DROPIN CNTR	2.65	1.47	0	1.18	30. GRP LIVING	2.03	1.21	0	0.82
34. SPEC. INST BED	2.40	1.33	0	1.07	14. DROPIN CNTR	2.03	1.23	1	3.30
6. SPECIFIC \$\$	2.00	1.00	0	1.00	34. SPEC. INST BED	1.80	1.06	0	2.74
30. GRP LIVING	2.30	1.30	0	1.00	51. SECURE DETENT	2.70	2.28	0	0.62

PARENTS

15. PAR SUPT GRPS	4.15	0.73	0	3.42
36. PAR. RIGHTS ED	4.20	0.92	0	3.28
19. INTR PROTOCOL	4.15	1.09	0	3.06
9. PUB REL.	3.55	1.07	0	2.48
29. INCR COORD	3.50	1.40	0	2.1
24. DRUG SERVICES	3.10	1.22	0	1.88
3. CLEARINGHOUSE	3.15	1.29	0	1.86
20. LEGAL STAT OFF	3.00	1.24	3	1.76
44. NAT. ATTENT.	2.83	1.25	2	1.58
38. COMM. BEDS	2.92	1.44	1	1.48
46. APD COUNSELORS	2.70	1.43	0	1.27
10. CENTRAL INTAKE	2.60	1.42	0	1.18
2. \$\$ FOR MNTL HLTH	2.10	1.05	0	1.05
39. DFYS STAFF	2.47	1.57	1	0.9
42. \$ TO ED PAR.	1.97	1.16	1	0.81

PARENTS

19. INTR PROTOCOL	4.30	0.94	0	3.36
29. INCR COORD	4.15	1.01	0	3.14
36. PAR. RIGHTS ED	3.85	0.93	0	2.92
15. PAR SUPT GRPS	3.90	1.16	0	2.74
9. PUB REL.	3.23	0.81	0	2.42
20. LEGAL STAT OFF	3.12	1.08	3	2.34
3. CLEARINGHOUSE	2.70	1.12	0	1.58
42. \$ TO ED PAR.	2.61	1.06	1	1.55
44. NAT. ATTENT.	2.58	1.10	2	1.40
24. DRUG SERVICES	2.25	0.93	0	1.32
46. APD COUNSELORS	2.16	1.25	1	1.11
10. CENTRAL INTAKE	2.30	1.24	0	1.26
38. COMM. BEDS	2.26	1.38	1	0.28
2. \$\$ FOR MNTL HLTH	1.95	1.07	0	0.96
39. DFYS STAFF	1.74	0.91	1	0.83

Recommendations

Potential Impact
AVERAGE STANDARD N/A AVG-S
DEVIATION

PRE-RUNAWAY				
23. IN-SCHOOL SUSP	4.50	0.84	0	3.66
25. HOMEBASED	4.38	0.75	0	3.63
21. SAVE I & II	4.37	0.76	1	3.61
26. CRISIS INTERV.	4.33	0.74	0	3.59
3. CLEARINGHOUSE	4.30	1.04	0	3.26
28. INCR VOC OPP	4.05	0.88	0	3.17
9. PUB REL.	4.15	1.01	0	3.14
24. DRUG SERVICES	3.85	0.98	0	2.87
29. INCR COORD	3.90	1.04	0	2.86
13. PARENTING ED	3.70	1.00	0	2.70
45. HOTLINE	3.80	1.12	0	2.68
32. FAM COUNSLING	3.40	0.74	0	2.66
12. HELPERS-SCHOOLS	3.72	1.10	2	2.62
35. SCHL CNSLERS	.78	1.25	0	2.53
20. LEGAL STAT OFF	3.65	1.14	3	2.51
44. NAT. ATTENT.	3.61	1.16	2	2.45
22. I & R	3.38	1.12	0	2.26
5. WORKING GRP	3.35	1.20	0	2.15
50. PRVT INDUSTRY	3.38	1.24	0	2.14

Recommendations

Severity
AVERAGE STANDARD N/A AVG-S
DEVIATION

PRE-RUNAWAY				
26. CRISIS INTERV.	4.10	0.85	0	3.25
25. HOMEBASED	4.03	0.81	0	3.22
23. IN-SCHOOL SUSP	3.93	0.99	0	2.94
21. SAVE I & II	3.50	0.93	1	2.57
32. FAM COUNSLING	3.15	0.73	0	2.42
24. DRUG SERVICES	3.61	1.20	1	2.41
45. HOTLINE	3.40	1.04	0	2.36
44. NAT. ATTENT.	3.44	1.16	2	2.28
28. INCR VOC OPP	3.38	1.10	0	2.28
3. CLEARINGHOUSE	3.45	1.20	0	2.25
29. INCR COORD	3.23	1.03	0	2.17
13. PARENTING ED	3.25	1.10	0	2.15
9. PUB REL.	3.18	1.25	0	2.13
35. SCHL CNSLERS	3.13	1.11	0	2.02
20. LEGAL STAT OFF	3.00	1.05	3	1.95
12. HELPERS-SCHOOLS	2.83	0.98	2	1.62
22. I & R	2.73	0.91	0	1.82
31. ADVOCACY	2.60	0.91	0	1.69
5. WORKING GRP	2.50	0.96	0	1.54

47. REPORT CARDS	3.22	1.22	2	2.00
31. ADVOCACY	3.15	1.16	0	1.99
8. NEEDS ASSESS.	2.65	1.10	0	1.55
42. \$ TO ED PAR.	2.92	1.42	2	1.50

47. REPORT CARDS	2.56	1.03	2	1.53
42. \$ TO ED PAR.	2.36	1.03	2	1.33
50. PRVT INDUSTRY	2.63	1.33	0	1.30
8. NEEDS ASSESS.	1.95	0.86	0	1.09

FIRST TIME RUNAWAY

23. IN-SCHOOL SUSP	4.50	0.84	0	3.66
25. HOMEBASED	4.38	0.75	0	3.63
21. SAVE I & II	4.37	0.76	1	3.61
26. CRISIS INTERV.	4.33	0.74	0	3.59
10. CENTRAL INTAKE	4.25	0.93	0	3.32
3. CLEARINGHOUSE	4.30	1.04	0	3.26
52. RUNAWAY DETENT	4.12	0.91	0	3.21
28. INCR VOC OPP	4.05	0.88	0	3.17
9. PUB REL.	4.15	1.01	0	3.14
19. INTR PROTOCOL	3.95	0.84	0	3.11
27. FOLLOW-UP	3.95	0.95	0	3.00
39. DFYS STAFF	3.89	0.98	1	2.91
24. DRUG SERVICES	3.85	0.98	0	2.87
29. INCR COORD	3.90	1.04	0	2.86
6. SPECIFIC \$\$	3.98	1.09	0	2.81
49. REPORT TO DFYS	3.88	1.03	0	2.77
33. INCR FOSTER CAR	3.88	1.03	0	2.77
38. COMM. BEDS	3.84	1.09	1	2.75
13. PARENTING ED	3.78	1.00	0	2.70
45. HOTLINE	3.80	1.12	0	2.68
32. FAM COUNSLING	3.40	0.74	0	2.66
2. \$\$ FOR MNTL HLTH	3.80	1.15	0	2.65
12. HELPERS-SCHOOLS	3.72	1.10	2	2.62
40. CHANGE CODES	3.79	1.21	1	2.58
1. APD STAFF	3.58	0.97	0	2.53
35. SCHL CNSLERS	3.78	1.25	0	2.53
4. ASSESSMENT	3.70	1.18	0	2.52
44. NAT. ATTENT.	3.61	1.16	2	2.45
43. TRAIN FOSTER	3.37	0.92	1	2.45
46. APD COUNSELORS	3.63	1.27	0	2.36
48. REPORT R/A'S	3.26	0.96	1	2.30
22. I & R	3.38	1.12	0	2.26
31. ADVOCACY	3.15	1.16	0	1.99

FIRST TIME RUNAWAY

26. CRISIS INTERV.	4.18	0.85	0	3.25
25. HOMEBASED	4.03	0.81	0	3.22
27. FOLLOW-UP	3.85	0.98	0	2.95
23. IN-SCHOOL SUSP	3.93	0.99	0	2.94
39. DFYS STAFF	3.79	1.07	1	2.72
38. COMM. BEDS	3.74	1.03	1	2.71
33. INCR FOSTER CAR	3.55	0.91	0	2.64
10. CENTRAL INTAKE	3.50	0.92	0	2.58
21. SAVE I & II	3.50	0.93	1	2.57
52. RUNAWAY DETENT	3.64	1.11	0	2.53
40. CHANGE CODES	3.53	1.09	1	2.44
32. FAM COUNSLING	3.15	0.73	0	2.42
24. DRUG SERVICES	3.61	1.20	1	2.41
45. HOTLINE	3.40	1.04	0	2.36
6. SPECIFIC \$\$	3.50	1.16	0	2.34
49. REPORT TO DFYS	3.39	1.09	1	2.30
44. NAT. ATTENT.	3.44	1.16	2	2.28
28. INCR VOC OPP	3.38	1.10	0	2.28
3. CLEARINGHOUSE	3.45	1.20	0	2.25
19. INTR PROTOCOL	3.18	0.93	0	2.25
43. TRAIN FOSTER	2.94	0.75	2	2.19
29. INCR COORD	3.20	1.03	0	2.17
13. PARENTING ED	3.25	1.10	0	2.15
9. PUB REL.	3.18	1.05	0	2.13
35. SCHL CNSLERS	3.13	1.11	0	2.02
48. REPORT R/A'S	2.97	1.11	2	1.86
12. HELPERS-SCHOOLS	2.83	0.98	2	1.85
1. APD STAFF	3.05	1.21	0	1.84
22. I & R	2.73	0.91	0	1.82
46. APD COUNSELORS	3.10	1.30	0	1.80
2. \$\$ FOR MNTL HLTH	3.10	1.32	0	1.78
31. ADVOCACY	2.60	0.91	0	1.69
4. ASSESSMENT	2.75	1.20	0	1.55

CHRONIC RUNAWAY

51. SECURE DETENT	4.52	0.49	0	4.03
23. IN-SCHOOL SUSP	4.50	0.84	0	3.66
25. HOMEBASED	4.38	0.75	0	3.63
21. SAVE I & II	4.37	0.76	1	3.61
30. GRP LIVING	4.35	0.91	0	3.44
10. CENTRAL INTAKE	4.25	0.93	0	3.32
7. DROPOUT ED	4.20	0.91	0	3.29
3. CLEARINGHOUSE	4.30	1.04	0	3.26
52. RUNAWAY DETENT	4.12	0.91	0	3.21
28. INCR VOC OPP	4.05	0.88	0	3.17
9. PUB REL.	4.15	1.01	0	3.14
19. INTR PROTOCOL	3.95	0.84	0	3.11
27. FOLLOW-UP	3.95	0.95	0	3.00
14. DROPIN CNTR	4.08	1.15	0	2.93
39. DFYS STAFF	3.89	0.98	1	2.91

CHRONIC RUNAWAY

25. HOMEBASED	4.03	0.81	0	3.22
27. FOLLOW-UP	3.85	0.98	0	2.95
23. IN-SCHOOL SUSP	3.93	0.99	0	2.94
30. GRP LIVING	3.78	0.84	0	2.94
51. SECURE DETENT	3.92	1.11	0	2.81
39. DFYS STAFF	3.79	1.07	1	2.72
14. DROPIN CNTR	3.93	1.25	0	2.58
18. OUTREACH	3.50	0.87	1	2.53
10. CENTRAL INTAKE	3.50	0.92	0	2.58
7. DROPOUT ED	3.55	0.97	0	2.58
21. SAVE I & II	3.50	0.93	1	2.57
52. RUNAWAY DETENT	3.64	1.11	0	2.53
40. CHANGE CODES	3.53	1.09	1	2.44
24. DRUG SERVICES	3.61	1.20	1	2.41
41. INDEP LIVING	3.37	0.98	1	2.39

24. DRUG SERVICES	3.85	0.98	0	2.87	34. SPEC. INST BED	3.35	0.96	0	2.39
41. INDEP LIVING	3.84	0.97	1	2.87	45. HOTLINE	3.40	1.04	0	2.36
29. INCR COORD	3.90	1.04	0	2.86	17. YTH SUPT GRPS	3.08	0.73	0	2.35
6. SPECIFIC \$\$	3.90	1.09	0	2.81	6. SPECIFIC \$\$	3.50	1.16	0	2.34
49. REPORT TO DFYS	3.80	1.03	0	2.77	49. REPORT TO DFYS	3.39	1.09	1	2.30
18. OUTREACH	3.74	1.02	1	2.72	44. NAT. ATTENT.	3.44	1.16	2	2.29
17. YTH SUPT GRPS	3.60	0.91	0	2.69	28. INCR VOC OPP	3.38	1.10	0	2.29
45. HOTLINE	3.80	1.12	0	2.68	3. CLEARINGHOUSE	3.45	1.20	0	2.25
2. \$\$ FOR MNTL HLTH	3.80	1.15	0	2.65	19. INTR PROTOCOL	3.18	0.93	0	2.25
40. CHANGE CODES	3.79	1.21	1	2.58	29. INCR COORD	3.20	1.03	0	2.17
34. SPEC. INST BED	3.50	0.97	0	2.53	9. PUB REL.	3.18	1.05	0	2.13
4. ASSESSMENT	3.70	1.18	0	2.52	37. 18/19 TRANS	3.16	1.05	1	2.11
37. 18/19 TRANS	3.53	1.02	1	2.51	48. REPORT R/A'S	2.97	1.11	2	1.86
44. NAT. ATTENT.	3.61	1.16	2	2.45	22. I & R	2.73	0.91	0	1.82
48. REPORT R/A'S	3.26	0.96	1	2.30	2. \$\$ FOR MNTL HLTH	3.10	1.32	0	1.76
22. I & R	3.38	1.12	0	2.26	31. ADVOCACY	2.60	0.91	0	1.69
31. ADVOCACY	3.15	1.16	0	1.99	4. ASSESSMENT	2.75	1.20	0	1.55
11. LEGAL EMANCE.	2.75	1.28	0	1.47	11. LEGAL EMANCE.	2.42	0.99	1	1.43

POST RUNAWAY AND THEIR FAMILIES

28. INCR VOC OPP	4.05	0.88	0	3.17
9. PUB REL.	4.15	1.01	0	3.14
24. DRUG SERVICES	3.85	0.98	0	2.87
29. INCR COORD	3.90	1.04	0	2.86
6. SPECIFIC \$\$	3.90	1.09	0	2.81
44. NAT. ATTENT.	3.61	1.16	2	2.45

POST RUNAWAY AND THEIR FAMILIES

24. DRUG SERVICES	3.61	1.20	1	2.41
6. SPECIFIC \$\$	3.50	1.16	0	2.34
44. NAT. ATTENT.	3.44	1.16	2	2.29
28. INCR VOC OPP	3.38	1.10	0	2.29
29. INCR COORD	3.20	1.03	0	2.17
9. PUB REL.	3.18	1.05	0	2.13

CASTAWAY

51. SECURE DETENT	4.52	0.49	0	4.03
30. GRP LIVING	4.35	0.91	0	3.44
10. CENTRAL INTAKE	4.25	0.93	0	3.32
7. DROPOUT ED	4.20	0.91	0	3.29
3. CLEARINGHOUSE	4.30	1.04	0	3.26
28. INCR VOC OPP	4.05	0.88	0	3.17
9. PUB REL.	4.15	1.01	0	3.14
14. DROPIN CNTR	4.08	1.15	0	2.93
24. DRUG SERVICES	3.85	0.98	0	2.87
41. INDEP LIVING	3.84	0.97	1	2.87
29. INCR COORD	3.90	1.04	0	2.86
6. SPECIFIC \$\$	3.90	1.09	0	2.81
18. OUTREACH	3.74	1.02	1	2.72
17. YTH SUPT GRPS	3.60	0.91	0	2.69
45. HOTLINE	3.80	1.12	0	2.68
40. CHANGE CODES	3.79	1.21	1	2.58
34. SPEC. INST BED	3.50	0.97	0	2.53
37. 18/19 TRANS	3.53	1.02	1	2.51
44. NAT. ATTENT.	3.61	1.16	2	2.45
31. ADVOCACY	3.15	1.16	0	1.99
11. LEGAL EMANCE.	2.75	1.28	0	1.47

CASTAWAY

30. GRP LIVING	3.78	0.84	0	2.94
51. SECURE DETENT	3.92	1.11	0	2.81
14. DROPIN CNTR	3.93	1.25	0	2.68
18. OUTREACH	3.50	0.87	1	2.63
10. CENTRAL INTAKE	3.50	0.92	0	2.58
7. DROPOUT ED	3.55	0.97	0	2.53
40. CHANGE CODES	3.53	1.09	1	2.44
24. DRUG SERVICES	3.61	1.20	1	2.41
34. SPEC. INST BED	3.35	0.96	0	2.39
41. INDEP LIVING	3.37	0.98	1	2.39
45. HOTLINE	3.40	1.04	0	2.36
17. YTH SUPT GRPS	3.08	0.73	0	2.35
6. SPECIFIC \$\$	3.50	1.16	0	2.34
44. NAT. ATTENT.	3.44	1.16	2	2.29
28. INCR VOC OPP	3.38	1.10	0	2.29
3. CLEARINGHOUSE	3.45	1.20	0	2.25
29. INCR COORD	3.20	1.03	0	2.17
9. PUB REL.	3.18	1.05	0	2.13
37. 18/19 TRANS	3.16	1.05	1	2.11
31. ADVOCACY	2.60	0.91	0	1.69
11. LEGAL EMANCE.	2.42	0.99	1	1.43

PARENTS

10. CENTRAL INTAKE	4.25	0.93	0	3.32
3. CLEARINGHOUSE	4.30	1.04	0	3.26
9. PUB REL.	4.15	1.01	0	3.14
19. INTR PROTOCOL	3.95	0.84	0	3.11

PARENTS

39. DFYS STAFF	3.79	1.07	1	2.72
38. COMM. BEDS	3.74	1.03	1	2.71
10. CENTRAL INTAKE	3.50	0.92	0	2.58
24. DRUG SERVICES	3.61	1.20	1	2.41

39. DFYS STAFF	3.89	0.98	1	2.91	44. NAT. ATTENT.	3.44	1.16	2	2.28
24. DRUG SERVICES	3.85	0.98	0	2.87	3. CLEARINGHOUSE	3.45	1.20	0	2.25
29. INCR COORD	3.90	1.04	0	2.86	19. INTR PROTOCOL	3.18	0.93	0	2.25
38. COMM. BEDS	3.84	1.09	1	2.75	29. INCR COORD	3.20	1.03	0	2.17
2. \$\$ FOR MNTL HLTH	3.80	1.15	0	2.65	15. PAR SUPT GRPS	2.83	0.69	0	2.14
15. PAR SUPT GRPS	3.50	0.85	0	2.65	9. PUB REL.	3.18	1.05	0	2.13
20. LEGAL STAT OFF	3.65	1.14	3	2.51	20. LEGAL STAT OFF	3.00	1.05	3	1.95
44. NAT. ATTENT.	3.61	1.16	2	2.45	46. APD COUNSELORS	3.10	1.30	0	1.8
46. APD COUNSELORS	3.63	1.27	0	2.36	2. \$\$ FOR MNTL HLTH	3.10	1.32	0	1.78
36. PAR. RIGHTS ED	2.90	1.38	0	1.52	42. \$ TO ED PAR.	2.36	1.03	2	1.33
42. \$ TO ED PAR.	2.92	1.42	2	1.50	36. PAR. RIGHTS ED	2.45	1.13	0	1.32

Recommendations	AVERAGE	Priority STANDARD	N/A	AVG-S	Recommendations	Overall Average
PRE-RUNAWAY		DEVIATION			PRE-RUNAWAY	
25. HOMEBASED	4.00	0.81	0	3.19	45. HOTLINE	3.87
21. SAVE I & II	3.87	0.81	1	3.06	23. IN-SCHOOL SUSP	3.68
26. CRISIS INTERV.	4.00	0.96	0	3.04	26. CRISIS INTERV.	3.63
23. IN-SCHOOL SUSP	3.88	1.07	0	2.81	9. PUB REL.	3.47
45. HOTLINE	3.73	1.14	0	2.59	22. I & R	3.47
28. INCR VOC OPP	3.45	0.86	0	2.59	24. DRUG SERVICES	3.45
29. INCR COORD	3.65	1.10	0	2.55	29. INCR COORD	3.44
9. PUB REL.	3.60	1.06	0	2.54	13. PARENTING ED	3.26
24. DRUG SERVICES	3.58	1.09	1	2.49	12. HELPERS-SCHOOLS	3.25
3. CLEARINGHOUSE	3.55	1.28	0	2.27	28. INCR VOC OPP	3.23
32. FAM COUNSLING	3.18	0.94	0	2.24	21. SAVE I & II	3.22
44. NAT. ATTENT.	3.39	1.21	2	2.18	25. HOMEBASED	3.21
35. SCHL CNSLERS	3.40	1.22	0	2.18	35. SCHL CNSLERS	3.14
12. HELPERS-SCHOOLS	3.14	0.98	2	2.16	31. ADVOCACY	3.04
20. LEGAL STAT OFF	3.06	1.06	3	2.00	50. PRVT INDUSTRY	2.91
22. I & R	3.00	1.03	0	1.97	20. LEGAL STAT OFF	2.97
13. PARENTING ED	3.13	1.19	0	1.94	32. FAM COUNSLING	2.86
5. WORKING GRP	3.05	1.16	0	1.89	44. NAT. ATTENT.	2.83
47. REPORT CARDS	2.75	1.04	2	1.71	47. REPORT CARDS	2.79
31. ADVOCACY	2.70	1.01	0	1.69	8. NEEDS ASSESS.	2.78
50. PRVT INDUSTRY	2.95	1.43	0	1.52	5. WORKING GRP	2.75
8. NEEDS ASSESS.	2.10	1.02	0	1.08	42. \$ TO ED PAR.	2.61
42. \$ TO ED PAR.	2.39	1.34	2	1.05	3. CLEARINGHOUSE	2.56

FIRST TIME RUNAWAY					FIRST TIME RUNAWAY	
26. CRISIS INTERV.	4.00	0.96	0	3.04	45. HOTLINE	3.87
25. HOMEBASED	4.00	0.81	0	3.19	19. INTR PROTOCOL	3.78
27. FOLLOW-UP	3.95	0.93	0	3.02	49. REPORT TO DFYS	3.70
23. IN-SCHOOL SUSP	3.88	1.07	0	2.81	23. IN-SCHOOL SUSP	3.68
38. COMM. BEDS	3.87	1.20	1	2.67	26. CRISIS INTERV.	3.63
21. SAVE I & II	3.87	0.81	1	3.06	22. I & R	3.47
19. INTR PROTOCOL	3.78	0.91	0	2.87	9. PUB REL.	3.47
39. DFYS STAFF	3.74	1.28	1	2.46	24. DRUG SERVICES	3.45
49. REPORT TO DFYS	3.73	1.01	0	2.72	29. INCR COORD	3.44
45. HOTLINE	3.73	1.14	0	2.59	40. CHANGE CODES	3.42
52. RUNAWAY DETENT	3.65	1.42	0	2.26	33. INCR FOSTER CAR	3.41
29. INCR COORD	3.65	1.10	0	2.55	52. RUNAWAY DETENT	3.39
9. PUB REL.	3.60	1.06	0	2.54	48. REPORT R/A'S	3.33
33. INCR FOSTER CAR	3.60	1.00	0	2.60	10. CENTRAL INTAKE	3.23
40. CHANGE CODES	3.58	1.18	1	2.40	13. PARENTING ED	3.25
24. DRUG SERVICES	3.58	1.09	1	2.49	12. HELPERS-SCHOOLS	3.25

3. CLEARINGHOUSE	3.55	1.28	0	2.27	43. TRAIN FOSTER	3.23
10. CENTRAL INTAKE	3.53	1.35	0	2.18	28. INCR VOC OPP	3.23
5. SPECIFIC \$\$	3.50	1.11	0	2.39	21. SAVE I & II	3.22
28. INCR VOC OPP	3.45	0.86	0	2.59	25. HOMEBASED	3.21
35. SCHL CNSLERS	3.40	1.22	0	2.18	27. FOLLOW-UP	3.17
44. NAT. ATTENT.	3.39	1.21	2	2.18	35. SCHL CNSLERS	3.14
46. APD COUNSELORS	3.30	1.30	0	1.92	31. ADVOCACY	3.04
43. TRAIN FOSTER	3.24	1.03	1	2.21	38. COMM. BEDS	3.03
48. REPORT R/A'S	3.24	1.12	1	2.12	6. SPECIFIC \$\$	2.99
32. FAM COUNSLING	3.18	0.94	0	2.24	46. APD COUNSELORS	2.95
12. HELPERS-SCHOOLS	3.14	0.90	2	2.16	39. DFYS STAFF	2.88
13. PARENTING ED	3.13	1.19	0	1.94	32. FAM COUNSLING	2.86
4. ASSESSMENT	3.00	1.30	0	1.70	44. NAT. ATTENT.	2.83
22. I & R	3.00	1.03	0	1.97	3. CLEARINGHOUSE	2.56
1. APD STAFF	2.90	1.15	0	1.75	4. ASSESSMENT	2.30
2. \$\$ FOR MNTL HLTH	2.85	1.19	0	1.66	1. APD STAFF	2.12
31. ADVOCACY	2.70	1.01	0	1.69	2. \$\$ FOR MNTL HLTH	2.00

CHRONIC RUNAWAY

14. DROPIN CNTR	4.08	1.05	0	3.03
30. GRP LIVING	4.00	0.89	0	3.11
25. HOMEBASED	4.00	0.81	0	3.19
27. FOLLOW-UP	3.95	0.93	0	3.02
51. SECURE DETENT	3.92	1.03	0	2.89
23. IN-SCHOOL SUSP	3.88	1.07	0	2.81
21. SAVE I & II	3.87	0.81	1	3.06
19. INTR PROTOCOL	3.78	0.91	0	2.87
39. DFYS STAFF	3.74	1.28	1	2.46
45. HOTLINE	3.73	1.14	0	2.59
49. REPORT TO DFYS	3.73	1.01	0	2.72
52. RUNAWAY DETENT	3.68	1.42	0	2.26
29. INCR COORD	3.65	1.10	0	2.55
9. PUB REL.	3.60	1.06	0	2.54
24. DRUG SERVICES	3.58	1.09	1	2.49
40. CHANGE CODES	3.58	1.18	1	2.40
17. YTH SUPT GRPS	3.55	0.92	0	2.63
3. CLEARINGHOUSE	3.55	1.28	0	2.27
10. CENTRAL INTAKE	3.53	1.35	0	2.18
7. DROPOUT ED	3.53	0.94	0	2.59
6. SPECIFIC \$\$	3.50	1.11	0	2.39
41. INDEP LIVING	3.50	1.07	1	2.43
18. OUTREACH	3.47	0.82	1	2.65
28. INCR VOC OPP	3.45	0.86	0	2.59
44. NAT. ATTENT.	3.39	1.21	2	2.18
34. SPEC. INST BED	3.30	1.19	0	2.11
48. REPORT R/A'S	3.24	1.12	1	2.12
37. 18/19 TRANS	3.20	1.19	1	1.81
22. I & R	3.00	1.03	0	1.97
4. ASSESSMENT	3.00	1.30	0	1.70
2. \$\$ FOR MNTL HLTH	2.85	1.19	0	1.66
31. ADVOCACY	2.70	1.01	0	1.69
11. LEGAL EXANCE.	2.47	1.09	1	1.38

POST RUNAWAY AND THEIR FAMILIES

29. INCR COORD	3.65	1.10	0	2.55
9. PUB REL.	3.60	1.06	0	2.54

CHRONIC RUNAWAY

45. HOTLINE	3.87
19. INTR PROTOCOL	3.78
49. REPORT TO DFYS	3.70
23. IN-SCHOOL SUSP	3.68
51. SECURE DETENT	3.68
9. PUB REL.	3.47
22. I & R	3.47
24. DRUG SERVICES	3.45
29. INCR COORD	3.44
40. CHANGE CODES	3.42
17. YTH SUPT GRPS	3.39
52. RUNAWAY DETENT	3.39
14. DROPIN CNTR	3.35
30. GRP LIVING	3.35
48. REPORT R/A'S	3.33
10. CENTRAL INTAKE	3.28
28. INCR VOC OPP	3.23
21. SAVE I & II	3.22
7. DROPOUT ED	3.22
25. HOMEBASED	3.21
27. FOLLOW-UP	3.17
41. INDEP LIVING	3.14
34. SPEC. INST BED	3.05
31. ADVOCACY	3.04
6. SPECIFIC \$\$	2.99
18. OUTREACH	2.90
39. DFYS STAFF	2.88
37. 18/19 TRANS	2.97
44. NAT. ATTENT.	2.83
11. LEGAL EXANCE.	2.63
3. CLEARINGHOUSE	2.56
4. ASSESSMENT	2.30
2. \$\$ FOR MNTL HLTH	2.00

POST RUNAWAY AND THEIR FAMILIES

9. PUB REL.	3.47
24. DRUG SERVICES	3.45

24. DRUG SERVICES	3.58	1.09	1	2.49	29. INCR COORD	3.44
6. SPECIFIC \$\$	3.50	1.11	0	2.39	28. INCR VOC OPP	3.23
28. INCR VOC OPP	3.45	0.86	0	2.59	6. SPECIFIC \$\$	2.99
44. NAT. ATTENT.	3.39	1.21	2	2.18	44. NAT. ATTENT.	2.83

CASTAWAY

14. DROPIN CNTR	4.08	1.05	0	3.03
30. GRP LIVING	4.00	0.89	0	3.11
51. SECURE DETENT	3.92	1.03	0	2.89
45. HOTLINE	3.73	1.14	0	2.59
29. INCR COORD	3.65	1.10	0	2.55
9. PUB REL.	3.60	1.06	0	2.54
40. CHANGE CODES	3.58	1.18	1	2.40
24. DRUG SERVICES	3.58	1.09	1	2.49
3. CLEARINGHOUSE	3.55	1.28	0	2.27
17. YTH SUPT GRPS	3.55	0.92	0	2.63
10. CENTRAL INTAKE	3.53	1.35	0	2.18
7. DROPOUT ED	3.53	0.94	0	2.59
6. SPECIFIC \$\$	3.50	1.11	0	2.39
41. INDEP LIVING	3.50	1.07	1	2.43
18. OUTREACH	3.47	0.82	1	2.65
28. INCR VOC OPP	3.45	0.86	0	2.59
44. NAT. ATTENT.	3.39	1.21	2	2.18
34. SPEC. INST BED	3.30	1.19	0	2.11
37. 18/19 TRANS	3.00	1.19	1	1.81
31. ADVOCACY	2.70	1.01	0	1.69
11. LEGAL EMANCE.	2.47	1.09	1	1.38

CASTAWAY

45. HOTLINE	3.87
51. SECURE DETENT	3.68
9. PUB REL.	3.47
24. DRUG SERVICES	3.45
29. INCR COORD	3.44
40. CHANGE CODES	3.42
17. YTH SUPT GRPS	3.39
14. DROPIN CNTR	3.35
30. GRP LIVING	3.35
10. CENTRAL INTAKE	3.28
28. INCR VOC OPP	3.23
7. DROPOUT ED	3.22
41. INDEP LIVING	3.14
34. SPEC. INST BED	3.05
31. ADVOCACY	3.04
6. SPECIFIC \$\$	2.99
18. OUTREACH	2.98
37. 18/19 TRANS	2.87
44. NAT. ATTENT.	2.83
11. LEGAL EMANCE.	2.63
3. CLEARINGHOUSE	2.56

PARENTS

38. COMM. BEDS	3.87	1.20	1	2.67
19. INTR PROTOCOL	3.78	0.91	0	2.87
39. DFYS STAFF	3.74	1.28	1	2.46
29. INCR COORD	3.65	1.10	0	2.55
9. PUB REL.	3.60	1.06	0	2.54
24. DRUG SERVICES	3.58	1.09	1	2.49
3. CLEARINGHOUSE	3.55	1.28	0	2.27
10. CENTRAL INTAKE	3.53	1.35	0	2.18
15. PAR SUPT GRPS	3.43	0.93	0	2.50
44. NAT. ATTENT.	3.39	1.21	2	2.18
46. APD COUNSELORS	3.30	1.38	0	1.92
20. LEGAL STAT OFF	3.06	1.06	3	2.00
2. \$\$ FOR MNTL HLTH	2.85	1.19	0	1.66
36. PAR. RIGHTS ED	2.58	1.24	0	1.34
42. \$ TO ED PAR.	2.39	1.34	2	1.05

PARENTS

19. INTR PROTOCOL	3.78
15. PAR SUPT GRPS	3.50
9. PUB REL.	3.47
24. DRUG SERVICES	3.45
29. INCR COORD	3.44
10. CENTRAL INTAKE	3.28
38. COMM. BEDS	3.03
46. APD COUNSELORS	2.95
36. PAR. RIGHTS ED	2.92
39. DFYS STAFF	2.88
20. LEGAL STAT OFF	2.87
44. NAT. ATTENT.	2.83
42. \$ TO ED PAR.	2.61
3. CLEARINGHOUSE	2.56
2. \$\$ FOR MNTL HLTH	2.00

Target Population Category by Dimension

Category	# Direct			AVG-S	Category	Growth			AVG-S
	AVERAGE	STANDARD DEVIATION	N/A			AVERAGE	STANDARD DEVIATION	N/A	
Post Runaway	3.22	0.82	0	2.40	Chronic	4.69	1.44	0	3.25
Parents	3.11	0.78	0	2.33	First Time	4.38	1.27	1	3.11
Pre-Runaway	3.38	1.15	1	2.23	Post Runaway	4.01	1.03	1	2.98
First Time	3.03	0.82	0	2.21	Parents	4.19	1.29	0	2.90
Chronic	3.14	1.29	0	1.85	Castaway	3.48	1.25	1	2.23
Castaway	2.5	1.1	0	1.40	Pre-Runaway	3.36	1.3	1	2.06

Category	# Indirect			AVG-S	Category	Compounds			AVG-S
	AVERAGE	STANDARD DEVIATION	N/A			AVERAGE	STANDARD DEVIATION	N/A	
Chronic	3.56	0.8	0	2.76	Chronic	4.39	0.68	1	3.71
Post Runaway	3.39	0.8	0	2.59	Castaway	4.39	0.87	0	3.52
First Time	3.06	0.69	0	2.37	Post Runaway	4.18	1	0	3.19
Parents	3.06	0.7	0	2.36	Parents	3.56	0.75	0	2.81
Pre-Runaway	4.01	1.75	0	2.26	First Time	3.53	0.75	0	2.78
Castaway	2.92	0.93	0	1.99	Pre-Runaway	3.57	1.24	0	2.33

Category	Severity			AVG-S	Category	Gut Feeling			AVG-S
	AVERAGE	STANDARD DEVIATION	N/A			AVERAGE	STANDARD DEVIATION	N/A	
Chronic	4.53	0.59	0	3.94	Post Runaway	7.34	1.22	0	6.12
Castaway	4.39	0.82	0	3.57	Castaway	7.78	1.66	1	6.12
Post Runaway	3.45	0.7	0	2.75	Chronic	8.11	2.08	1	6.03
Parents	3.56	0.82	0	2.74	Parents	7.23	1.36	0	5.87
First Time	3.08	0.78	0	2.30	First Time	6.72	0.95	0	5.77
Pre-Runaway	2.53	1.23	0	1.48	Pre-Runaway	5.61	1.84	0	3.77

Category	Dimension Average
Chronic	4.53
Post Runaway	4.47
Castaway	4.21
Parents	4.04
First Time	3.89
Pre-Runaway	3.52

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IX

REVIEW
of
RESIDENTIAL CHILD CARE
in
ALASKA

July 1986

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PREFACE

This Report is submitted in compliance with a contract between the Alaska Department of Health and Social Services, Division of Family and Youth Services and BANERJEE ASSOCIATES for the conduct of on-site reviews and program evaluations of residential child care programs.

The study was conducted by BANERJEE ASSOCIATES, in conjunction with the Division, during May and June 1986. The study staff included:

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July 1986

I. INTRODUCTION

A. Background

The Alaska Department of Health and Social Services, Division of Youth and Family Services (DFYS), purchases certain residential care and services for children. Such care and services are purchased from providers throughout the state. The Division, requiring additional information on which to base management decisions, contracted with BANERJEE ASSOCIATES to conduct on-site program reviews and evaluations of residential services.

BANERJEE ASSOCIATES is an independent firm providing consultation to public and voluntary service providers regarding child welfare as other social services.

The purpose of the project was to gather information in order to assess the appropriateness and quality of care being provided and to gather information on performance to be incorporated into the Division's granting process. The Division's basic concern is to ensure that the best possible services result from the resources expended for residential care and services, representing, as it does, a substantial portion of the Division's budget. A work plan was developed to examine selected factors concerning programs under contract for the 1985-1986 Fiscal Year for provision of ongoing care and services to children under the jurisdiction of the Division.

Sections II and III present General findings and Recommendations based on our review and evaluation of each program, undertaken

in May and June 1986 by BANERJEE ASSOCIATES. Section IV contains a profile on each provider agency and program reviewed.

B. Methodology

The study was predicated on the premise that the provision of quality services to children and their families requires sound governance, organization and administration; functional linkages to community services; as well as the direct care for service to individual resident children. The infrastructure of service delivery is critical to effective services. We developed a workplan to examine selected aspects of the several programs in order to help answer the following questions:

- Does the agency have a functioning board which develops policy and oversees the operation of its programs?
- Does the agency have the organizational and administrative structure, personnel and personnel practices to provide the required services?
- Is the agency a part of the "community of agencies" in their area so that community resources are used to benefit children?
- Are the service components in place?
- What is happening to individual children?

Information to answer such questions was intended to provide proximate indicators of program "effectiveness" to enable the Division to make more informed judgements regarding future support of residential care. Specific elements and predictors were selected during the planning to structure data collection and focus the findings. Information and recommendations growing out of the study are intended to supplement the data available to the

Division as a result of contract monitoring, licensing and other accountability efforts. Division requirements and available data were used to design questionnaires and other data collection instruments.

The study design and the instruments used were developed by BANERJEE ASSOCIATES and approved by DFYS. The design provided for site visits to each facility as well as a review of documents, both on and off site, observations by the review teams, interviews with various individuals and groups, and the review of a sample of case records. Individual questionnaires were developed to guide interviews with the following individuals and groups:

- Board Members
- Community Leaders
- Referring Agencies
- Administrator
- Supervisors/Mid-Managers
- Treatment Specialists, (Social Workers, Therapists, Psychologists, etc.)
- Child Care Workers/Direct Service Workers
- Residents

The above questionnaires were supplemented with matrices for recording data concerning by-laws, board minutes, facility observation, and case record reading. A prototype site visit schedule, a checklist for documents to be provided, instructions for selecting case record samples and similar materials were prepared to assist the facility to prepare for the site review.

The study design work, training of reviewers and preparation of this report have been done by BANERJEE ASSOCIATES personnel. Each site review team included a team leader from BANERJEE ASSOCIATES and one or more selected Division employees. The Division staff included program specialists, licensing personnel, senior managers and experienced staff from several local offices. They were assigned to teams which would visit facilities in geographic areas other than their "home" location to enhance their objectivity.

Following each site visit, the team prepared a summary of its findings to supplement the completed questionnaires and matrices. This report has been prepared by BANERJEE ASSOCIATES which is solely responsible for its content. It is called to the readers attention that individual facilities have not had an opportunity to review and comment on the sections pertaining to their program. It is in the nature of such studies to emphasize negatives in order to focus on needed changes. It should be noted that the review teams identified a number of positive features and many caring, concerned and knowledgeable persons. We selectively present a summary of our observations and the data which were collected. Failure to make reference to any aspect of an agency program is not intended to denigrate its importance to the whole.

We are submitting this report to the Division of Family and Youth Services for its consideration. We urge that the report be shared with those who will be involved in implementing change as well as those charged with making policy and management decisions.

II. GENERAL FINDINGS

- With some very specific exceptions, children are generally not being harmed, but in many instances they are not being helped as much as they require.
- The DFYS objective of decentralizing residential care is progressing.
- Most of the residential care programs are essentially being operated as they were projected by the various agencies. Kenai, Sitka and Ketchikan have made substantive modifications.
- Most, but by no means all, of the physical facilities are adequate, clean and acceptably equipped. The construction of new buildings, with the assistance of legislative grants, has upgraded some of the facilities significantly. Further upgrading and/or moves are in the near term plans of several agencies. Many of the buildings are small and do not offer sufficient space for indoor programming and the conduct of the varied activities which should be undertaken. Adequate space and equipment for planned, therapeutic recreation programming is increasingly critical as residents become older and/or are more disturbed. Alaska climate and seasonal changes also speaks for sufficient therapeutic recreation opportunities.
- Caring, nurturing staff were found in most facilities. Some specific exceptions appear to be isolated instances.
- There is a general "feeling" expressed by persons interviewed, both within the agencies themselves and in their communities, that the quality of many programs has improved over the past few years.
- "Networking" with other organizations is fairly good in most communities. Technical assistance would help to refine and upgrade this aspect. At the same time, quite a few agencies project a sense that their program is (and should be) "self-contained" rather than a part of the community of agencies. The RFP process has inadvertently heightened the competitiveness and separation among agencies. Residential care programs which fail to operate in a coordinated manner with community services often have youth in care longer than those that are soundly based and well integrated in their community.
- Generally, the boards, both governing as well as the several advisory bodies, are fairly active. Many agencies report difficulty in recruiting and maintaining continuity in board

membership. The primary activities engaged in by most boards involve fiscal matters and physical facilities. There is minimum knowledge and involvement in program policy development.

- Youth Service workers are viewed, by providers and by others who work with the Division, to be responsive. In addition, they are considered to be adequately equipped, both by training and organizational support, including small caseloads, to fulfill their responsibilities.
- "Program funding" which ensures a specific level of funding for the grant period rather than "per diem" funding by the Division is a positive step toward stabilizing services. One year grants, however, discourage planning for many agencies, especially those that are principally dependent on the state funding.
- Some providers have not fully accepted the obligation to work in a cooperative relationship with the referring agencies to ensure full utilization of program funded services.
- Resources, financial and programmatic, are extremely scarce in many communities. In some communities, even maximum networking does not provide the components for significant treatment services,
- The directors in many agencies lack sufficient clinical and/or residential programming credentials to develop and oversee treatment programs. This is a particularly serious deficit in many agencies too small to employ a qualified clinical or program director in addition to the administrator. In such agencies, the burden of administration as well as program and treatment leadership rests with the facility director. Many administrators also lack experience in developing and working with their boards. Some also lack networking know-how.
- Training of staff and board members is almost universally needed to further upgrade programs.
- There is far too little attention to native culture in programming, staff, and board membership as well as in activities, decor, and foods. The cultural awareness, in most programs, is isolated to "lip service". There are several notable exceptions, however, where significant attention to this issue is apparent.
- Young and immature staff, in many agencies, constitutes a negative capacity to deal with troubled children based on "life experience". Most staff have minimal training (both pre-employment and in-service) and thus must depend heavily on their experience to guide their actions and practice. Staff in many facilities lack the skills necessary to appropriately deal with behavior and to manage crises in

ways which do not escalate unacceptable behavior.

- Division requirements for fully executed placement agreements are rarely complied with.
- Many facilities demonstrate marginal administrative procedures including case recordkeeping and timely personnel evaluations.
- A significant number of facilities do not conduct fire drills with the frequency and pattern required.
- There is considerable evidence that some children are in inappropriate placements, i.e., youngsters who could appropriately be served in foster family care (if were it available) are in congregate facilities; children are in "any bed", either awaiting the "right bed" or in a shelter bed awaiting a longer term bed. Such situations are detrimental to the individual children and have a negative effect on program quality that impacts all the children in care.
- Family Service workers are frequently viewed, by providers and community agencies, as not very responsive and unable or unwilling to make sound case decisions and to provide quality services. Failure to provide sufficient and timely information about children and their families is also viewed as a serious deficit. These problems are seen to be exacerbated by large caseloads, insufficient training and supervision as well as by the paucity of program resources.
- A number of licenses were found to be out of date.
- There is some evidence of inadequate nutritional planning.
- Many agencies do not make maximum use of Department of Agriculture surplus foods.
- Wide variations in "cost per bed" do not appear supported by differences in quality, program type or local costs but more by incidental circumstances related to methodology of determining costs/grade levels as well as available fiscal resources. The reviewers have serious question as to whether the funding level of some programs are sufficient to provide more than minimum quality. Program weaknesses, space inadequacies, and clinical deficits are among the issues which negatively impact quality. These factors are as related to lack of money as to lack of skill and knowledge.

III. RECOMMENDATIONS

This section presents recommendations for the consideration of the Division of Family and Youth Services. The first part presents our recommendations regarding continued support of each program, specifying contingencies on which continued funding should be predicated, where we believe such contingencies are indicated. The second part offers more detailed recommendations and suggestions intended to assist the Division to improve the quality of residential care and services for children under its jurisdiction.

Facility-specific recommendations and suggestions are presented in the individual facility profiles in Section IV. Program Profiles.

A. Program Continuation Recommendations

Based on the review of all residential child care facilities and programs funded under the relevant DFYS grant program, the following recommendations are offered to guide the granting decisions of the Division and the Department. It should be noted that the recommendation, "continue present level", refers to capacity and program type and not necessarily to dollar amounts. Widely varied unit costs, limited staff skills and numbers, are all influenced by fiscal resources available for improvements and refinements.

It is recommended that:

Alaska Baptist Family Services program be continued at the present level. Emergency shelter capacity should not be increased. The program should focus on younger abused/neglected children rather than adolescents. Any expansion should be predicated on major improvements in treatment orientation. Redesign of the program to foster family care should be jointly considered between agency and DFYS.

Alaska Children's Service program be continued at present level contingent on a strengthening of internal coordination and program definition. The ICU programs should be unified and expanded in capacity, i.e., number of units. Consideration should be given to developing a diagnostic/assessment capability to serve the community of residential child caring programs.

Alaska Youth Advocates program be increased as needed and as resources are available.

Kenai Community Care Center program be continued at the present level, contingent on internal stabilization, both administratively and programmatically.

Kodiak Baptist Mission program be continued at the present level.

Salvation Army Booth Memorial female program be continued at the present level contingent on increased attention to "quality time" intervention with residents. The day treatment program be continued at the present level contingent on individualization of the individual treatment program for each client. Subsequently, the day treatment be increased, as need and resources are available. The shelter be maintained for a population of abused/neglected and traumatized children contingent on relocation to a physical facility which is more suitable and the implementation of staff training in appropriate skills and programming for the designated population.

Bethel Group Home program be continued at the present level contingent on careful monitoring of the co-director model of administration. Careful planning and monitoring should accompany any modification to a co-ed program. Joint consideration, with the Bethel Receiving Home, (with DFYS assistance) should be given to merger and program restructuring. (See individual profiles)

Bethel Receiving Home program be continued at present level, contingent on assessment of the efficacy of the relationship with

Bethel Social Service and clarification, between facility and DFYS, of the program purpose (emergency or longer term care) and appropriate programming.

North Slope Borough Receiving Home program be continued at the present level. In conjunction with DFYS, consideration should be given to program modification. Initial change to be considered might be to shift the program to six shelter and six longer term beds. This change to be followed by the development of foster family care for the youngest children and restriction of the Receiving Home to older children and youth.

North Star Home program to be continued at the present level.

Nome Receiving Home program be continued at the present level contingent on strengthening the program content. Significant enrichment and skill enhancement is indicated before the program is modified to serve both a shelter population and residents for longer term care.

Presbyterian Hospitality House program be continued at the present level, contingent on clarification and strengthening of the program to serve a defined population mutually agreed upon between facility and DFYS.

Ketchikan Children's Homes program be continued at the present level, contingent on strengthening the program's content, with demonstrated attention to organizational and morale deficits. Careful monitoring should accompany continued funding.

Miller House (previously Juneau Receiving Home) program be continued at the present level.

Sitka Receiving Home program be continued at the present level contingent on stabilization, both administratively and programmatically.

B. Systems Recommendations

The reader is reminded that residential services are one segment within a continuum of services. "Missing pieces" or gaps along the continuum have a negative effect on the other pieces. A range of services needs to be developed and supported in each community

and geographic area with easily activated linkages within the social service system and with other systems. Recommendations in this area are beyond the scope of the study but it is critical that child residential care be viewed as a part of the continuum of services for children and their families.

The following recommendations and suggestions are respectfully offered to the Division to guide their decisions concerning priorities and resource allocation with regard to the residential child care program.

Stablization is needed in a number of facilities. Upgrading of staff competencies is indicated in essentially every program. The tools and materials needed by facilities as they work to refine their programs are in short supply. Funding levels, in a number of instances, are too low to support the quality and variety of treatment interventions needed by the children and their families.

Certain difficulties that are experienced by facilities flow from the Division. Incomplete and/or delayed referral materials, inability to move children appropriately from one level of care to another, out-of-date licenses and an annual funding cycle which works against planning and incremental improvements are among the problems which originate with the Division. Division resources, at central office, regional and local locations are insufficient to provide technical assistance and program monitoring at the level necessary to ensure appropriate and high quality care for children and their families. If other resources

cannot be found, either through reallocation or special appropriation, the Division is urged to consider reducing the bed space somewhat in order to reserve funds from the grant monies for technical assistance, training and monitoring. The improvement in quality which could reasonably be expected from such efforts would offset the bed reduction and establish a solid foundation for program sophistication and growth as additional monies become available.

It is recommended that the Division:

- Undertake basic work to rationalize rates. This effort should focus on determining the elements of care, i.e., staff numbers and qualifications, food, utilities, special services etc., and determining reasonable costs, by element. Standard or "model" budgets for the various levels of care can be established and adjustments for the cost of living in different geographic areas applied.
- Develop and implement a technical assistance plan to aid agencies to upgrade their programs:
 - Provide training or enable it to be provided through contracts, consultant trainers, tuition reimbursement and similar practices. A wide variety of topical areas should be covered including: recognizing potentially explosive behavior and defusing such situations; adolescent sexuality; communication skills and self-awareness for immature staff; development of support groups; goal-oriented caseplanning and recordkeeping; grant writing; board development; and recruitment and employment practices;
 - On-site assistance in programmatic, administrative and governance areas for facilities where the greatest deficits have been identified;
 - Regular (at a minimum quarterly, but preferably monthly) meetings, by regions, of the administrators of the various facilities and regional staff to support networking, development of interagency protocols and as forums for learning.
- Develop technical assistance/self-help packages for all

agencies. These are especially needed for small agencies and for those in isolated locations.

- Small scale fund-raising ideas and aids to enable facilities to supplement funds.
 - Model "board manual" containing the "necessities" which would enable facilities to "plug in" their own specifics. These should include such elements as prototype by-laws, training materials, and model descriptions of board roles and responsibilities.
 - Guidelines on the "how" and "what" of interagency teamwork and case staffing techniques.
 - Material regarding caseplan development and implementation, including aids regarding how to "build" an effective caseplan from available resources.
 - Help directed toward focusing the program when emergency placements and longer term residents as well as children with widely varied behaviors and dynamics are in the same small program.
 - Ideas, resources and aids for the development of age appropriate crafts (perhaps using found materials), "home grown" recreation and activities.
 - Assistance (perhaps in conjunction with the state association of child caring agencies) with training, how to access training materials and resources, proposal preparation for foundation and other funding sources.
 - Aids in securing and using such supplemental programs as surplus foods, school lunch programs, transportation equipment.
 - Nutritional planning aids and age appropriate sample menus.
-
- Develop and implement a multi-year granting process requiring an annual budget review and revision, if indicated; on-site review, and careful monitoring. Shorter-term or provisional grants should be limited to new or marginal facilities. Improvement incentives should be built into the system.
 - Develop a mechanism to involve the private sector in planning for services. This can be accomplished, without compromising the R.F.P. process, through the use of a task force; a designated subgroup of the association of private child caring agencies or through some other vehicle.

- Combine some preventive service and residential service contracts to support a continuum of services.
- Develop a directory of facilities with details of program components, problems (and the severity level) accepted or not accepted. The directory should include program modalities, staffing models and other information to enable referring workers, placement committee members and others who have never seen the facility gain a "feel" for the place and program. This might include pictures, as well as a bit of information regarding the community environment. A version of this directory should be developed for children and youth who are considering (and being considered for) a given facility. The dearth of even the most basic understanding of the uniqueness of each facility on the part of both referring staff and youth is a serious information gap.
- Develop, and support financially, a case assessment/diagnostic resource to serve the facilities in the South Central region.
- Increase efforts to develop the foster family care system throughout the state in order to take the pressure off the residential facility system and to provide appropriate "least restrictive" placements.
- Conduct, periodically, a formal review of all facilities, through a similar process as produced this report, using the current data as a baseline, refining the process to benefit from what was learned in this initial study. Some of the elements from this study could supplement the Division's "Standard by Standard" review format.
- Conduct a study which would examine the flow of cases and the decision-making process from intake through case-closing with special attention to children in placement. The wide variation in process and understanding throughout the state contributes to the number of moves and "f ilures" that children experience.
- Develop a training module for DFYS personnel to address issues in the development of caseplans and selecting a residential placement and services package for individual children. Differential diagnosis should drive the decisions rather than "what bed is available".
- Articulate and widely disseminate the Divisions' goals

regarding residential care, i.e., decentralization, increasing variations in treatment models, and improving quality, etc.

- Develop informational material on services for children and their families for participants in the service delivery system, including police, school personnel, physical and mental health professionals, the judiciary and for DFYS personnel. Such materials should be clear and concise. They should address DFYS roles, responsibilities and operational procedures; and interagency relationships.
- Establish a timetable (and resources) to ensure appropriately trained and experienced administrators in each facility. Such persons are especially needed in the smaller agencies in the more isolated communities, where there is essentially no way to supplement administrator deficits.
- Provide some "up-front" monies to support program development, technical assistance and other aids focused on upgrading and implementing the Division's regionalization objectives. Special appropriations, similar to construction grants, should be sought, if necessary to accomplish this.

SECTION IV: PROGRAM PROFILES

This section presents profiles of the individual facilities. in alphabetical order by Region. Each profile is organized by subsection: Governance; Administration; Service Quality; Relationships; Conclusions; and Recommendations. Data are selectively presented to describe and assess each agency.

A. SOUTH CENTRAL REGION

ALASKA BAPTIST FAMILY SERVICES

Alaska Baptist, located in Anchorage, is a non-profit child caring agency operating under the Alaska Baptist Convention. The program includes residential child care for males and females. Two child spaces are reserved for shelter use, principally used as an entry to the longer term care program. Ten longer term beds and two shelter beds are under contract to DFYS during the 1985-86 funding year.

Most of the residents come from South Central Region, some are from other regions.

Governance

Although the board of trustees is a governing body, the Alaska Baptist Convention reserves certain powers including nomination of members who serve at the pleasure of the Convention. There is provision for nine members, all of whom are required to be active members of a Baptist church cooperating with the Convention. There is currently a full complement of members. The board has no native members. New by-laws become effective August 1986. They are written in a very legalistic style. The by-laws do not provide for certain features deemed to be desirable aspects of board organization, nor do they provide for standing committees, program responsibility or responsibilities of the officers. Although the new by-laws state that "trustees are elected on a three year rotating term", this provision appears to be operationalized as a completely new membership every three years.

Staggered terms in which a portion of the membership changes each year and rotating terms by which an individual serves no more than a specified number (usually two or three) of consecutive terms without a hiatus are structural characteristics which permit both continuity and "new blood". The by-laws provide only for an executive committee, thus effectively requiring that the board operate as a "committee of the whole" to conduct agency business. That feature, when combined with the requirement for a minimum of two meetings yearly, is not adequate for the governance of a social service agency. Attendance at meetings is very good.

The board is primarily involved in financial and legal matters. Little attention has been directed toward planning. Board members have little knowledge or involvement in program issues or budget matters with regard to the services of the agency.

The board members have had no training. They recognize their lack of knowledge regarding program issues and expressed interest in information regarding the agency's services and operation.

The board evaluates the administrator annually, with each member preparing a written statement. These statements are then discussed at a board meeting.

Administration

The executive director has been with the agency for five years. He has a Master's Degree in Social Work and takes a leadership role in childrens' issues. Currently he chairs the statewide association of child caring agencies.

Personnel policies are within an acceptable range and cover essentially all desired topical areas. Review of a sample of personnel files revealed that evaluations are current and that training received is documented. In general, however, the quantity of training is limited.

The physical facility and equipment are appropriate for its present program, particularly for the younger age groups. Space is somewhat cramped. If assured of continued program funding, the agency would expand its facility. The facility has a valid license and other inspection reports are in order.

Service Quality

Residential Program

The residential care program offers a caring but clinically benign environment for children which is well understood by community leaders and by the referring agencies. In general, most of these children could be appropriately served in foster family care if it were available. In the meantime, this is a needed service until such time as adequate adoption and foster family care resources have been developed throughout the state. This is not a treatment facility nor does it aspire to be. The service is enriched by efforts toward a treatment orientation and attempts to individualize the residents, however the therapeutic communication with the residents could be improved substantially.

The review of the case records reveals good content and format quality. More emphasis should be placed on working with parents

toward family reunification or with the youth with regards to emancipation.

The reviewers found that the children in this program were among the few in all programs that did not know why they were there or what they had to do to leave the program.

Emergency Shelter Program

This program is currently composed of two bed spaces. It is not really a "program" of emergency shelter but rather operates as an entry or "testing" period for children under consideration for the Residential Care program. While this use may be beneficial to the agency, it is not, overall, an effective use of scarce emergency shelter beds for the Region. Furthermore, increasing the number of shelter beds, with the associated necessity to integrate the shelter residents into the regular program would interfere with the continuity of care for the children in longer term care (unless the increase is sufficient to permit a separate program).

Relationships

Community Leaders

In general, the relationship with community leaders is reported to be good. There was some criticism regarding feedback on children in care and regarding the appropriateness with which critical incidents involving residents are handled. The heavy emphasis on evangelism is viewed as a negative and as inappropriate for children with a heritage other than fundamental christianity, especially native youngsters.

Referring Agencies

In general, the relationship with referring agencies is satisfactory, although concern regarding feedback was expressed by several of the persons interviewed. Timely information regarding vacancies and acceptance were viewed as satisfactory. The strengths and limitations of the program are well known to the referring agencies, thus unrealistic expectations are not placed on the program.

Among Staff and Between Staff and Residents

The relationship among staff at line and supervisor levels is supportive. The relationship between staff and administration was not clearly discernable by the reviewers. Really good lines of communication are not readily apparent.

The relationship between staff and residents appears mixed, with some very caring and supportive, while others function principally as disciplinarians.

The residents appreciate the food, the freedom and the personal respect they are accorded, but express the feeling that there is insufficient respect for their personal property. Some residents reported that their belongings are taken from them and stored in a central location.

CONCLUSION

Strengths

- Very caring staff.
- Physical facility.

- Psychiatric and social work back-up.
- Case recordkeeping.
- School liaison.
- Sound personnel policies.

Weaknesses

- Lack of sophisticated treatment techniques on the part of child care personnel.
- Insufficient program and recreation resources.
- Very weak knowledge and involvement of board in program issues.
- Questionable policy regarding the handling of children's personal belongings.
- Questionable use of behavior control practices and inability to use acceptable crisis intervention.

Recommendations

In summary, the agency provides a caring and nurturing environment for the children in care. The program has not been designed as a treatment program, however some improvement could be expected from implementing certain changes. The following recommendations and suggestions are provided for consideration by Alaska Baptist Family Services.

- Provide orientation for child care workers regarding the appropriate role and function of child care workers. Currently they tend to see themselves as parents or parents' surrogates.
- Define and implement appropriate policies regarding the handling of children's belongings. Children in residential care often have very little ties to their past and their personal property takes on a great deal of importance to them and should not be taken away. Each resident should be provided with an accessible, safe, individual place which is respected by staff and other residents. Having property "stored by the agency for safekeeping" is not adequate.

- Develop and implement a plan that will respect and support the cultural and religious heritage of the residents.
- Implement an aggressive plan to recruit and employ personnel who reflect the cultural background of the children in care.
- Improve the record of reporting treatment plans at required intervals to referring agencies.
- Board address identified problems regarding orientation to child welfare issues. The board develop a plan to involve themselves in gaining a knowledge of program and service issues so that they can play an effective governing role in the development of policies for these aspects of the agency.
- Give consideration to revising the by-laws to provide for staggered and rotating terms for members, a standing committee structure (at a minimum finance, personnel and program committees) and more frequent meetings. These changes, if effectively implemented, would go a long way in providing sounder governance.
- As a longer range suggestion, Alaska Baptist should, in concert with DFYS, consider converting to a foster family care agency instead of a facility-based residential program. The agency's skill and knowledge regarding a caring and nurturing environment would lend itself to a well-designed foster family care program to supplement the Division's meager resources in this program area. The agency could probably utilize it's church constituency to recruit homes.

ALASKA CHILDREN'S SERVICE

Alaska Children's Services (ACS) is a multi-service private child care agency located in Anchorage, ACS currently provides residential child care in the campus-based Jesse Lee program, the Adventure-Based program, and in two Intensive Care Units (ICU). There are day treatment components associated with the Jesse Lee program and the ICU's. Programs are operated in three separate locations ((1)Jesse Lee, (2)Adventure-based and (3)the ICU's which are in separate buildings located at one site.) The current DFYS funding supports 30 beds at Jesse Lee (plus day treatment for 10 youth), 12 Adventure-based beds and six beds in each ICU (plus four day treatment spaces).

Although ACS continues to serve children from throughout Alaska, more and more residents are coming from South Central Region (SCR) as additional residential services are developed to enable some children to be served in their own region. Restricted state financial resources for residential child care, program shifts to outlying regions and within the SCR have resulted in substantial fiscal cutbacks in state funding to ACS with concomitant program reductions and demand for organizational and staffing changes.

Governance

The board is a governing body of 24 persons, presently with four vacancies. One half of the members are required to represent the four sponsoring church groups. The board operates in committees. The by-laws are very well written and provide for essentially all

of the elements needed to establish a sound governing structure.

Review of the minutes indicate that activities are within the acceptable range. Average attendance for the past two years has been approximately half of the membership with improved attendance in recent months. Minutes indicate that members are becoming more active in appropriate matters. For example, more attention has been accorded planning than previously, with efforts to shift from "crisis" response to a more structured planning effort. The board has not developed a vision of the agency's purpose and role in the service delivery system.

The board does evaluate the executive director, under the oversight of the Vice-President of Administration, using a process which polls all board members.

Board members have had some training. A number of the board members interviewed indicated that two board retreats were a useful experience. Additional training concerning policy development and treatment issues are desired by the members interviewed.

The physical facilities and equipment are appropriate for the purposes for which they are being used. The facilities were clean and in good repair and have valid licenses. Other inspection reports are in order. The individuality allowed and encouraged in the ICU's is commended as is the bright and colorful day treatment building.

Administration

This multi-service, multi-site agency has a complex organizational structure. The organizational chart diagrams appropriate administrative and clinical functions. These functions are assigned to three directors: Administration; Development and Public Affairs; and Program and Clinical Services (both residential and non-residential programs fall under the latter director). This is basically a sound structure. At the present time, the Executive Director, who has been in his position with ACS for less than two years, has taken administrative leadership; in working with the board to revise the by-laws and in exhibiting a willingness to work cooperatively with the state. However, he brought no significant professional training in residential treatment of children to his incumbency. The position of Director of Clinical Services is currently vacant. In an agency that has undergone as much significant change as ACS has in the last couple of years, it is critical that the clinical, therapeutic program be handled by a person with demonstrated skill and experience.

Personnel policies and files are acceptable. Although personnel files do record any training the individual has participated in, the reviewers noted that it has been three years since there has been any systematic in-service training program. A high proportion of all staff interviewed, at all levels, identified training as a high priority.

Service Quality

Jesse Lee

The Jesse Lee program contains two components: a Residential Program and Day Treatment. The regular residential Program's treatment orientation was assessed to be adequate. The program appears to have the components and resources necessary to function as a true treatment program but has not yet reached that level of sophistication. There is evidence that the program lacks flexibility in the behaviors that it accepts, despite a significant number of experienced and well trained staff members. The rigidity is viewed as a negative aspect of the program by community leaders and referring agencies. Serious concerns were expressed regarding the services for sex offenders. This program should be an identifiable component with discrete treatment elements. These residents should be isolated if and until there can be assurance that they will not endanger themselves or others.

The day treatment component of the Jesse Lee program has been significantly underutilized during the past months. Partially this appears to be, attributed to the lack of an adequate and comparable understanding between the referring agencies and ACS regarding program focus. The issue seems to hinge on the question of whether the program is intended to prevent the placement of children in group care settings by providing structured daytime activities and clinical interventions, or as an aftercare program for aiding the transition of children from the residential program to less restrictive settings. It is the opinion of the reviewers that the program can be designed and used effectively.

for both purposes.

Adventure-Based

The function and purpose of this program is also misunderstood. The way the program is described by the agency and presented to the community appears to be different than the way that it actually functions. It has been perceived and presented as a program based on the "outward bound" model. In reality it appears to operate as a "preparation for independent-living" program that utilizes outdoor activities, recreation, sports and wilderness activities as its foundation. It appears that staff expect that the use of activities in which a young person learns to trust and to be more self reliant is, in and of itself, "treatment". Community leaders and referring agencies reflect the lack of clarity about the program. It is the reviewers' opinion that this program has the potential to be more clearly defined, strengthened clinically and to be far more effective than it is currently. It is a good "preparation for independent living" program, but less than adequate as a full range adventure based treatment model program.

Intensive Care Program

Unit I

The quality of this program is good; it responds to identified needs, and is well received by the community and referring agencies. The agency should be alert to the length of time that residents are staying in the program however. It appears to be shifting slowly from a short-term program to mid-length and should be carefully monitored. The reviewers are aware of the

difficulties which impact length of stay, including shortage of those aftercare services and placement resources that are less restrictive than the ICU, which are essentially outside the direct purview of ACS. Programs of this intensity quickly become counter-productive for young persons and their gains deteriorate once they have received the maximum benefit from the program.

Unit II

This Unit has recently moved to a separate facility near Unit I. Many community leaders and referring agency representatives do not distinguish the two ICU's as separate programs although they have, in fact, separate leadership and function as discrete units. Unit II is viewed by the reviewers to function at a lower level than Unit I with regard to organizational control and administration. ACS recently decided to place both units under a common coordinator. This is a sound plan, provided the coordinator is allocated time to do it.

These programs are intended to provide a high level of clinical treatment, close supervision and structure for residents. In many ways, these units represent a bridge on the continuum of "open" settings through hospital or secure facilities. Because of its intensity and structure, it is both restrictive and costly; thus special care must be taken that it is used only for children requiring the degree of structure and confinement provided. Residents must be moved to less restrictive settings as soon as appropriate. The small day treatment component associated with the ICU's is a desirable adjunct to the program, permitting return to the community or community placement while the youth

benefits from the daytime aspects of the ICU program.

The case records reviewed were deemed to reflect mostly average quality service with some examples of high quality service. Problem areas include: lack of fully signed placement agreements; family strengths /weaknesses; family involvement and goals; some dictation that was not reasonably current and some lack of chronological dictation; and lack of suitable file folders (Adventure- Based).

Relationships

Community Leaders

The working relationship between ACS and most community leaders interviewed presents a "mixed" picture with some indicating an acceptable level while others are far less satisfied. The difficulties identified included: lack of clear definition regarding the separate ACS programs; ACS preference for being a "self-contained" program with a concomitant reticence to fully utilize community resources; and a tendency by ACS to present an agency philosophy and perception not reflective of the actual service environment. Thus ACS is perceived by some to be a difficult organization to work with cooperatively. With the many changes recently required of ACS, the agency is understandably defensive. This defensiveness may be viewed as competitive aggressiveness by the professional community of agencies. Others interviewed reflect respect for the history and professionalism of ACS. Specific difficulties mentioned generally referred to the relationship at the organizational level while relationships with "line

staff on case-specific matters remained less strained.

Referring Agencies

Relationships are viewed as poor by both sides but are slowly improving. There is evidence of interest in the development of opportunities to redefine and establish the relationship with the public sector. The relationship between ACS and the referring agencies is colored. The relationship is hampered at the administrative level, by such agency-specific matters as funding levels, service expectations and interpersonal attitudes, and at a system level by single year contracts, DYFS regionalization and provider diversification objectives. At the case-specific level, the relationship is negatively affected by frustration regarding the specific types of youth ACS accepts/rejects, and perception that service quality does not match ACS rhetoric.

Among Staff and Between Staff and Residents

These relationships are within acceptable ranges. Some staff expressed concern regarding some hiring practices, lack of salary increases and sufficient communication from administration. Interaction between staff and residents at Jesse Lee appeared to lack warmth, otherwise the relationships seemed good from the comments of residents and the observations of the reviewers.

CONCLUSIONS

Strengths

- Quality services provided by personnel possessing skill and experience and having a genuine concern for children and youth.
- ICU-I is an especially high quality program.

- Multi-discipline approach to service delivery.
- Good physical facilities.
- Good physical tangible goal setting for children and youth.
- Staff/child ratios are very good.
- Staff turnover is low.
- Board involvement in planning.

Weaknesses

- Poor evidence of involvement with families either in planning or in treatment.
- Day treatment program is not fully responsive to community needs.
- Insufficient staff training.
- Lack of preventive and aftercare services.
- Lack of specificity in behaviors the agency is prepared to treat and clarity regarding the client outcomes it expects to achieve.
- Insufficient native representation on the staff. The agency is however, commended for having a staff position which focusses on cultural awareness and making available culturally significant opportunities for children in care.

Recommendations

In summary, the reviewers conclude that the quality of all the ACS programs is within the acceptable range, although some refinements are indicated. The function of the senior position responsible for clinical and program matters, which is currently vacant, leaves a critical gap which must be closed. It is the reviewers' opinion that the full range of treatment possible in all of ACS programs is not being offered but that ACS is on the brink of being able to do so. It is suggested that some unity among programs be developed through common intake and a focus on

a family orientation and a more cohesive continuum of services.

The board and staff are commended for their indicated willingness to focus on the areas of program change and relationships that are impeding ACS from reaching its maximum potential as a service provider. This is a large agency with an illustrious history and it is critical to the future of child care services for Alaska children and their families. ACS should play a cooperative and forward-looking role in providing services in Anchorage and throughout Alaska. ACS and the Division of Youth and Family Services must work together to bring this about.

The following recommendations and suggestions are provided for ACS consideration.

- Board continue to emphasize, in their activities and in their support of the Executive's activities, the need to work cooperatively with the Division of Family and Youth Services.
- Board continue to be involved in and to gain additional knowledge of the service delivery system and the programs and issues that confront ACS.
- Board develop a strategic plan for a minimum of three years, which delineates ACS's role in the delivery of services to children and their families in the Anchorage area and elsewhere within Alaska, should the agency choose to expand. Almost as important is the development of a strategic vision to drive the agency.
- A single intake system be explored and negotiated with DFYS which would view ACS as a continuum of services rather than as a group of discrete programs. The reviewers recognize that the discreteness of programs has been exacerbated by the Division's current granting process, but it is a particularly ineffective way to utilize the resources of a multi-service organization such as ACS.
- Incorporate family treatment concepts, working with families to return children to their families. Presently family treatment is discussed, but it is not well integrated into ACS programs. The way the individual programs operate suggests

that the agency views itself as better parents for the children than their own parents.

- Focus attention on identifying client outcomes and time-frames that are expected to be accomplished. The reviewers recognize that this is not an easy task but it must be done. Considerable attention needs to be focused on establishing this kind of information about each program within the larger agency. ACS is capable of this level of specificity and sophistication.
- Identify, with more clarity and specificity, what behaviors are acceptable in each program, and conversely what behaviors are unacceptable. To do so will reduce the intake/rejection problems. It should not be necessary to start each new intake as though there were no baseline specifications. Work in this area can be expected to benefit the relationship between ACS and the referring agencies as well.
- Attention be directed to bringing Adventure-Base case records up to standard by improving both format and content.
- The Intensive Care programs be viewed as a single program under one coordinator. This will enable the two programs to function in a more coordinated fashion and will facilitate the assignment of a resident to whichever unit is most capable of meeting the youth's needs at a particular point in time.

ALASKA YOUTH ADVOCATES

Alaska Youth Advocates (AYA), located in Anchorage, is the multi-service arm of the Alaska Youth and Parent Foundation, providing both direct services to youth and families as well as a broad program directed to community education and system reform. AYA operates a ten bed emergency shelter, five of which are funded under DFYS contract relevant to this review (the remainder funded through Runaway monies). The shelter facility is located in a building which also houses AYA offices and other activities.

The program serves the South Central Region, principally Youth Service referrals from the Anchorage area.

Governance

The agency is governed by the Board of Directors of the Alaska Youth and Parent Foundation. There is provision for seven to 13 members; currently the membership is four short of the full complement. The by-laws are generally well written, covering many of the essential aspects of good governance. The by-laws provide for a single three-year term with no apparent provision for subsequent terms, either immediately or after a hiatus. There is an unusual provision which permits a retiring board member to be elected as a non-voting ex-officio member for life. Although this provision provides an opportunity for continued involvement of persons who have served a term as a board member, it does not benefit the actual governing process since such persons are without vote.

The by-laws provide for the nominating committee to be appointed by the President. The election of this committee, or at least the election of the chairperson, provides for greater assurance of an open process of selecting board members. The by-laws provide for no standing committees except the Executive and nominating committees. Without appropriate standing committees, a board is forced to function as a committee of the whole, increasing the potential for slighting certain aspects of the governance due to time constraints of the members. At least three standing committees: Finance, Personnel and Program are critical for responsible oversight of human service organizations. For mutli-service organizations such as AYA, sub-committees of the Program committee might also be established to focus on particular components of the service program such as emergency shelter. The "people power" of committees and sub-committees can be extended beyond the voting members of the board by assigning ex-officio board members and other interested persons. Many agencies have found that utilizing "interested others" as non-voting committee members is an excellent means for developing a pool of experienced persons from which new board members can be selected.

Attention has been focused on securing representative membership on the board. Presently there is one native and two Black members. As an advocacy agency, AYA exhibits a high level of sensitivity to community need, cultural issues and concern for rights and adequate representation.

The board has been primarily involved in fund raising, and planning. They have developed both a one and a five year plan. They played an active role in the development of the agency's response to the RFP from DFYS on which their current program is based. They see responsibility for securing funding which fits the agency's goals and objectives as a primary board function.

The board evaluates the executive director annually. The process used through 1985 required each board member to prepare a written evaluation. These were discussed and the board reached a consensus which the board president discussed with the executive. Subsequently, the full board and the executive discussed the issues. A mechanism for formal rebuttal is included in the process. Beginning in 1986, an executive evaluation committee will be used for the initial stage of the process.

The board members have had considerable training in addition to past experiences on other boards. They have had a consultant from Minnesota in twice to assist them in goal-setting. Most members have also attended the board training sessions provided by the United Way which addressed goal-setting, board function and interaction. At the present time, those members interviewed do not see the need for any additional training.

Administration

The executive director has been with the agency for approximately two and a half years. She is an attorney-at-law. The agency programs are organized under a Program Director who has professional training in psychology and education as well as experience

in residential programming for adolescents. In addition to the shelter program, the units include, Legal Information, Crisis Counseling and Family Mediation: Life Skills; and the Abused Teens Group. Each unit is under a coordinator. Both shelter staff and residents benefit from the other AYA programs.

Personnel policies and files are acceptable. The files record training received by each individual. Most of the personnel evaluations were current in the files reviewed except for several senior persons. Volunteers enrich the program and extend the services beyond that which would otherwise be possible. The staff is more racially and culturally balanced than many of the agencies reviewed.

Staff have received some focussed training. New child care staff are assigned an experienced "buddy". No specific topics of desired training were identified.

The physical facility is appropriate for the purposes for which it is used. The shelter occupies the second (sleeping rooms) and third floors (activity space and some offices), while the first floor is used for administrative offices. The equipment resource materials are quite good although there is limited large muscle equipment. The resident use community recreation facilities. The facility has a valid license and other inspection reports are in order.

Service Quality

The quality of the shelter service appears to be excellent. There

is a significant treatment orientation despite the fact that emergency shelter is not viewed a "treatment service" under the DFYS granting process. Both community leaders and referring agencies view AYA as providing a good service with careful supervision of the residents. AYA supports a "quality time" concept which seeks to use whatever time a youth is in residence to benefit the resident's growth, skills, and coping mechanisms. The agency has more capacity to involve the family members, through the Family Mediation unit, than most other programs reviewed, including many of the longer term facilities. The shelter program appears to benefit from the stability and support accorded it by being co-located with administration and other service programs.

The case records do not reflect the quality of service that other information and observation suggests; thus they were judged only as average. The records do reflect a great deal of work with youth in the early days after admission, reflecting an appreciation of the short stay that many shelter residents will experience. Many records do not record information about family goals or any work with families. None of the records reviewed contained fully executed placement agreements.

Relationships

Community Leaders

AYA generally enjoys a positive relationship with community leaders. The AYA shelter program is well received and understood by the community leaders. Administration is viewed as responsible and responsive. Most of the community leaders interviewed respect

AYA for its efforts to provide more than a bed and three meals for youth requiring emergency placement. AYA maintains an active relationship, both formal as well as informal, with a number of community organizations. AYA is represented on several local and statewide committees and task forces.

Referring Agencies

In general, the relationship is good between the referring agencies and AYA. Frequent informal discussions have served to maintain functional channels of communication. An informal agreement has been reached between DFYS and AYA to use the AYA shelter principally for Youth Services referrals (and to use Booth Shelter for Family Services referrals), thus the closest day-to-day working relationship is with Youth Services. This informal "restriction" is viewed as problematic by Family Services. Some Youth Services personnel see the AYA "advocacy stance" as divisive when it "pits the youth against the system". Other respondents suggested that there remains a residue of old adversarial attitudes toward AYA which were prevalent prior to the agency's entry into the direct service field. These continue to color relationships.

Among the Staff and Between Staff and Residents

Relationships among staff appear to be good; they feel generally supported in their various roles. There seems to be a comfortable working environment. Personnel in units other than the direct shelter staff view themselves as part of the internal network for the shelter program.

Observed interaction between staff and residents was acceptable. The staff are generally mature and represent good role models for the residents. Residents reported that staff are caring and fair, and that staff try to help them. Residents know why they are there and what they have to do to leave the shelter, although they expressed the uncertainty that is generally endemic in shelter residents, i.e., that of not knowing when things are going to happen.

CONCLUSION

Strengths

- Dedicated, mature staff.
- Treatment focus within a shelter setting.
- Weekly staffings directed toward planning for individual residents.

Weaknesses

- Case files do not adequately reflect family work.
- Case file format makes it difficult to determine admission and discharge status.
- Program manual lacks shelter-specific materials to guide staff.
- Upper level personnel evaluations behind schedule.
- Board does not have a standing committee structure.

Recommendations

In summary, the reviewers conclude that the AYA shelter program is of good quality, responsibly administered and governed. This organization appears to have the foundation and capacity to

expand as community needs dictate and resources become available.

The following recommendations and suggestions are presented for AYA consideration:

- Add shelter-specific sections to the manual. Both policy and procedural materials as well as statements of philosophy and standards for practice are suitable for this purpose.
- Direct attention toward refining the by-laws to provide for appropriate standing committees.
- Refine case recordkeeping to reflect work actually done with youth and their families. Recordkeeping refinements should ensure that basic information is recorded and readily accessible.
- Restructure the incident report form to provide a separate section to record action/disposition.

KENAI PENINSULA COMMUNITY CARE CENTER

The Kenai Peninsula Community Care Center is a ten bed, coed residential facility composed of one five-bed home, used as an emergency shelter, and another five-bed home used for longer term care. An additional five beds, at a separate location, have been proposed for the funding year beginning July 1, 1986. The facility serves the South Central Region. Referrals are from Youth Services and Family Services.

Governance

The board's by-laws indicate that its functions include both governing and advisory responsibilities. The by-laws include descriptions of the board officers' functions, and provide for three-year terms. Members may serve as many terms as they wish, although board members seemed unaware that specific term lengths exist. The board is composed of nine board members. There is currently no native representation on the board: eight members are Caucasian, and one Black.

The by-laws provide for two standing committees: Personnel and Program Evaluation, but the minutes indicate there are also Finance, Program, and Personnel Committees functioning. The board appears to be very active in some areas. They were instrumental in designing and supervising the construction of the new homes, are now seeking to landscape the site, and are also conducting a raffle as a fund raising event.

The board minutes indicated activities related to personnel

issues. For example, the board recruited, interviewed and subsequently hired the director. They also perform annual evaluations, recommend salary level and raises for the Director.

The by-laws state that the board is responsible for evaluating the program annually, but no evidence could be found to document that this actually occurred. In addition, the minutes reflect little discussion or documentation of policy decisions. For example, the program has undergone major changes in the past year, both in terms of philosophy and in programming, yet there was little discussion in the board minutes about the reasons behind these changes, choices made, or other options considered.

Although two years of minutes were reviewed, attendance was not uniformly recorded, so it cannot be determined how active board members have been.

Most board members have not had specific training, but they reported gaining experience by sitting on other boards. No interest in further training at this time was expressed.

Administration

The current program is based on the family teaching model, staffed by two couples, who report to the director, and two part-time aides. The organizational chart for this program shows a psychologist on staff; however no personnel file was available for this position. The current staffing pattern and organization do not reflect what is described in the proposal - a behavior modification program with an awake night staff.

The executive director was hired in January 1985. She has several years of experience in community work and in grant writing, and has exhibited a high level of skill in networking, however she has no training in child care or experience in children's residential care.

The organizational plan designates the Director to serve strictly in an administrative capacity, providing no direct services of any kind. Such a division of responsibility deprives the house parents and other child care staff of clinical and programmatic oversight in their day-to-day functioning. The organizational structure does not provide for a person who can direct program development, case planning and other elements which require experience in supervision and direction with regard to providing services to children and youth in placements; a situation with potential gaps for the program.

One set of house parents, hired approximately six months ago, is certified in the teaching parent model, and have three years prior experience in residential child care. For the second couple, one has 18 months' experience with direct care in a boys' home, and two years' experience in child care with educatable mentally handicapped. The second person has a BS in special education, although no related experience other than some volunteer work. One of the assistant family teachers has a BSW, and the other some college. With the exception of a newly-hired assistant family teacher, all staff members are fairly young, and none have experience in parenting teenagers.

Since both the staff and program are very new, roles are presently not clearly defined. The model is new to most staff.

Staff training is documented in the personnel files, however a need for additional training was expressed. Staff from the Kodiak Mental Health Center have provided some initial training in implementing the Family Teaching Model, and there is an agreement that Kenai staff can attend Boys Town training, but nothing specific has been planned. Identified training gaps include sex abuse and suicide prevention.

Major program and physical plant changes have taken place in the past year to accommodate the new program based on the family teaching model. The facility is clean and in good repair and essentially appropriate for the program. These physical plant changes placed the staff living area in the back of the house, raising supervision problems of both the residents and the staff children. Each resident has his/her own room, which they are allowed to personalize as they wish. Space utilization could be improved and the agency is working on this.

Some additional equipment for older residents should be provided.

The facility does not have a valid license.

Service Quality

As the program modality is new and not functioning smoothly, the service quality is difficult to determine. The emphasis in the program is on the family role model. All services are purchased.

including counseling. There is a point system in place, but there is evidence that this modality is not effective with many of the residents. Although the current program has been in place for a very limited time, it appears that the services are better than they were two years ago.

Concerns regarding "house rules" and policies were identified. For example, the smoking policy, cited by most residents, appears to be arbitrarily enforced; reportedly, staff smoke wherever they choose, including in front of the residents, but the residents are not permitted to smoke. Residents expressed resentment towards the point system. Although some residents stated that they felt the discipline is not particularly fair, they were not able to cite any specific instances. The range of activities offered to residents appears limited with considerable emphasis on many outdoor activities including long hikes. A larger range of activities should be available for recreation and skill development.

Some concerns related to services were expressed, specifically regarding the inability to adequately supervise young children, due to facility constraints, and the close proximity of the young staff children with residents; the lack of training of some of the staff; and the lack of documentation/follow-through for case planning and service delivery.

Case records reviewed revealed some planned staffings with those involved with the case, such as social worker, counselor, psychologist, etc, however they did not contain specific case plans nor

did they provide for periodic review of these case plans. There was minimal evidence of work with families.

Relationships

Persons interviewed were very positive about the quality of the services provided, indicating significant improvement over the program provided in the past years. Persons interviewed were very supportive of the new director, and felt she was responsible for much of the program's success.

Community Leaders

Relationships with community agencies appear basically positive although somewhat uneven, with a need for an increase in the level of feedback and information that service providers receive. Agencies desire more communication with the center staff with regard to the treatment plans and progress of the residents.

Relationships with the school are good. School personnel have observed positive changes in the residents, including their personal appearance, attendance, and social skills. The center staff monitors the educational progress of the residents on a regular basis, and is readily available to school personnel. For example, center staff send notes to the school, detailing progress of the residents. Although school staff expressed the desire for more personal contacts, they appreciate the information they receive. There is some concern that the proposed addition of five beds would bring more special education students into the school, a situation which school personnel believe might

overly burden their system and ability to provide the required services.

Referring Agencies

Relationships with referring agencies have improved considerably over the past year. There are frequent telephone conferences, but facility staff rarely attend case staffings. Relationships with police are reported as good. Staff apparently always have time to talk and work with police.

Some of those interviewed expressed concern about the strong advocacy position taken by the staff, sometimes viewed as a position against the parent. If this is true, additional problems for the child may be created, especially if the child is going to be returned home.

Among Staff and Between Staff and Residents

The vast majority of the staff have been hired within the past year, and roles and relationships are still being developed. At this point, it is premature to evaluate the quality of staff relationships.

CONCLUSIONS

Strengths

- Active efforts to improve the program.
- Basically positive relationship with community, agency's openness to suggestions from community and others.
- Lead teaching family has training and experience.
- New and clean facilities, although some modifications should be considered.

- Community's perception of positive program changes, and its support for the new director.
- Board members' level of concern and interest.
- Recognition of residents' need for their own space.

Weaknesses

- Director's lack of experience in residential child care.
- Relatively new staff, lack of clarity in program goals, roles and responsibilities not fully defined.
- Organizational structure does not provide for a program leader to develop and coordinate in-service training.
- Organization of space which makes supervision of residents difficult.
- Inconsistent enforcement of the smoking policy.
- Some gaps in communication between referring agencies and staff.
- Gaps in case recordkeeping, lack of case plans and documentation of services.
- Lack of personnel, procedure, and policy manuals.

Recommendations

In summary, this program has undergone significant changes from that proposed to DFYS, and is currently working to stabilize itself. These changes are viewed as very positive forward steps. The program has a concerned board, and some experienced direct care personnel. Treatment leadership is needed to refine and stabilize the newly established teaching parent model. The following recommendations and suggestions are provided for the consideration by Kenai Peninsula Community Care Center.

- Clarify the role and responsibilities of the Director.
- Clearly specify the function/job description of the psychologist.

- Determine responsibility for caseplanning, organizing services, and coordinating purchases. Work closely with DFYS to develop appropriate forms and focus for improved case recordkeeping.
- Develop and implement a training program. The objectives should include increasing staff understanding of the dynamics of child and family functioning and the development of skills in constructive intervention. Local persons with skill and knowledge in these areas and the use of materials borrowed from the state library and DFYS training resources can support training. Self-training and sharing with other staff through the planned use of reading and taped materials followed by staff discussions is an excellent training format to supplement more formal opportunities.
- Develop procedure, program and policy manuals.
- Provide training to the board, focussed on roles and responsibilities to help them in the process of decision-making.
- Define and clarify the program's roles and responsibilities and develop a plan to strengthen communication with referring agencies.
- Carefully examine the facilities, and make modifications as necessary so that residents can be observed in all areas of the building.
- Provide space for counseling and private meetings.
- Improve level of supervision of residents.
- Provide additional equipment for older residents.

KODIAK BAPTIST MISSION

The Kodiak Baptist Mission is an independent non-profit organization providing residential care for children and youth. The Mission is affiliated with several state and national associations of Baptist programs. Consultation is available and ex-officio representation on the board is accorded to the National Ministries of the American Baptist Churches, USA. The licensed capacity is 30 (but not staffed for this many residents). The living quarters are divided into three homes on a campus; two for longer term placements and one for emergency placements, and orientation and assessment before assignment to a longer term unit. Thirteen beds are funded under the DFYS grant. The facility occasionally accepts private placements or accepts children temporarily who need care even though the state beds are full. Referrals for funded beds are received from Youth Services and Family Services. The facility serves youth from the South Central Region.

Governance

A board of 10-14 persons governs the agency. Presently there is a full complement. By-laws guide their activities and members serve staggered terms. Until recently, the by-laws provided for rotating terms with a specified hiatus between terms. This has been eliminated to permit a member to serve an unlimited number of terms. The rationale for this decision was to allow valued members to continue their role as governing board members. Finance, Personnel, Resource Development and Program Committees have been

established. The board meets a minimum of quarterly while the committees meet monthly. Review of the board minutes indicate that the principal activities of the board have focused on financial and personnel matters with less focus on programmatic issues. Orally, Board members communicated evidence they they possess knowledge and interest in the implementation of the teaching parent model. They have also supported agency independence from the Kodiak Mental Health Center with which a contractual training and consultation relationship has long existed. The board has recently completely updated the personnel policies. The changes were directed toward making the policies and job descriptions consistent with the teaching parent model now in place.

Board members have had some formal training. For example, in April 1986, a consultant came on-site to conduct a workshop for the board. New board members, especially those persons who are not familiar with the Mission, are provided with orientation. Plans for standardizing the training have been discussed, although no particular interest in specific types of training were identified.

Currently, there is one native member. The local native groups have been approached to assist in recruiting persons to increase the native representation.

The board has developed a five year plan which is reviewed and updated annually. Board oversight of the facility includes periodic visits to the individual "homes" (resident cottages) and through monitoring staff who work with board committees.

The board evaluates the director annually. This evaluation is conducted through the use of a questionnaire which is completed by each board member. These questionnaires are collated by the Executive Committee which then meets with the Executive Director to discuss the findings. Not all board members are satisfied with this process, feeling that it should be designed to be more of a growth process. Before the next evaluation is due the board expects to refine the process, with the assistance of a board member with experience in personal administration.

Administration

The Director was away on extended medical leave at the time of the review. The Program Director was interviewed regarding both administrative and program issues. The Director has been in her current position nearly two years, promoted from her position as a teaching parent which she held for one year. She has a bachelor's degree in social sciences and formal training in the teaching parent model of residential care. There is a Program Director to whom the teaching parents and house assistants report. The individual living units function as self-contained homes. All the teaching parents have had previous experience in this treatment model. During the past year, there was essentially a full turnover of staff, a change viewed by the agency as a significant move to upgrade the program.

A very structured training program has been developed for this model (which was developed at Boys Town, Nebraska) which involves pre-service orientation and observation, very close supervision

and ongoing consultation. Prior to the current administration, the Mission had a contractual arrangement with the Kodiak Mental Health Center which included staff training conducted by a MHC staff person who is a certified teaching parent instructor (who trains for this model in other program as well). Since the establishment of the position of Program Director, the contractual relationship with the Mental Health Center, both the training and direct case consultation, has ceased. An agreement for psychological and other services has been developed with the native association KANA. The Mission desires a greater degree of independence, than was felt to exist in the relationship with the Mental Health Center, to conduct their own training and to access community services, as it deems necessary. There is a strongly articulated desire to protect the integrity of the teaching parent model.

Review of personnel policies and files show acceptable practice. Performance evaluations are current and training documented in the files. It was noted that all staff are Caucasian.

The physical facility and equipment are appropriate for the program provided. The location on a lake shore, trees, flowers and open spaces provide a pleasant setting for the individual resident buildings. The license expired on April 24, 1986, and the sanitation clearance is quite old as well. The log of fire drills indicates that drills are primarily held in the late afternoon rather than at varied times of the day and night. There was incomplete evidence that problems with evacuation

identified during drills had been addressed.

Service Quality

The service quality is acceptable. A structured home-like environment, within a campus setting, is provided. It is an appropriate program for youth with sufficient impulse control to respond to the structured program. The program emphasizes behavior modification and reflects a minimum understanding of and response to the dynamics of child and family problems. The focus of the treatment model appears to be rigidly adhered to. As a result there may be fewer benefits than would accrue with more flexibility. There is evidence that the program lacks sensitivity and attention to the ethnic and cultural differences of the predominantly native resident population. The recently intensified relationship with KANA has potential benefit in this regard, however. The program appears to have the potential to effectively serve a wider range of child and family situations than presently appears to be the case.

The agency has not consistently handled reportable incidents in the best fashion. Appropriate procedures must be adhered to and staff made aware of their responsibilities.

Review of case records reflects service quality ranging from average to minimally acceptable. Records reflect child goals in most instances, and appropriate family history. Most did not contain fully executed placement agreements. There is little evidence of work with families or efforts to involve them in the treatment.

Relationships

Community Leaders

The Mission enjoys the respect of the community as a responsible, caring provider of residential child care. In general, the agency has traditionally been viewed as a cooperative and active participant in effective community coordination. New administrative direction and new, in-house capabilities within the Mission program have altered working relationships with community agencies and professionals. These changes are not entirely viewed as positive changes within the community of agencies but rather seen as a reduction in community teamwork and an intensifying of a stance of "isolationism".

Referring Agencies

The working relationship between the local DFYS office and the Mission is strained. There are marked differences in perceptions and philosophy of treatment. As indicated above, the deterioration of community working relationships has affected the referring agencies as well. Many of the residents at the Mission are placed through other DFYS offices, with a "courtesy" assignment to the local office. As a result, the local office may become involved principally at points of crisis, which probably further strains the relationship. The Mission is viewed as exhibiting an arrogance regarding the efficacy for its treatment model which reduces cooperation.

Feedback on treatment progress, from the administrative level.

ranges from acceptable to not acceptable while information regarding agency policy changes is generally deemed unacceptable. Prompt information regarding vacancies is also regarded as less than optimal.

Among Staff and Between Staff and Residents

The relationship among the teaching parents appears comfortable and supportive. As most staff are new, there is a feeling of working together to develop a cohesiveness. A desire for clearer policies and greater administrative flexibility was identified.

The relationship between residents and teaching parents was warm, relaxed and appropriate. The youth were clean, pleasant and very well mannered and proud of their homes. They know why they are there and what they need to do to leave. They report support from staff, easy access to their families and social workers, probation officers and lawyers. Those from outside Kodiak expressed a desire for more opportunities for contact with their families.

Conclusion

Strengths

- Pleasant location and good facility. Nice use has been made of basically quite old buildings.
- Clear treatment methodology.
- Good board structure.
- Involved and knowledgeable board.
- Caring nurturing environment in home-like setting.
- Well organized case records with good detail regarding

interaction between child and program.

Weaknesses

- Program rigidity.
- Isolation from the community of agencies.
- Heavy emphasis on behavior with limited understanding of the dynamics behind the behavior.
- Failure to conduct the agency's usual annual program evaluation during the past year.
- Insufficient communication of policy and policy changes to line staff, referring agencies and community leaders with a need to know.

Recommendations

In summary, the Mission is providing a good quality of service for a certain type of child who can accommodate themselves to the demands of the program. The agency had recently developed a reputation for rigidity and isolation which is perceived as a negative. A concerned board, good physical facilities, caring staff with adequate supervision, awareness of the value of training, and a community with unusually varied and high quality services and teamwork "set the stage" for a higher quality treatment program than appears to be currently provided by the Mission. The following recommendations and suggestions are provided for the Mission's consideration.

- Record more details of the work done by the board committees in the board minutes. Since much of the "board work" is done by the committees between relatively infrequent board meetings, it is important that information regarding their work be maintained.
- Examine the manner in which the treatment model is being implemented. The teaching parent model can be a very flexible modality which uses a variety of tools and techniques to

intervene and treat children. Skill in bringing about behavior changes through role modeling and prompt, clear feedback to residents should be supplemented with cognitive and clinical skill and techniques.

- Develop and implement a plan to establish and maintain good working relationships with the community of agencies. This should be based on open dialogue and professional respect for differences. No one agency can "be all things" to its clients. Multi-disciplinary approaches are most effective, especially in working with children and families dysfunctional enough to justify placement of the child in a group care facility.
- Develop and implement plans to strengthen cultural and heritage awareness. The activities should include native staff and board members, food, crafts, recreation and activities which support language and tradition.
- Conduct fire drills at varied hours, including when staff and residents are asleep and ensure that identified problems are addressed.
- Consider a return to a system of having a limited number of terms on the board. Ex-officio membership, non-voting involvement on committees, special assignments and similar means can be developed to retain the interest and involvement of valued members while ensuring that new ideas and persons are added to the board in a regular fashion.

SALVATION ARMY BOOTH MEMORIAL

Booth Memorial, located in Anchorage, is the child care component of the very large Alaska Salvation Army program. The Booth Memorial program includes residential care for females and a day treatment program in one location and a co-ed shelter at a separate location.

Although most residents come from the South Central region, the residential program for females is the only residential maternity home service in Alaska so it serves young women from other regions as well.

Governance

The board is an advisory body with provision for 15 to 21 members, currently operating with 15 persons. As an advisory group, they have no policy making authority (this authority is vested in the Salvation Army). There is provision for two members of the Central governing board to sit on the Booth board. As an advisory body, they make recommendations and feel that their suggestions are generally accepted. For example, they have recently been involved in reviewing the grant application and in the modification of the shelter program. The board is actively working to increase native representation among its membership.

Review of the by-laws and board minutes indicate that they are within an acceptable range. The board's concern with planning is focused on fiscal stability as well as ensuring that the physical facility adequately meets program needs. The board has had little

formal training but many have had experience on other boards. Some members have attended board training provided by United Way. Members are interested in training regarding fund-raising, the role of the state with the private sector, and organizational structure.

The evaluation of the executive director is informal as no formal process has been developed.

Administration

The Executive Director has been with the agency for a number of years and has long experience with the Salvation Army. He has a Master's Degree in Social Work. The agency is organized, by program, under the Director of Program who also functions as the Assistant Director. Because of the medical needs of the pregnant residents, the agency has a number of medically oriented staff members.

Personnel policies and personnel files are within the acceptable range. The files record the training each person has received. The shelter manager has a number of years experience with Booth but neither she nor most of the other shelter staff have any experience in shelter programming.

The physical facility where the residential and day treatment program operate are adequate and pleasant. The reviewers have some concern about the degree to which the doors are kept locked to keep the residents from flowing in and out different sections of the building. The purpose for the locked doors is understood.

but the impression left is that the building is more of a restrictive facility than it really is.

The shelter building is inadequate for the emergency program. Its size, internal design, equipment and location all have a negative impact on the shelter program.

Both physical locations are licensed and other inspection reports are in order.

Service Quality

Residential Program for Females

The residential program provides acceptable quality services and is well understood and received by the community and by the referring agencies. The program appears to have necessary components and resources. It is generally believed that the single-sex program has been less fraught with the difficulties experienced by co-ed programs in the community.

Review of the case records indicates that the quality of service is either average or high quality. None of the reviewed records contained fully executed placement agreements.

Day Treatment

The day treatment program meets a community need, appears to be functioning at an acceptable level and is well received by community leaders and referring agencies. Although it is recognized that the program is not serving the most difficult children, it is viewed as providing a quality service for those that are in care. The recent addition of a teacher for the children in day

treatment, as separate from the classroom for the residents, is seen, internally as well as externally, as an improvement. Care should be directed to maintaining youth only for such part of each day as their needs actually require.

The case records that have been open for a somewhat longer period of time reflect a better level of quality and more adequate information than those open for shorter periods (relative to reasonable expectation for given time periods). This suggests that there may be some difficulty in getting appropriate information into the case records. Review of the case records reveals that service quality is either average or high quality.

Shelter

The agency operates a 12 bed shelter for males and females at a location separate from the residential and day treatment programs. As indicated previously, the building is inadequate for such a program. It is a three-story building and is very small relative to the kind of activities that need to occur. The floor plan also contributes to problems in supervising residents. There is minimum equipment for resident activities and recreation. It is the reviewers' understanding that the agency anticipates moving to another location and this is encouraged. It is difficult to determine whether the problems that the shelter is experiencing are caused by the fact that the program is very new or are caused by the physical location. The reviewers suspect that the two have combined to create a number of difficulties for the program. Both of the above problems are compounded by the fact that the build-

ing is located in a geographic area that offers a bad environment for the young people in care.

The shelter program meets a community need and the purpose of the shelter and its availability are well understood by the community leaders and the referring agencies. There isn't a uniform understanding, however, that the Booth program is being used primarily for Family Service referrals while the Alaska Youth Advocates shelter is being used primarily for Youth Services referrals.

The policy of "no refusal" at Booth has been a difficult one for the agency to implement when faced with the inability of DFYS to find alternative placements and to make permanent plans for it's children in a timely fashion. This has resulted in children remaining far too long in shelter. At the time of the review visit, there were five children who had been in residence for more than 44 days and two were on their 93rd day. This extended length of time in shelter care makes for an intolerable situation in a shelter facility which is neither funded or staffed to provide an ongoing treatment program.

The reviewer's observations suggests that the program has not been able to integrate many clinical concepts or crisis intervention techniques into their program. They are utilizing the privilege of recreational opportunities as a behavioral management tool rather than using the time that the youngster is in care to teach the child new skills or coping mechanisms.

The case records are very unprofessional looking and they contain

bare minimum materials. None of the records reviewed had fully executed placement agreements. They contain essentially no evidence of family goals or involvement and reflect minimum materials from referring agencies. The quality reflected in the record compares with the minimum quality care perceived by the reviewers.

Relationships

Community Leaders

The working relationship between Booth and the community leaders appears to be acceptable. The agency is viewed as cooperative and caring. The major difficulties are experienced with the shelter program itself rather than in relationships. It was generally indicated that the difficulties are not all of the agency's doing.

Referring Agencies

The Youth Services staff have minimal experience with Booth and thus have little relationship with the agency. Family Services experience difficulty in working with the shelter staff on case-specific issues such as handling behavioral incidents and timely feedback. The relationship with Booth administration is viewed as adequate.

Among Staff and Between Staff and Residents

The reviewers observed some lack of interaction between the staff and the residents during school and noon breaks at the main facility when no specific activities were going on. The quality

of the interaction at the shelter was difficult to determine...although the tightness of the quarters requires a lot of "togetherness". The residents expressed the feeling that the staff were caring, fair, and interested in them. Some adolescent residents were very critical of their DFYS workers and wondered, aloud, why their Booth workers didn't help them with that problem.

CONCLUSIONS

Strengths

- Very caring staff.
- Flexibility and willingness to modify to meet changing needs.
- Supports provided by the Salvation Army parent organization.
- Professional and therapeutically-oriented programs in the main campus and day treatment components.
- Good physical facility for the residential and day treatment programs.
- Satisfactory integration of pregnant and non-pregnant residents in the female program.
- Organizational stability.

Weaknesses

- Minimum involvement of families in programs except for the day treatment component.
- Lack of follow-through and aftercare services.
- Financial constraints which have resulted in extremely low salary scales.
- Facility and equipment at shelter.
- Insufficient staff training and experience, especially in the shelter program but also generally true for child care staff in all programs.

- Implement "quality time" concepts in structuring the shelter activities program.

B. WESTERN REGION

BETHEL GROUP HOME

The Bethel Group Home is a community-based residential care facility for eight boys. Until several years ago, the facility was principally staffed by rotating Jesuit volunteers. Most recently, primary responsibility has been assigned to paid personnel supplemented by the Jesuit Volunteer Corps. The principal source of funding is the DFYS grant supplemented by Jesuit volunteer staff. The Group Home provides service for youth from the Western Region and accepts referrals from Youth Services and Family Services.

Governance

The governing board, which may range from seven to nine members, currently has seven members including one Athabaskan and one Black. The by-laws do not provide for rotation of members. Efforts to establish a functioning committee structure have not been very successful. Only the Finance Committee is functioning. Attempts to establish a Program Committee and a Public Relations Committee have not been effective.

The agency has made concerted efforts to increase the minority representation on the board, currently operating with a lower percentage than at some periods in the past. They are actively seeking minority representation including experimenting with the use of telecommunications to involve persons living in villages.

The board has been more active during the past year, meeting almost monthly, having previously often gone for some months

without meeting. The board discussed the agency's grant proposal but did not assist in its preparation. They see their principal involvement related to fund-raising, cash flow and general oversight. Several members are involved in such community activities as the Task Force on Alcoholism, which they view as beneficial to both the community and the Group Home. Their main involvement in planning involves the conversion of their program to a co-ed one. They are reticent to move in this direction but feel pushed by community needs and Division pressure. Modification of the physical facility is underway to accommodate changes in the residential population.

The board members, including recently elected members, have received no training or orientation although the director's goal statement was shared with them. Some members have experience on other boards. Their knowledge of the Home comes from general information and living in the community. The members expressed an interest in training regarding their role and function.

The board did not formally evaluate the administrator during the tenure of the previous director. They now conduct a structured assessment of the current co-directors (see following section re: administration) and the program status twice annually at board meetings when the terms of the two directors overlap.

Administration

The Group Home has an unusual mode of executive leadership. Two men share the Director's position on a six month cycle, each being outside Alaska during their off term. This schedule accomo-

dates to the personal and professional needs of the two incumbents. The board accepted this arrangement, suggested by the incumbents, because of the perceived difficulties in recruiting and retaining personnel unless they can be assured opportunities away from the community. A written contract, overlapping tenure (one month at each turnover), written agency goals and objectives have been developed to smooth the transition and support continuity. The agency feels that resident treatment is not interrupted by this arrangement as neither director is directly involved in the clinical aspects of the program. The board admitted reservations to the arrangement when it was originally suggested but now feel that it is a functional arrangement.

In addition to the Co-Directors, there is a Treatment Director with direct responsibility for the child care personnel (both paid and volunteer). The current Executive Director has considerable experience in health care and the Treatment Director has residential and training experience but neither has clinical or treatment credentials. The other Executive Director is reported to have residential treatment experience.

In the personnel files reviewed, performance evaluations were current but otherwise they revealed serious gaps in content. For example, many of the records lacked employment agreements and documentation of training received. The agency is also cautioned that it is inappropriate to use case names and information in personnel files as part of the employees performance evaluation.

The staff is well-balanced racially and ethnically, being half native or other minority. Aggressive efforts and planning have gone into this accomplishment. Training, careful recruitment, screening and recognition of work attitudes and practices are part of this effort. The staff is half female and somewhat older than most other facilities reviewed for this study. The plan is to phase out the Jesuit volunteer program in the next year or so which will have financial impact as these persons are replaced with paid staff.

The facility has implemented a structured training program for child care staff involving eight hours of orientation at the time of employment, one to two weeks observing the program in action, followed by the "Chapel Hill-North Carolina" child care workers' training curriculum for a total of 92 hours annually per employee. This training is supplemented by weekly staff meetings.

The physical facility and equipment are adequate for the program. Outdoor work, around the facility, to simulate tundra landscape was included as a part of the summer resident employment program. The facility should be carefully cleaned as it shows some shortcomings in this area. The space is somewhat cramped, a problem being addressed as part of the remodeling for the coed program. The facility is licensed. Other inspection reports were in order except for the lack of a sanitation clearance.

Service Quality

The service quality is deemed to be good and responsive to the needs of the residents. The cultural awareness and recently

developed summer work and fish camp program (funded by a special grant) are especially valuable components. The program places a heavy emphasis on the group process and peer pressure; thus youth who are unable to adjust their behavior to such an environment often will not work out well in the program. Varied treatment methodologies would strengthen the program. Children who require care in group facilities should have access to varied treatment methods to meet their individual needs. The fact that the Group Home is not fully utilized is apparently related to the "misfit" between the type of youth that "do best" in the program and the profile of many of the youth for whom placement resources are needed.

Case records reviewed indicated generally high quality service provision. Most records contained appropriate information and necessary documents including fully executed placement agreements. Although basic family goals and information are recorded, not much work with families is reflected. It should be noted that the Group Home was one of only two facilities in the state which required confidentiality release from the team in order to read case records.

The residents interviewed know why they are there and what they have to do to leave. They view the program as good, the staff fair and the rules clear. They view the employment program as the best aspect of the service they receive from the Group Home.

Relationships

Community Leaders

Community leaders report good relationships and frequent contacts with the Group Home. Most contacts are informal. Those persons interviewed understand the program and view it as a valued community resource.

Referring Agencies

The relationship between the facility and DFYS is strained by differences of opinion regarding referrals, case planning and implementation, and lack of clarity regarding roles and responsibilities. The relationship has improved recently but still needs work. Impending change in the Family Service leadership in Bethel is likely to interfere with improving the working relationship, at least in the short term.

Among Staff and Between Staff and Residents

The relationship among the staff appears excellent and professional in tone. Not all personnel are clear regarding the lines of authority and to whom they report. They report the atmosphere is tempered with good humor. The interaction between staff and residents was observed to be active and appropriate. A sense of "house pride" is apparent.

CONCLUSIONS

Strengths

- Staff training program.
- Cultural awareness.
- Structured work and fish camp program.
- Community networking.

Weaknesses

- Insufficient individualizing of the treatment methods.
- Insufficient use of community resources for individual therapy/counseling for residents.
- Unclear lines of authority.
- Marginal quality personnel files.

Recommendations

In summary, the Bethel Group Home appears to provide good quality services for a particular type of youth with fairly good coping skills. Absence of individualized treatment interventions within the program and full use of community treatment resources reduces the level of intervention needed by many youth. The following recommendations and suggestions are offered for the consideration of the Bethel Group Home.

- Examine how acting-out behavior is handled as an aspect of expanding the treatment techniques used.
- Work with DFYS to develop clear and mutually acceptable protocols to guide working relationships.
- Work with the referring agency to ensure that the program is responsive to the types of youth for whom placement resources are most needed.
- Explore and plan carefully for program changes if the Group Home is to be converted to a coed facility. The building is relatively small, and even with proposed modifications, the population change will have a major impact on the program. Consideration should be given, through an interagency planning process, together with the Division, to the potential of remaining a male facility and using the Bethel Receiving Home for females. Each program could maintain some shelter capacity for emergencies until such time as a third (shelter) resource could be established in Bethel. As a longer range objective, consideration should be focused in a merger of the Receiving Home and the Group Home to create a single multi-program residential agency.
- Monitor the dual executive director situation carefully. This is a most unusual arrangement. Some strong feelings were

expressed in the professional community that the agency is negatively impacted by the arrangement with regard to organizational continuity. Although no specific evidence that the arrangement is detrimental was found, the reviewers strongly recommend monitoring.

BETHEL RECEIVING HOME

Bethel Receiving Home is operated by Bethel Social Services (BSS). The parent organization is a non-profit community agency which has initiated a number of human services programs. BSS presently operates residential and day programs for both children and adults. The Receiving Home purchases administrative services, including fiscal management, bookkeeping and personnel services from BSS.

The Receiving Home provides residential care for children from the Western Region. Referrals are received from both Youth Services and Family Services. The Home is currently funded through a DFYS grant for four emergency beds (intended for 48-hour use) and eight longer term beds.

Governance

There is a separate governing board for the Receiving Home. There is provision for seven to eleven members. There are currently seven members, including one native person, although Bethel is a predominantly native community. There are generally several members of the BSS board on the Receiving Home board, although there seems to be no formal mechanism to which guide the interlocking aspect of the boards.

The by-laws have recently been revised. They provide for rotation of members but do not establish standing committees. As a result, the board operates as a "committee of the whole".

Only one year of board minutes were made available for review.

The board met ten times during the past year. The minutes reflect essentially no attention to program issues and do not well document the activities and decisions of the board. The reviewers note that the Director of the facility serves in lieu of the board secretary essentially all of the time, and in lieu of the chairperson much of the time, which suggests that these officers do not fulfill their proper roles.

The board members indicated that the board has been fairly inactive but has recently added several new members, including the administrator of the other child care residential program in Bethel. The board is working to be more active and has taken an advocacy stance in connection with state role and funding of child and youth resources in the area. They are considering undertaking a joint program evaluation with Bethel Group Home.

The board members have not had very much training but many members have previous experience on other boards. There is no board manual, however a packet of relevant materials has been assembled for each person. They expressed an interest in a workshop on board development.

The board views its principal role as ensuring fiscal soundness. They are working to build their budget based on children's needs. They are critical of the funding level provided in the state grant.

The board does not formally evaluate the Director, although the members feel that they are able to assess her performance informally.

Administration

The Director has a BA in Anthropology and Sociology/Psychology. Her personnel file does not indicate the date she was employed and confirms the lack of performance evaluation. The Director was more articulate regarding program activities and objectives of the facility than administrators in many other facilities. The staff consists of the Director and child care workers. There is no treatment, recreation, or program support personnel. The Director supervises all staff as no hierarchy has been developed. All other administrative functions are performed by BSS. This arrangement appears costly and fails to place the responsibility for the program on the governing board and the director, where it should be. In addition, the Receiving Home does not appear to benefit from being a part of a larger organization in ways which might reasonably be expected, i.e., access to insurance, pension programs, training, programming assistance and consultation.

Review of personnel files indicate that staff are poorly qualified for their assignments. Although a small amount of in-service training was reported, none is documented in the personnel files. Staff turnover is very high, several positions having turned over four or five times in the past year. The community is quite transient and stable staff is reported to be difficult to recruit. The minimum salaries and no fringe benefits complicates an already difficult situation.

The physical facility and equipment are adequate except that the storage space is scarce. Work is needed to repair holes in walls

and some cleaning is indicated, especially in the bathrooms. The facility is licensed. Other inspection reports are in order.

Service Quality

Although the Receiving Home is funded for both longer term care and for some emergency use, it operates as a single program and was reviewed in that manner. It operates essentially as a shelter program and the longer term concept merely recognizes the reality that the Division is unable to move some children as quickly as desired. Thus, this program should be viewed as an antenuated-stay shelter program rather than a treatment resource. The agency does not have a clear sense of the role it plays in the system.

Several areas of concern regarding this program were identified by the reviewers, and although the staff exhibit motivation to improve their skills and to correct past problems, the quality of this program is judged to be minimal. The skill level of staff is low, the children stay for a fairly long period of time and the planned programming is weak. In addition, the native population is poorly represented among the staff.

Although the environment appears to be safe and nurturing, staff indicated the desire for training and for program materials such as books and recreational equipment to support them in their work. The layout of the physical facility also makes it difficult for staff to supervise children and contributes to programming problems. The new structure projected for 1987 should alleviate some of these problems.

Despite the fact that staff skill level appears low, the review of case records reveals that average quality work with the children is performed. The records were well-organized and dictation was current but scant. Fully executed placement agreements were not contained in any of the records reviewed, which reflects the overall lack of planning for the children. Of equal concern to the reviewers was the apparent lack of involvement with parents. It should be noted that the Receiving Home was one of only two facilities in the state which required confidentiality release from the parent in order to read case records. The records revealed that essentially no involvement with parents is maintained, although there is evidence that the Receiving Home is quite willing to invite a child's entire family to visit and share meals. Several "outsiders" mentioned that this practice is a positive aspect of the Receiving Home. More emphasis should be placed on working the parents toward family reunification when appropriate.

Relationships

Community Leaders

The relationship with the community leaders appears to be functional. Most of the contacts are informal and fairly frequent. Timely and appropriate feedback is reported.

Referring Agencies

Relationships are reported to be greatly improved during the past two years. There is open communication, with weekly case conferences between Family Services and the facility staff that

provide a forum for problem solving and case planning and tracking. There is daily communication regarding vacancies. The working relationship appears to meet the needs of both the Receiving Home and the Division.

Among Staff and Between Staff and Residents

The relationship among staff appears positive and supportive. Staff interaction with residents appeared to be warm, appropriate and gentle. There was minimal opportunity to interview residents, but they appeared clean, comfortable and appropriately occupied.

CONCLUSIONS

Strengths

- Staff motivation to learn and improve the program.
- Openess to working cooperatively within the community and with the referring agencies.
- Safe nuturing environment for residents.

Weaknesses

- Costly but not particularly supportive relationship with the parent organization.
- Low native representation on board and staff.
- Board is not fully functioning and thus unable to provide either the program or the Director with needed support.
- Dearth of in-service training and adequately trained personnel to design and implement a program which is responsive to case dynamics and the length of time the residents remain in care.

Recommendations

In summary, the Bethel Receiving Home appears to be marginally funded and a portion of its limited resources are channeled to its parent organization. Training is needed for staff and

additional programming for residents should be instituted if this is to be a mid-term care facility rather than a short term emergency shelter. The following recommendations and suggestions are presented for the consideration of the Receiving Home.

- Develop and implement a plan to examine the board's role and responsibility. The assistance of an outside consultant may be required. This task could be coupled with needed training.
- Develop and implement a plan for increasing the native representation on the staff and the board.
- Undertake a formal assessment of the agency's relationship with Bethel Social Services. Alternative means of accomplishing needed administrative functions should be examined. Additional staff and/or the use of an independent accountant offers options to be explored. The goal of a fully independent organization should be thoroughly explored.
- Develop and implement a comprehensive staff training plan. The use of local persons with skill and knowledge to share information, planned and structured self-training, books and other available training materials, and the borrowing of state library and Division training materials offer options for the "ingredients" of such a training plan.
- Increase the activities and programming for the residents, including recreation, games, life skills in addition to counseling and group meetings. Group meetings should be used for a variety of purposes such as problem-solving, use of group dynamics to affect behavior and activity planning.
- Undertake some local, small scale fund raising to supplement resources. Local events and local service organizations offer potential for this purpose.
- Give consideration, through an interagency planning process, together the Division, to the potential of becoming a longer term female facility while the Bethel Group home continues as a male facility. Each program could maintain some emergency capacity until such time as a third (shelter) resource could be established in Bethel. A longer range objective, consideration should also be focussed on a merger of the Receiving Home and the Group Home create a single, multi-program residential agency.

C. NORTHERN REGION

NORTH SLOPE BOROUGH (BARROW) RECEIVING HOME

The North Slope Borough Health Department administers the Children's Receiving Home. The Receiving Home provides emergency shelter for up to 12 children of either sex. The children come from Barrow and surrounding villages. The purpose is to reduce off-Slope placements of children and to facilitate their return home. Funding is provided by the DFYS grant and through the Borough, principally in the form of administrative and supervisory support services. Most children are placed at the Receiving Home by Family Services and only occasionally by Youth Services.

Governance

There is no Receiving Home board. The Health Department Board oversees all of the programs under their aegis, however no special committee of that body focuses specifically on the Receiving Home. Rather it operates through functional committees which cut across all programs. A written plan of long term goals and annual objectives has been prepared for the Children's Receiving Home.

Administration

The North Slope Borough Health Department is organized into four units: Administrative Services; Physical Health Services; Behavioral Health Services and Social Services, each under a Deputy Director. The Children's Receiving Center is part of Social Services. Borough personnel policies apply to Receiving Home personnel.

The Receiving Home is organized with a director, to whom house-
parents and domestic workers report. The director reports to
the Borough Deputy Director of Social Services, who is respon-
sible for her performance evaluation.

The Health Department's administrative and programmatic support
and services is available to facility staff and residents.

The director is quite new, having joined the staff in December
1985. She has experience in residential group care in several
other settings.

Houseparents consist of two couples who "live-in" and rotate. The
two couples share a single home away from the Receiving Home
where they spend their off time (the couples are related). There
is no awake night staff. Very high staff turnover experienced
some time ago is reported to have been reduced, but is still
higher than most other Health Department programs. The Home has
found it difficult to attract and maintain staff, including
native persons. It was suggested that other Department care
programs are viewed by some persons to offer greater benefits
than the Receiving Home, i.e., training opportunities and less
demanding task assignments.

Recent in-service training included workshops in teaching
nurturing skills to parents and in fire safety. Staff have had
some training in connection with sex abuse, both locally and
through attending a workshop in Anchorage. Interest was expres-
sed in more intense training, especially regarding working with

older children and youth.

Review of personnel files indicates that performance evaluations are current. Training is documented in each of the employee files, several showing substantial and varied participation.

The physical facility is appropriate for the program. Equipment is more appropriate for younger residents than for older ones. The facility was clean and in good repair. Space is somewhat cramped; indoor space for large muscle activities for all ages is limited. The facility has a provisional license (through June 1986) requiring corrective action which is not yet underway. Fire safety inspection required corrective action which is underway.

Service Quality

The program is suitable for the short term care of children. The quality is most appropriate for the youngest residents. These are the preschoolers whose needs would generally be better met in family home settings rather than in group care if foster family homes were available. The quality of the program is deemed to be good, especially for younger children. The staff is stable, mature and ongoing staff training is provided, however the facility, program and staff skill level are less appropriate for older youth. The entire staff, from director to cook, participate in case staffings and work as a team. A functioning system of "stars" for the youngest and "points" for older residents has been developed to reward desired behavior. The program evidences less attention and support for native heritage than is desirable.

This is especially true for residents too young to benefit from the heritage programs in the public schools.

Utilization of the program is erratic. The North Slope population is sparse and the area isolated. The maintenance of sufficient bedspace to reduce off-Slope emergency placements was taken into account when the program was established and funded; thus the utilization pattern is not unexpected.

Review of the case records reflects erratic work, half being rated high quality and the other half rated minimally acceptable. There is little evidence of work with families except for visiting plans. Records reviewed contained very little social history and none of the reviewed records contained fully executed placement agreements. "Treatment" plans for residents were satisfactory and reflect the developmental needs of the youngsters (all were records of young children). A good "Enrichment Program" form is used in some records to plot the specific developmental needs of a child and outline the actions that were to be undertaken to address the needs.

Relationships

Community Leaders

The relationship with community leaders is generally good. The contacts are both informal and formal and vary in frequency from weekly to quite infrequent. The community leaders perceive significant improvement in the facility programs during the past several years; improvement which is reflected in a better and more

professional community relationship.

Referring Agencies

The primary relationship with referring agencies is with Family Services, which makes most placements, and far less frequently with Youth Services. Contacts between social workers and probation officers is frequent, often daily, when they have a child in residence. The relationships are generally functional and cooperative. Information and feedback are timely and appropriate. Some difficulty is encountered regarding vacancies when either Youth Services or Family Services use beds (such as with a family group) often the other unit is not aware a bed is no longer vacant. The referring agencies and the Home try to work closely together to consider the composition of the resident population at any given time before deciding whether to place a particular child.

Among Staff and Between Staff and Residents

The relationship between staff is warm and supportive. A team atmosphere prevails. The current houseparents are related. The couple who will replace one couple who are leaving is the previous director and his wife. There is awareness that this has the potential for difficulties, but staff are prepared to work through any problems which may arise. They feel that possible difficulties are outweighed by the new couple's familiarity with the program and the community.

All of the residents were quite young at the time of the review.

The relationship between staff and children was casual, warm and nurturing. Visiting neighbor children, including a few somewhat older past residents, stopped in for afternoon snacks and were welcomed by staff and the little residents. The residents were too young to be interviewed but observation of them and the interaction with staff was appropriate to their ages and developmental levels.

CONCLUSIONS

Strengths

- Warm nurturing environment.
- Stable staff.
- Team work and case staffings.
- Appropriate supervision of children.
- Program manual.
- Good community reputation.
- Good facility.
- Professional support available from the Borough Health Department.

Weaknesses

- Weak case recording.
- Limited work with families.
- Insufficient understanding and training in the dynamics which underlie child and family functioning.
- Weak program for older children.
- Insufficient program enrichment in light of the length of stay many residents experience.
- Limited native staff and attention to children's heritage.
- Limited opportunity for staff to "get away" from the program which contributes to burnout.

Recommendations

In summary, the program has demonstrated significant improvement over recent years. It offers good nurturing care and supervision to residents, especially the young age groups. Staff skill and coverage do not support a strong program for older residents. The administrative tie to the Health Department and good working relationships with DFYS are positive aspects of the program. The following recommendations and suggestions are offered to the Health Department and the Receiving Home for consideration.

- Develop and implement a training program. The objectives should include increasing staff understanding of the dynamics of child and family functioning and the development of skills in constructive intervention. Special attention should be focused on the needs of older children. Local persons with skill and knowledge in these areas and the use of materials borrowed from the state library and DFYS training resources can support training. Self-training and sharing with other staff through the planned use of reading and taped materials followed by staff discussions is an excellent training format to supplement more formal opportunities.
- Implement increased programming and child development activities which will enrich the care of children staying for long periods. The need for program enrichment increases as children are in care for more than very short periods. For preschool children, day care or Head Start type activities are good models for young residents. Activities for older residents, outside of school time, should extend beyond recreation to activities which teach skills and positive coping behavior.
- Develop and implement a plan to ensure sufficient attention to childrens' heritage. Some of the ways that this can be done include crafts, games, stories, language awareness and use. Actively seeking and involving elders in the program offers additional opportunities to enrich this aspect of the program.
- Seek to strengthen the "one-on-one" attention accorded children, especially the youngest ones. Using volunteers and "foster grandparents" are effective ways to accomplish this objective.

- Conduct fire drills at varied hours including meal times and when residents are asleep. This is especially critical for a program with a sleep night staff and many very young children.
- Work closely with DFYS to develop appropriate forms and focus for improved case recordkeeping.
- Develop a long range community plan, in cooperation with DFYS, to convert the Receiving Home to a long term treatment-oriented facility for older children and, at the same time, strengthen the foster family care for the youngest children.
- Group care for preschool age children generally does not enjoy professional support. The rationale in support of group care for preschoolers in Barrow is apparently based on the scarcity of native foster homes for native children and reticence to place such youngsters in Caucasian homes. As the Receiving Home is currently staffed, these children are subjected to all of the disadvantages of group care and to non-native caretakers as well. Placement in good non-native foster homes would be no worse, culturally, and a less restrictive setting than a group care facility.
- Consider the creation of a committee of the Health Board or a citizens advisory group to focus on the Receiving Home. Such attention would increase community awareness of the program and support staff.

NORTH STAR HOME

The North Star Home is a longer term coed residential facility for adolescents located on the Alaska Highway in Dot Lake (population 90), approximately 50 miles from the towns of Tok and Delta Junction. The capacity is seven beds. The home is a nonprofit agency sponsored by the Far North Missionary Fellowship. Youth are placed at the facility by both Family Services and Youth Services. Some youth are placed here from other facilities because of its location and ability to be virtually "run-away proof". The program structure is based on the family teaching model.

Governance

The North Star Home is guided by two bodies: an off-site governing board and a local advisory group. All board members must be active church members. Both boards have by-laws; the governing board has committees, while the local advisory board does not. Rotating membership is provided for on the governing board. The local board, which is appointed by the governing board, consists of six residents. Members of the governing board were not interviewed, and the relationship between the local and governing boards was not clarified. The local board minutes were available for one year and contained minimal content. The minutes reflected the board's concern about specific grant items, staff resignations, and insurance issues.

The local advisory group provides general oversight to the Home, but are not involved in program issues or program planning. They

are responsible for evaluating the director. Personnel and policy changes go through the board, which does all hiring of personnel.

Generally, the level of board activity varies with the activities at the Home. Board members reported being very active in the remodeling project.

Board members have received no formal training, but stated they would be interested if such training were available.

Administration

The Executive Director was on vacation at the time of the review and therefore was not interviewed. The Program Director, who also serves as one of the teaching parents was interviewed regarding both administrative and program issues. The roles and responsibilities of the Program Director as compared to those of Executive Director were not clearly articulated; however it appears that the Program Director makes many decisions. Both the Executive Director, who has held his position for four years, and the Program Director are former ministers who have raised their own families. However neither has had any specific training for their jobs prior to coming to Dot Lake.

Two couples serve as teaching parents, alternating their responsibilities on a rotation basis of one week on, one week off. When not in the house, they live in a trailer located on the premises so they never really get away. One of these teachers is the Program Director as discussed above. Both couples were hired

within the last year.

All personnel are Caucasian, and none were especially trained for their jobs, however periodic on-the-job training in the teaching parent model is provided by the trainer from the Kodiak Mental Health Center who has significant experience in training in this modality. The Program Director conducts training sessions once a month presenting specific components of the family teaching model using a specialized program manual which is widely available regarding this treatment modality. The counselor at the Tok Mental Health Center also does some training on specific topics, such as abuse or suicide. The extensive training program outlined in the grant application is implemented primarily by the Program Director using the teaching parent manual.

The personnel files were in order, with documentation of training. Since the teaching parents had been hired in the past year, there were no evaluations. There is a personnel manual, but no agency program manual.

Awareness of cultural heritages is limited since the child care staff is from "outside" and have lived in Alaska for less than a year. The strong religious orientation of the program limits teaching residents about normal adolescent socialization, values clarification and the ability to make informed decisions. Many of the residents have been sexually active prior to their arrival, so this aspect of their development must be addressed.

The physical facility and equipment are appropriate. The

building was clean and generally in good repair except for work needed due to water damage.

Staff families take up more than half of the sleeping space in the house, and all rooms for the staff were furnished much better than were the rooms for the residents. (Staff children lived on the premises.) Also, there is no separate space for counseling, personal visits, etc. Appearance suggests that this is a staff home with visiting residents.

The facility has a valid license and applicable inspection reports were in order.

Service Quality

Overall, services were somewhat above average and the program is most appropriate for youth who can function within a structured environment. The home had the aura of a welcoming family, complete with the smell of fresh-baked bread. Residents divide their time between school, chores, study time, and family meetings. The program is behaviorally oriented and youth who encounter problems are confronted immediately, and the issues are discussed with them. The family teaching model supports the premise that treatment includes the positive role modeling by teaching parents, who draw in part on their life experiences. It was observed that the almost twenty-year age difference between the two couples presents some problems with consistency of reactions. In particular, since each couple is in residence for one week at a time, the differing life experience repertoire and

different skill levels in dealing with adolescents may make the program somewhat inconsistent. The older couple is in effect "on call" virtually all of the time, even in the off weeks. In addition, there are quite different personal family demands for the two couples, one of which has an infant and a preschooler.

Counselors from the Tok Mental Health Center come on a regular basis, but few, if any, service resources are used from Fairbanks. In addition, the distance makes it difficult to have active and continuing contact from the referring agency (located in Fairbanks). To the extent that distance permits, services from Tok and Fairbanks are used. The distance also makes continuing contact with families difficult, since most youth in placement come from distant areas.

The behavioral management and modification program described in the grant application appears to be in place. The purchased counseling, dental and medical services to supplement staff efforts, and staff skills in problem-solving and interpersonal relations were also evident. Cooperation of the school in providing tutoring was validated in interviews with school officials. Residents stay in the program longer than projected: often at least a year, with many staying for 18 months.

Residents who are quite active in school activities, makeup a major part of the school (14 of the school population of 32 are residents or staff children).

The summer program includes a CETA grant in which the residents are being taught carpentry and building skills. This training

program is benefitting both the residents by providing vocational training, and the facility in that significant improvements are being made. (The youth had finished a deck just before the reviewers arrived, and proudly showed off their handiwork.)

The case records were generally complete as to content, but could be better organized. They were fairly lengthy and, although there were case plans, there was no specific documentation of the services provided and the goals being attained. Records generally evidence minimal or no family involvement in the planning. The records were judged to reflect quality service.

For the coming program year, the Program Director plans to evaluate the progress of the residents using the ACCESS system developed at the University of Kansas. Under this system, staff will be able to monitor closely each resident's efforts toward fulfilling the elements of the caseplan. The agency is to be commended for identifying this need and determining a means to address it.

Relationships

Community Leaders

The community leaders were very positive toward the program. There is some feeling, however, that the large number of special education students from the facility impact the tenor of the school. There are, however, the benefits of the entitlements which these residents "bring" to the school system. At the same time, the residents frequently have emotional and behavioral

problems which influence the "flavor" of the school.

Since all staff are active in church-related activities, the church is a focal point of many resident activities. All residents attend church regularly and take an active part in other church activities. Adequate attention to differing religious preferences or cultural values appears to be missing.

Referring Agencies

Referring agency staff cite good communication (which is done mostly by telephone). The relationships between the staff and the agencies providing outside services were generally quite positive.

Among Staff and Between Staff and Residents

Relationships among staff are very positive, and there is a good working relationship between the teaching parent couples.

Residents seemed generally satisfied with the program. They understand the system, know why they are there, and apparently all participate in all aspects of the program. Reviewers were told that more than one former resident discharged to less restrictive setting had "acted out" in an attempt to be placed back at the facility. In general, the residents acted like members of a family, each doing assigned chores, and generally being as sociable as are most adolescents when parents have guests.

CONCLUSIONS

Strengths

- Dedicated staff, good bonding with residents.
- Active seeking to improve the program.
- Well-respected program by the referring agencies and community groups.
- Good physical facility with attention to upgrading.
- Good summer program.
- Implementation of process for assessing residents' progress toward fulfilling case plan goals and objectives.

Weaknesses

- Youths stay relatively long periods of time, much longer than described in proposal.
- Strong religious orientation which does not take into account individual religious preferences.
- Limited recognition of "typical" teenage development that is not a part of the church's teaching (socialization including dances and peer activities and the prior sexual activity of the residents).
- Little participation in culturally appropriate activities for native residents.
- Greatly differing ages of the two teaching couples leads to inconsistencies in style.
- Potential for staff burnout since the trailers where the families live in the "off" week are a few yards away so staff can never really get away.
- Insufficient individual attention by the staff
- Lack of a specific program and procedure manual. (The generic family teaching model program manual is not sufficient.)

Recommendations

In summary, the program is generally quite good, and the staff is actively seeking to improve it. The program is more appro-

priate for youth with sufficient internal control to respond to the structure of the program, and to learn to deal with people as they are confronted with the consequences of their behavior. The following recommendations and suggestions are provided for the consideration of North Star Home.

- Evaluate reasons for longer than planned stays.
- Implement staff training in cultural heritage, normal adolescent socialization, values clarification, decision-making skills. Consider working with the public health nurse and develop other resources to provide training on normal adolescent development and socialization.
- Develop program/procedure manual which is specific to the facility rather than the generic family teaching model. The specific caseplan and referral processes required by the state should be included.
- Caseplans should have specific and measurable goals so that the new assessment process can be implemented, and resident progress can be evaluated more readily.
- Provide the local advisory board with training in the functions and duties of an advisory board.
- Clarify the roles of Executive Director and Program Director as well as those of each of the two teaching couples.
- Clarify roles and responsibilities of the two boards, addressing such issues as their interaction and sharing of concerns and coordination of functions.
- Explore the possibility of an aftercare program to assist with the transition to the resident's home community.
- Develop a program to prepare residents for independent living.
- Develop, with DFYS, a process to stay in closer contact with the residents' families to promote a prompter return home. Perhaps scrapbooks, encouraged letter writing, and telephone calls will help this process.

NOME RECEIVING HOME

The Nome Receiving Home is a non-profit agency established by local persons to meet a perceived community need. The Home provides emergency shelter. The facility has the capacity for six children of either sex, from infancy through adolescence.

The Home serves the Northern Region, although most of the residents are from Nome and the surrounding villages rather than Fairbanks and environs, which are in the same region. The residents are placed at the Receiving Home by Youth Services, by Family Services and by Kawerak, the native association.

Initially, the Home was an almost entirely volunteer operation with meager funds. Currently, the entire funding for the program comes from the DFYS grant. The proposal on which the grant is based describes a program of services which is both more extensive and sophisticated than is in place.

Governance

The board is a governing body composed of seven members. Currently there is a full roster, including one native member. An election among all adults in Nome selects the board members. The first by-laws were approved in March 1986 although the facility has been in operation for several years. The by-laws provide for rotating board membership. Only an Executive Committee is provided for, thus the board conducts its business as a "committee of the whole". The new by-laws provide for six board meetings per

year, however, the board has met five times so far in 1986, after having met only twice in 1985 and three times in 1984. The attendance level has also improved with an average of five per meeting.

Review of the board minutes indicates that the board has focused some of its attention on such program issues as the grant proposal and unmet community needs. They view their primary role as providing a channel for community input. Although there has not been any formal planning, the members are deeply concerned about the discrepancy between the funding level and the expectations for program variety and complexity expected from the Division.

With regard to training, new members are given an orientation and copies of agency by-laws, other documents and some program materials. No interest in additional training was expressed.

The board members interviewed indicated that the board has made some effort to evaluate the director, first when she was employed and subsequently as an aspect of the licensing review. They used a standardized form someone made available to them but found it not satisfactory for a social agency. No plan for improving the process has been developed. The director's personnel file does not document the evaluation reported by the board as having been conducted.

Administration

The director has administered the facility for three years. She has a Master's Degree in Educational Psychology and Guidance but

no residential child care experience. The staff consists of houseparents who work 48 hours on and 48 hours off. This staffing pattern is not appropriate for the care of many of the types children requiring emergency care. They frequently need attention at night and their needs are best served by awake night staff. In addition, there is an activities director who functions as the school coordinator, supervises the residents study and plans recreational opportunities for residents. The personnel files indicate that staff have minimum qualifications for their assignments with no residential or clinical experience. Local resources and classes have been used to provide some in-service training which staff feel generally meets their needs.

Further review of the personnel files reveals performance evaluations are generally current except for that of the director. In-service training is not well documented and the date of employment and employment agreements were not found in most files.

The facility is appropriate for the program. It is quite new, was in good repair and clean. The equipment is minimal and more appropriate for younger residents than for adolescents. The facility has a provisional license. An extensive health survey was conducted in March 1985 but suggested corrective action is not documented. Fire drill logs reflect insufficient number of drills and insufficient variation in the times when they are conducted.

Service Quality

This facility makes no claim to being a treatment facility nor should it. The program is minimally acceptable for the short term care of children without significant behavior and emotional problems. Children, especially younger ones, are the best population for this facility: children who can respond to a homelike, casual atmosphere. Even for this age group there must be knowledge of appropriate child development and programming for the children. The program reflects limited understanding of the dynamics of child and family intervention. Its program provides a safe place for children in an emergency until alternative plans for their care can be developed. There is essentially no programming for children beyond supervised studying and recreation activities and therefore is inappropriate for extended care. The slowness of the referring agencies to make alternate plans for the residents has a negative impact on the whole program. The proposal, on which the funding is based, as well as the program manual describe a treatment program, but it is not in place. Community resources to supplement staff skills for older youth are sparse. The Infant Learning Program and Head Start have been used for the youngest residents. The mix of ages that may occur among residents in an emergency, short-term facility makes sound programming extremely difficult for staff with minimum training and support. Staff skills, facility equipment and case records suggest that the youngest children are best served in this facility.

Although most residents are native, minimal efforts have been made to create a program which supports the childrens' heritage. Children do participate in native community activities and Kawerak

assists with planning and providing services for some children.

The case records reviewed generally did not contain essential documentation regarding goals and case plans. There was little evidence of involvement with families or visiting plans. One or two of the records contained plans and assessments of the child which appeared inappropriate and not supported by the dynamics presented.

Utilization rates vary widely. It is difficult to determine whether this is a reflection of the need or of the perception of the referring agencies of the ability of the facility to provide appropriate care... very likely it is a combination of several factors.

Relationships

Community Leaders

The relationship with community leaders is acceptable. The director has lived in the community for a number of years and is generally known and involved in community affairs. The facility does not formally utilize many community resources on a regular basis, thus working protocols have not been developed.

Referring Agencies

The working relationship between the Receiving Home and the referring agencies varies from functional to strained. Case conferences are conducted regularly with Kawerk when children referred by that organization are in residence. There are less

formal, but frequent meetings, with DFYS personnel regarding their children, generally initiated by the referring agencies as their planning proceeds. Protocols to guide the sharing of information, case planning and service delivery processes between DFYS and the Receiving Home have not been developed to meet the needs of either organization. Vacancies are reported daily to the referring agencies.

Among Staff and Between Staff and Residents

Observation of interaction among staff was insufficient and therefore a quality judgement cannot be made. Staff interviewed feel they get the support they need to do their jobs.

There were two girls (one latency age and one a young teen) in residence at the time of the review. The relationship between them and the director was friendly, laced with fun, humor and comradie. There was little interaction with the child care worker on duty and the activities person was off duty at the time. The residents....left to their own devices during the review visit, were well-behaved but obviously bored and restless. Both had been in care more than two months.

CONCLUSIONS

Strengths

- Caring staff.
- Good physical facility including recently filled level space for outdoor activities.
- Increasingly active board.
- Community support for the program as a resource to meet local needs.

- New van, recently acquired through a transportation grant.
- Good working relationship with Kawerak.

Weaknesses

- Lack of training in understanding child and family dynamics and in implementing an appropriate program and services for the types of children who require shelter services, especially in light of the extended stay many experienced.
- Strained relationship with DFYS.
- Skimpy recreational and play equipment for the range of ages served (currently best for younger children).
- Insufficient attention to native heritage of residents.
- Dependence on state grant for financial support.

Recommendations

In summary, this agency has an interested board, community support and a good facility. The staff lack sufficient skill and knowledge to provide services beyond "tender loving care" and shelter. With children staying longer, both emergency placements and projected longer term placements, there is an urgent need to strengthen and expand the program of services. The following recommendations and suggestions are provided for the consideration of the Nome Receiving Home.

- Explore and implement small-scale fund-raising to supplement current resources. Local events, as well as local service organizations which make grants for specific purposes offer possibilities. Supplemental grant programs (such as that through which the van was acquired) offer other possibilities. The board should take an active role in planning and implementing fund-development activities.
- Seek and utilize all possible resources to institute some treatment components into the program. This is critical if the facility is going to continue to have emergency shelter children for extended periods and to be modified to a longer

term program for a portion of the capacity, as is under consideration.

- Develop and implement a comprehensive training plan. Maximum use should be made of persons in the community with knowledge and skills. Borrowing state library and DFYS training materials are a potential source of enrichment. Consideration should be given to working with other community agencies to bring in consultants for training. Community elders can be involved in varied ways: tradition-sharing, teaching, recreation, "foster grandparents", and etc.
- Upgrade the position of activities director to that of treatment coordinator. This could be a part-time position. The incumbent in the treatment coordinator position should have the experience and demonstrated skill to work closely with the referring agencies, to understand the dynamics of each child and family situation and to individualize the services for each child.
- Modify the personnel manual and the program manual so that they accurately reflect agency policy and procedures. Currently, they reflect a theoretical ideal rather than real program content and expectations.
- As a consequence of refining the program manual and strengthening the program, improve the case records with regard to both content and format.
- Conduct fire drills at varied times of the day and night.

PRESBYTERIAN HOSPITALITY HOUSE

The Presbyterian Hospitality House, located in Fairbanks, is a non-profit residential treatment center affiliated with the United Presbyterian Church. The facility has the capacity for 24 adolescents. Twenty bed spaces are funded under the Division grant.

Governance

Hospitality House is governed by a board of twelve persons. The board currently has a full complement. The membership has no native representation at the present time although there has been some in the past.

The board is principally involved in finances, review of program and crisis resolution. The board functions through a committee structure. Attendance at board meetings is good. The board does not engage in any planning but rather sees the agency as being reactive to state mandates.

The board has had some training. Many members have experience on other boards. There is a board manual. Occasional presentations concerning program components and site visits to the facility enhance their understanding of the program. The members did not express interest in additional training.

The board evaluates the director annually. The process uses a form completed anonymously by each board member. Members supplement their own observations in determining executive performance

with information that comes to their attention regarding how the agency is viewed by the community.

Administration

The Executive Director has been in his position for less than a year. Although he has no treatment, clinical or residential care experience, other staff have degrees in psychology, criminal justice and social work at the bachelor's level. Essentially none have experience in residential care for the population served. The assistant director, the teacher, both program directors and the day treatment coordinator, as well as the office staff report directly to the executive director. This span of authority may make it difficult for the director to devote sufficient time to working with the board, with the community and in planning tasks...,all critical functions. Service quality would benefit from the establishment of a position of clinical director to design and implement the treatment program. Such a position should be filled with a person possessing professional credentials and demonstrated skill.

The issue of unclear lines of authority and responsibility were raised in a number of quarters. A number of staff are uncertain about who their supervisor is. This contributes to poor morale which is exacerbated by lack of training and clarity of expectations.

A review of the personnel files reveals current performance evaluations. Less than half of the records reviewed documented any staff training beyond experience and education when employed.

There is no planned staff development program and very little training has been provided. This deficit is particularly problematic in view of the high percentage of new personnel. The least well trained personnel were least critical of the training available to them.

High staff turnover is reported to have slowed down somewhat during the past year, perhaps due to salary increases. The salaries are reported to remain at levels too low to be competitive; in addition the agency provides health benefits only for the individual and no pension plan. With these constraints, it is difficult to attract and retain qualified staff. As a result, most of the staff is quite new to the program.

The physical facility is appropriate for the program although there is a lot of evidence of destructive behavior and the need for repairs and refurbishing. Equipment and space are adequate. The facility has a valid license and other inspection reports are in order.

Service Quality

The service quality is deemed barely average, primarily because of the low level of staff training, staff turnover, and failure to utilize community resources to the maximum. The use of contract consultants is viewed as a positive aspect of the program. The program does not demonstrate adequate awareness of the cultural backgrounds and needs of the residents. Question was raised regarding the use of the "point system" in an excessively disci-

plinary mode, rather than as a positive treatment tool. The strong religious emphasis in the program is viewed as inappropriate in that it fails to respect the cultural and religious heritage of the residents.

Review of the case records showed average work with insufficient attention to family involvement. Case records contain good documentation of past history, necessary legal documents and case plans. They are extremely scant regarding specific things being done to implement the case plans or in documenting what other resources and services are utilized.

Relationships

Community Leaders

The agency is viewed as not especially open to community interaction and cooperation but rather as attempting to "be all things to all residents". The working relationship between the school and Hospitality House seems to have problems; the nature of which is not clear to the reviewers, but which nevertheless seem to have a negative effect on the program.

Referring Agencies

The working relationship between the referring agencies and Hospitality House is strained and adversarial. There are issues of service quality, communication and feedback on treatment. The result is less than maximum use of the available bedspace by the referring agencies. The DFYS Placement Committee and a recently developed joint Task Force for Interface are endeavoring to work

on the relationship and to develop workable interagency protocols. The tendency of the facility to "accept essentially all referrals" in order to demonstrate a willingness to cooperate, coupled with a marginal ability to individualize the treatment, is often followed by a high number of unplanned discharges, a practice which is viewed as a detrimental cycle.

Among Staff and Between Staff and Residents

While relationships among staff appear satisfactory, morale is low, exacerbated by low salaries, inadequate training for the program expectations and unclear lines of authority and responsibilities. Relationship between administration and other staff is somewhat strained. Observed interaction between staff and residents appeared acceptable. Residents exhibited a high degree of reticence to talk to the reviewers. Those who did indicate that they knew why they were there and what they have to do in order to leave, they expressed mixed understanding regarding the clarity and fairness of the discipline. They understand the "house rules".

CONCLUSIONS

Strengths

- Caring staff.
- Nurturing environment.
- Stabilized fiscal conditions following a period of instability.
- Good board attendance and committee structure.

Weaknesses

- Low educational level of staff.
- Lack of in-service training.
- High staff turnover (albeit reduced).
- Treatment program is rigid and at the same time fragile.
- Case records' content is scant.
- Poor working relationship with the referring agencies.

Recommendations

In summary, the Hospitality House program is not living up to its potential and thus is not as effective a treatment resource as it could be. The need for quality residential treatment service is so great that this is most unfortunate. The interest of the board and staff must be supplemented with expertise and training which will ensure the agency an esteemed place in the community of agencies. The following recommendations and suggestions are presented for the agency's consideration.

- Decide on a treatment model and implement it with sufficient resources (including skill). The model should be appropriate for the types of youth requiring care, involve parents and use community resources to supplement agency staff.
- Develop and implement a plan for the board to gain a more accurate and thorough understanding of the program and the needs of children requiring residential care. It is critical to the agency's future to resolve the issues with the referring agencies that prevent full utilization of the program.
- Implement a comprehensive staff training program. Community resources, professionals in the community, state library and DFYS training materials which can be borrowed should be used.
- Work more closely with the community of agencies to implement a comprehensive treatment program. Develop formal working relationships to ensure specialized therapeutic intervention for those residents who could benefit.

D. SOUTHERN REGION

KETCHIKAN CHILDREN'S HOMES

The Ketchikan Children's Homes (KCH) is a non-profit organization providing residential services for adolescent boys and girls. Three separate buildings are used to house different components of the program. Two residential homes, located at different ends of town, contain the Teen I (girls) and Teen II (boys) programs. Teen I has a capacity for nine girls, and Teen II for seven boys. The third building, adjacent to Teen II, houses the administrative offices. The Day Treatment program, which operated during the school year, was located in this building.

Governance

The KCH by-laws provide for an eleven member governing board. Currently there are seven members. Members serve for two years or until their successors are elected. The by-laws do not formally provide for any committees, although several committees are functioning: Personnel, Financial, and Physical Plant. Review of the board minutes indicated that meetings were generally well-attended.

The board is responsible for evaluating the director and overseeing the budget. One board member has responsibility for signing the checks. Although they pass on each expenditure, the budget had been overspent by January. The board expressed concern about the high budget for the number of youth actually served and they question whether the services could be delivered in a more cost-effective way.

The board minutes do not reflect board involvement in any policy decisions. Action regarding fiscal matters and support of the policy decisions of the director were documented. One example of a policy change implemented in the past year or so was the transition from a group home model of care to a treatment facility. Personnel grievances as well as other personnel matters were discussed in the minutes.

There has been no formal board training in the past year, even though there have been several new board members. Board members receive the magazine Board and Administrator. They expressed interest in formal training concerning appropriate board roles and responsibilities. In general, the board seems aware of the issues, including finances and the problems related to building costs.

Administration

The program outlined in the funding proposal has three components: a boys' residential home, a girls' residential home, and a day treatment program. There is a treatment coordinator for each program, who all report to the Executive Director. Both residential treatment coordinators spend considerable time performing a variety of administrative tasks, and thus, their time for caseplanning and treatment and providing necessary supervision and support for the child care workers is greatly reduced.

The Executive Director has been with the agency since 1982. Until September 1983, when he was promoted to his current position, he served as a counselor at the children's home. He has a Bachelor

of Science and a M.S. in counseling/psychology.

The staff roster lists 21 people, most full time. Of this complement, the position of treatment coordinator at the girls' home is currently vacant. The part-time child care staff are not reflected clearly on the organization chart. The day treatment program is staffed with a treatment coordinator, and two persons who are shared half-time with the residential home.

Personnel policies have recently been developed, although they have not been officially implemented. They are written in a very legalistic style and are quite detailed. Review of the document reveals that the policies are rather punitive in tone. They address some aspects such as attitudes which are difficult to regulate. Regulation is better applied to behavior. It was noted that the confidential nature of case information was not addressed.

Some of the staff at the Teen I program had specific training for their jobs, while others had received differing kinds of in-service training. Staff indicated that they receive insufficient training, and the training that has been provided was too brief and not relevant.

Most of the staff at Teen II had been hired quite recently; all are relatively young - in their twenties, and represent a variety of backgrounds and experience. The treatment coordinator for the boys home was hired in February, and has a Master's in psychology and one and one-half years of residential experience.

Recently she started an excellent drug abuse program for the residents. There are two levels of child care workers: II and III. The three Level III workers do the treatment plans and deliver most of the treatment. These three staff members at Teen II have little experience with youth and none in residential care. There are four Level II workers, one whom does the cooking a. general house management and three who cover nights and weekends.

There is a program manual, detailing the components of the treatment program. It is very complete, and clearly describes the many facets of the treatment program.

The physical facilities are appropriate for the program and are adequately equipped. The girls' facility was clean and basically in good repair but "battered" in appearance. This facility has no sanitation clearance. This facility has a new institutional sprinkler system.

The boys' facility was not in good repair and was quite dirty. This facility also has an institutional sprinkler system.

Both facilities have valid licenses.

The third building, presumably for the day treatment program, is not fully utilized. Staff offices and storage are on the second floor.

Fire drills are not conducted regularly.

Service Quality

The Residential Treatment Program

Overall, the quality of service is judged to be poor to fair. The concept of an in-house educational program, as outlined in the proposal is good; however it does not appear to be in operation. Group sessions and special activities were described in the proposal, but no evidence of these program components were noted.

The residential treatment coordinators are responsible for case-planning as well as supervising child care workers. The Treatment Coordinator for Teen I (who had recently resigned) served as the therapist to all resident girls and signed off on all the treatment plans for the girls. Most staff at Teen I had been together for some time, and were observed to be among the most mature of the staff. With the vacancy in the lead position at the home, service quality has declined. Strengths of Teen I included the teamwork of the line workers, the program outline and networking with local area sources.

The case records show little evidence of case planning or treatment monitoring.

Some of the problems observed are not under the control of the staff, as is the situation frequently when youth must wait long periods of time for court procedures.

The Day Treatment Program

The Day Treatment Program appears to be based on the school year with little on-going program during the summer, although the staff complement remains the same throughout the year. During the school year, the Day Treatment Coordinator monitors youth in school, attends child study team staffings, and provides support for youth at school. The program also includes weekly meetings with the youth and the parents. The day treatment program started in January of 1985 and lasted until August. At that time, it was a school-based program that served five youth in the community (own home) and three in foster homes. Last year, the summer program consisted of some correspondence courses and recreation including nature activities and training in basic skills. In September, 1985 it changed to a Proctor Program Model, based on a program in Pendleton, Oregon which emphasizes maintenance of the youth in community schools.

The Day Treatment Coordinator is currently working with six youth, all residents, who form a crew and work 20 hours per week, for which they are paid from a Youth Employment Grant (50%) and the staff budget (unclear whether day treatment or residential). In addition, the coordinator is helping the day treatment youth find jobs, and is continuing to meet with them and their families weekly. No structured day treatment program was observed.

Relationships

Community Leaders

Reports from differing sources yielded highly inconsistent per-

ceptions of the quality of the program as well as how functional its relationships are with other people and agencies.

The relationship between the KCH staff and the spouse abuse program is very good. During the school year, a member of the spouse abuse program and a teen home staff member co-lead a teen incest group which is well-received, a program reportedly benefiting the residents greatly.

There is little on-going interaction between KCH and the Ketchikan Indian Council unless there is an Indian child in placement. There were native youth in placement, but none of Indian descent. Some community leaders view the group home as a residence rather than a treatment facility. In general, they think the line staff have good skills, but feel that there is no clinical leadership and no solid treatment plans.

The mental health center has a DFYS grant and is responsible for providing all counseling services to the residents. In addition to services at the mental health center, however, other counseling services are also used on occasion, despite the fact that the budget appears to very limited for this purpose. There appears to be a real lack of clarity with regard to the plans for the resident's therapy. This suggests that there may be some problems concerning authority, responsibility and the lines of communication. There are differing perceptions by the staff and the service delivery persons about the responsibilities for case planning.

Most school personnel were gone for the summer. Those interviewed reported relatively few contacts with program staff. School staff are more familiar with the day treatment coordinator since he is in the school much of the time. Most of the youth at the homes and in the day treatment program are special education students. Staffings are held for these students to develop Individual Educational Plans, to which the KCH staff are invited; reportedly some, but not all, attend. Communication from the KCH staff to the school was reported to be sporadic and poor. For example, the KTH staff does not let the school know when the residents will be out of school for court proceedings or other kinds of activities.

A member of the police department and a youth services person (not probation) reported that their agencies are in contact with the facility at least weekly, usually to discuss specific cases. The police report many incidents of runaways, vandalism, and assaults. The high incidence of running may be due to the location of one of the homes, which makes running fairly easy. Community leaders identify strengths of the program: close contact with the high school, a willingness to help youth, and the hiring of some qualified people. Concern was expressed regarding direct supervision of residents since weapons have been found, three arson incidents reported, and other similar problems. There is no detention facility in Ketchikan, thus a number of youthful offenders are sent to the home.

Referring Agencies

The child care workers feel they get very good intake packets from the referring agencies. Most residents were referred from Youth Services. Juvenile probation staff report daily contact with KCH staff as well as the day treatment program. They report they are involved in case planning and meet with the staff each week. Concern was expressed that the staff does not adequately inform the referring agency regarding vacancies, policy and procedural changes. Although the program has improved, serious questions prevail regarding governance, hiring policies, poor staff morale, issues of service quality and resident safety. In general, the facility has a poor public image and relations with the community are strained.

Among Staff and Between Staff and Residents

Relationships among staff were mixed. Staff at one facility were very pleased with the program, the training they received, the supervision provided, and the way the home and program were being run. Staff at the other home were at the opposite end of the spectrum. Major differences between these two staffs may be attributable to the length of time they have been at the agency. The more satisfied staff are all relatively new.

Relationships between the staff and the residents were also uneven. There seemed to be a problem of role definition, in that the child care workers served as both disciplinarians as well as therapists. The residents expressed frustration, and felt they

did not have anyone to talk with. They also were bored, and felt the system to be very punitive. In general, they knew why they were there, although they expressed that they did not get to see enough of their probation officer. They don't think the discipline is fair, and reported they can't have money to buy things. The boys mentioned problems of confidentiality. The girls feel the point system is too hard, and there are feelings of bitterness. Two of the girls who had been there over a year were still on Phase I.

CONCLUSIONS

Strengths

- Interested and caring staff.
- Some qualified staff.
- Interested and concerned board.
- Good relationships with Spouse Abuse Program.
- Frequent contact with Youth Services and Police.
- Day Treatment Program maintains close contact with schools.
- Good proposed treatment program.

Weaknesses

- Low staff morale.
- Lack of supervision of residents.
- Lack of caseplanning, treatment and case monitoring.
- Staff roles and responsibilities are not clearly defined.
- Unclear summer day treatment program.
- Dirty facility at Teen I home.

Recommendations

In summary, the resources and people interested in developing a good program exist, but the lack of coordinated administration seriously impedes the process. The agency has the basic capacity to develop and provide treatment services. Teen II now has the staff in place to begin the team effort, but the staff turnover at Teen I is problematic.

The following suggestions and recommendations are presented for the consideration of Ketchikan Children's Homes.

- Improve communication between administration and all personnel.
- Review the personnel policies recently developed to ensure that areas, such as attitude, which are difficult to regulate are refined. Include a section covering issues of confidentiality. Include job descriptions covering roles and responsibilities, and clearly defined hiring and firing procedures.
- Develop and implement a training program. The objectives should include increasing staff understanding of the dynamics of child and family functioning and the development of skills in constructive intervention. Local persons with skill and knowledge in these areas and the use of materials borrowed from the state library and DFYS training resources can support training. Self-training and sharing with other staff through the planned use of reading and taped materials followed by staff discussions is an excellent training format to supplement more formal opportunities.
- Develop on-going board training and orientation for new members.
- Clean the boys' facility and ensure continued attention to cleanliness. Residents should not have full responsibility for cleanliness. Involvement of residents in such activities should be for the purpose of teaching skills and pride rather than facility maintenance.
- Develop and implement procedures for caseplanning and the delivery of treatment services.
- Improve the level of direct supervision of residents.

- Conduct fire drills at differing times, including those times when residents are asleep and during meals.
- Work to improve the agency's public image within the community.

MILLER HOUSE

Miller House (previously Juneau Receiving Home) is a non-profit community residential facility for adolescent youth of either sex. The residential program has a capacity of 12 beds, 11 of which are funded by the DFYS grant (including three to be available for emergency placement). The day treatment program serving five children, is located in a separate location, is included in the grant. The residential program was initially developed by the community and the building, now owned by the agency, was a publicly-owned facility. The Miller House residents are referred by both Family Services and Youth Services.

Governance

The board of directors have governing authority. The by-laws have conflicting sections regarding the provision of the board complement (11 or 12). There are currently 11 members, two of which are natives. The by-laws do not establish a committee structure, therefore agency business is conducted as a "committee of the whole". Staggered terms are provided for, but there is no provision for a hiatus between the specified number of terms a member may serve.

The involvement, on the board, of persons whose children have been in the program offers the potential for valuable perspective and insight. It is inappropriate, however, and a conflict of interest, for parents of children currently in care to be on the

board.

The board ordinarily meets monthly. Review of the board minutes reflects poor attendance...often no quorum or barely so. Many Board decisions, including confirmation of the executive's appointment, are not well documented. Very little attention to program issues is reflected in the minutes. Some board meeting agendas were filed but there were no minutes...leaving the question of whether a meeting was actually held or just an indication of poor recordkeeping.

The board has established agency goals and objective. They are currently involved in examining the program to ensure that it meets objectives. They are presently exploring options for expansion. The board has some funds which they plan to use for capital improvements, apparently accumulated over time from unexpended operation funds.

The board has hired an outside consultant to evaluate the executive director in accord with agency goals and objectives. Board members interviewed expressed no concern regarding such delegation of board responsibilities. Twice in the past year they have purchased program evaluation from the Acting Director.

The board members have had some training. Relevant materials are made available to new members and the person who "sponsored" them for membership assumes the responsibility of assisting the new person to understand their role and responsibility. They try to send a representative to the statewide child care association

meeting which they see as a form of training. Interest in training regarding orientation to state services, organization and objectives was expressed.

Administration

The executive director has been in his position just one year. He has educational qualifications in social service at the Master's level and in criminology as well as residential experience. During his tenure, major program and organizational changes have been made. In addition to the executive director, there is a clinical director with an MSW and considerable experience. Most staff have a bachelor level education and three have masters degrees.

Review of the personnel policies and files reflect generally acceptable practices. Reported staff training was not well documented in personnel files.

After experiencing a high level of staff turnover, the rate has slowed down considerably. The shift on dependence of full-time employees instead of the previous heavy dependence on part-time personnel, together with increased attention to careful selection is seen as responsible for the improvement.

Although not well documented in personnel files, significant staff training was reported to enable staff to implement the newly established positive peer culture program model. The executive was able to secure the volunteer services of an outside consultant/trainer for this. Semi-monthly in-service training of

staff using video and taped materials has been instituted.

The physical facility is appropriate for the program. It is an attractive facility however private space is limited. New construction for offices and residents is in the planning stages. Changes will provide separate spaces for males and females. Recreation equipment appears sparse.

The day treatment program was being conducted in the residential facility during the summer thus the downtown space normally used was not toured.

The facility has a valid license. Fire inspection report was in order but the last sanitation clearance was June 1984. Frequency and format of fire drills are adequate to meet requirements.

Service Quality

Residential Program

The positive peer culture program model is just now being implemented so the reviewers were unable to assess quality. The potential is high for a quality program based on staff training and the clarity of direction which has been established.

The agency policy of keeping in touch with children after discharge and enabling them to continue attending group meetings, when appropriate, is viewed as a desirable program element.

Although the facility generally enjoys a reputation for having some native staff, additional attention to supporting the heritage of residents is seen as needed. Native foods, crafts.

language and traditions need to be integrated into the program.

Review of the case records reflects quality ranging from average to unacceptable. So little information regarding families and child treatment plans was recorded that the degree of consistency between child and family problems/dynamics and the treatment being provided to the child could not be determined. None of the records reviewed contained fully executed placement agreements.

Day Treatment

The day treatment component of the program is assessed to provide acceptable quality care for five children who are enabled to remain in their own homes. Occasionally children in the residential program are integrated into the day treatment program if they are unable to be maintained in the community schools. The day treatment staff works closely with parents and community resources to ensure a coordinated day program. The state correspondence school program provides the educational materials and structure for this component. Although this arrangement has been satisfactory in the past, some difficulties have recently been experienced in securing materials in a timely manner.

The day treatment program is ordinarily conducted in space located close to the center of town. The residential facility is located at some distance from downtown Juneau. During the site visit, the day treatment program was using the residential facility because the residents were away on holiday.

Relationships

Community Leaders

The relationship with the community is viewed as functional. The contacts tend to be formal and case-specific. The program is viewed as having made great strides both in quality and its ability to work well with the community.

Referring Agencies

Strong support was expressed for the positive changes in program and interagency cooperation which have occurred during the past year at Miller House. Appropriate information sharing and feedback are viewed as acceptable. Some concern was expressed regarding adequacy and timeliness of school reports.

Among Staff and Between Staff and Residents

Little of these relationships were observed because most staff and residents were away on holiday. The relationships in the day treatment program appeared appropriate. No concern about such relationships were expressed by any of the community and referring agency persons interviewed.

CONCLUSIONS

Strengths

- High motivation to provide a quality program.
- Follow-up and aftercare efforts.
- Clear treatment modality.

- Interested board.
- Community support.
- Good facility.

Weaknesses

- Communication between facility and referring agencies which needs continued attention.
- Poor quality case records.
- Insufficient work with parents (except for day treatment where parents are actively involved).
- Inadequate recordkeeping of board minutes.
- Poor board attendance.

Recommendations

In summary, the program is viewed as acceptable for the population served. An entirely new treatment modality is just being implemented. The potential is great for a high quality service and optimism is reflected by the community of agencies with whom the Miller House interacts. The following recommendations and suggestions are presented for consideration by Miller House.

- Assess the reasons for the limited board involvement and develop a plan to remedy.
- Ensure that the board members do not have a conflict of interest.
- Work with DFYS to develop and implement an appropriate case recordkeeping system, attention to include both format and content.
- Develop and implement a program of activities directed toward ensuring appropriate attention to heritage issues.
- Clarify the school relationships and ensure that all needed educational resources are available for the residents. Make adequate and timely reports regarding education services.

- Monitor the implementation of the new program modality to ensure that, in the effort to maintain the "purity" of the treatment model, appropriate use of other techniques and skills are not avoided.

SITKA RECEIVING HOME

The Sitka Receiving Home is a five-bed coed residential facility providing both emergency and longer term care. The home is located in a residential section of Sitka approximately five miles from the center of town. Youth are referred from both Family Services and Youth Services.

Governance

The by-laws provide for five board members on the governing board; however, there are actually eight members currently serving, and a perception that there is a vacancy for a ninth. Seven of the members are Caucasian, and one is of native heritage. The range of community representation on the board is very good: the board president is the magistrate, and an attorney serves as the acting board president in her absence. The by-laws do not make provision for any committees. In addition to the governing board, there is also an advisory board, consisting of approximately 15 members. It is not clear exactly how the responsibilities of these two boards are divided.

In addition to meeting monthly to attend to program and policy issues, the advisory board also meets annually for the purpose of appointing the governing board members.

Individual board members are very active. For example, one of the board members worked on a daily basis with the general contractor who built the home, another was instrumental in designing the achievement level system for the program, and another attends the weekly case staffings. Board member involvement in such

case-specific activities as case conferences is not considered a desirable practice and should be avoided. As a group, the board commissioned an evaluation of the program, and is currently in the process of recruiting and hiring a director. The board did not, however, evaluate the former director who had resigned the week before the reviewers visited.

The board appeared knowledgeable and active, including their observation that staff were placed under considerable stress and were vulnerable to "burnout" under the houseparent model being used, as well as other problems with the structure of the program. These concerns resulted in the board contracting for an evaluation which contains specific recommendations for changes.

Some of the board members had some training through a Business and Professional Women's workshop. Several serve on other boards and no interest was expressed in more training. The board noted that a strength of the program was its board and the program's low profile in the community. Board members felt that the state does not provide enough money to run a good program, and stated that the community supported the spouse abuse program but appeared unwilling to support another social service program.

Administration

The program model on which DFYS funding is predicated projected a structure consisting of a full-time houseparent, with part-time caretakers and a relief house parent, available as needed. A half-time director was projected. This model was not in place at the time of the review.

The treatment coordinator had resigned the week previous to the review... The Director had also resigned her position, but was still employed, with responsibilities for grant writing and other administrative duties. The current organization consists of an Acting Director, an Administrator (the former Director) both of whom report directly to the Board, and five child care shift workers.

The Acting Director was a part-time child care worker (with other full-time employment) until to the first week of June. At the time of the reorganization, he was the only employee with previous child care experience. He's had two and one-half years experience as a foster care supervisor and two years as a child treatment worker. The Administrator has a BA in business administration and previously served as the Director for two and one-half years. The five child care workers had no prior experience in child care prior to their hiring in 1985, and since then, the only in-service training has been CPR training. They reported that they had never seen a job description.

The physical facility and equipment are appropriate for the program. The facility was clean and in good repair. Outdoor recreational space is inadequate. The facility has a provisional license. Other relevant inspections were in order. Fire drills are not conducted regularly.

Service Quality

The proposed program is a structured living experience with

planned involvement in the community, as well as individual, group, and family therapy. Live-in houseparents were to provide the structure. The proposal initially stated that the facility was not a treatment facility, but there was an addendum that described a treatment program based on the live-in parent model. The described program included an emancipation program with education, employment, counseling, and an Achievement Level system. Components of this program, in particular the Achievement Level system, are being implemented by the shift child care workers. The other components appear not to be in place at the present time.

Due to the current flux in staffing and programming, an assessment of services at this time is premature. Staffing issues and service quality are intertwined. At the present time, the staff is handicapped by a lack of training and the limited supervision provided. In general, staff are concerned about children and are interested in in-service training.

Child care staff are receptive to and eager for the new program and anticipate that stable staffing will result in improved services for residents. However, since the child care workers have such limited training, carefully planned in-service programs will be required.

On occasion, residents ride in staff cars or visit staff homes, a practice which has the potential to create issues of liability.

Due to a lack of funds, recreation is limited, There is quite a bit of camping, and some use is made of other community recre-

ational facilities.

Case records do not contain up-to-date caseplans. Weekly staffings regarding specific children were not consistently reported in case records. Staffings generally do not include referring agencies. In general, the families were not involved in the planning. Based on the case records, service quality was judged from average to unacceptable.

Relationships

Community Leaders

School personnel were unavailable at the time of the site visit so no evaluation was made regarding the relationship with the school.

The just-resigned treatment director had been a part of a community roundtable which consisted of monthly meetings with all community agencies. The staff uses what services they know about, and helps residents participate in community activities as they are available. There is no active outreach/networking.

Referring Agencies.

The relationship between the facility and referring agencies is problematic. Although a process for intake, caseplanning and case monitoring has been established, it does not appear to function effectively. It was reported that staff are slow to deliver the planned services and there is a need for an increase in the level and timeliness of feedback and information regarding vacancies and admission decisions. Both referring agen-

cies and facility staff report problems with decisions about types of residents suitable for the facility. Apparently Youth Services clients, regardless of presenting problem, are placed, whereas only those Family Services clients perceived to "fit" are placed at the facility.

Weekly staffings are held, but the social workers and probation officers often do not attend. Referring agency staff report little relationship between the caseplan and the daily living activities in the Receiving Home.

Poor communication was reported among potential service providers. Although the facility reports that it makes significant use of community services, and provided a long list of community services they used, referring agencies report that very limited use is made of community resources, and that little outreach or networking effort is made.

Among Staff and Between Staff and Residents

It was difficult to assess staff relations since the new organizational structure had been in place for such a short time. In general, staff view the changes as positive.

Residents reported a lack of privacy, and a feeling of always being watched. They knew why they were there, but they were not sure how to "earn" their way out. They felt the staff was capricious in the use of the points. They were never sure how they were doing. They reported inconsistencies between staff members in assigning points. They do not see their worker regularly. The

residents reported they did all the cleaning and cooking and the staff did nothing except supervise. Placing full responsibility for such tasks on residents is inappropriate. They should be involved, as a means of teaching skill and pride, but not as a means to ensure maintenance and meal preparation. Residents felt that staff were punitive and arbitrary, and the best way to get points was to get to know each staff member and learn what they could get away with, indicating that an inconsistent reward structure was in place.

CONCLUSIONS

Strengths

- Staff motivation to learn and improve program; openness to change.
- Involved, knowledgeable and active board.
- Good physical facilities.

Weaknesses

- Insufficient outdoor recreational space.
- Families are generally not involved in planning.
- Questionable and inconsistent use of point system and work assignments for residents.
- Lack of community linkages, networking and outreach.
- Level of staff experience and training.
- Relationships between referring agencies and facility and lack of regular contact with workers.
- Proposed program and organizational structure not in place; serious gaps in current structure.

Recommendations

In summary, Sitka Receiving Home has experienced a great deal of change, both in terms of programming and in staff, over the last few months. The staff is interested and concerned, but without clear program goals they operate at a disadvantage. The development of clarified program goals, a restructuring and strengthening of the organizational structure, and intensive in-service efforts will work to ensure quality services for the youth at Sitka.

The following recommendations are presented for the consideration of Sitka Receiving Home.

- Recruit and hire a new director experienced in children's residential care.
- Conduct a needs-assessment of the community to determine where program gaps exist, and work to develop a program addressed to those needs.
- Identify, in conjunction with DFYS, intake criteria, what behaviors are acceptable and unacceptable. Such criteria should be clear and specific.
- Improve procedures and communication with referring agencies regarding case decisions, case planning and feedback.
- Improve the process for intake, caseplanning and case monitoring.
- Plan regular worker-resident visits.
- Include families in the planning process and encourage family visits.
- Evaluate the use of points, time-out, seclusion and resident work assignments.
- Develop and implement a training program. The objectives should include staff understanding of the dynamics of child and family functioning and the development of skills in constructive intervention. Local persons with skill and knowledge in these areas and the use of materials borrowed

from the state library and DFYS training resources can support training. Self-training and sharing with other staff through the planned use of reading and taped materials, followed by staff discussions is an excellent training format to supplement more formal opportunities.

- Improve the case recordkeeping system.

X



The State of the Alaskan Child

A DATA BOOK PREPARED BY THE CHILD AND FAMILY ADVOCACY PROJECT
A PROGRAM OF ALASKA CHILDREN'S SERVICES,
4600 ABBOTT ROAD ANCHORAGE, ALASKA 99507

CHILD AND FAMILY ADVOCACY PROJECT DATABOOK

CHILDREN AND FAMILIES

Children in Poverty
Single Parent Families
Mothers Alone
Working Mothers
Child Care
Head Start
Day Care Assistance Programs
Children and Divorce
Children in Out-of-Home Care

CHILDREN AND YOUTH AT RISK

Runaways
Abused and Neglected Children
Emotionally Disturbed Children and Youth
Juveniles - Arrests/Detention/Treatment
Adolescent Pregnancies



1986

*The State of the
Alaskan Child*

WHAT IS A CHILD? "A CHILD IS A PERSON WHO IS GOING TO CARRY ON WHAT YOU HAVE STARTED... THE FATE OF HUMANITY IS IN HIS HANDS."

ABRAHAM LINCOLN

CHILDREN AND FAMILIES

CHILDREN: (Alaska's estimated total population 521,000)

- 30% of our population.
- 100% of our future.

There were 102,014 students enrolled in Alaska's Public schools during the 1984-85 School Year.

Approximately 73,000 children 6 yrs and under.

Source: 2 and 13

CHILDREN IN POVERTY

CHILDREN ARE THE POOREST AGE GROUP IN AMERICA

- 25% of all children under 6 years of age are victims of poverty in this nation.
- 20% of all children are victims of poverty.

Each year more parents of young children fall victims of poverty despite more mothers entering the labor force. A recent national study found families with children are receiving less of the economic pie than was true a decade ago.

Health problems are an inevitable outcome of poverty, often resulting in physically fragile, vulnerable children. Lack of access to prenatal care, a high infant mortality and difficulties getting out-patient medical care are only a few of the health care problems experienced by low income families.

The monthly level of assistance for one adult with one child is \$657.00. For one adult with four children \$906.00.

Source: 3 11 12 14 and 16





SINGLE-PARENT FAMILIES

SINGLE PARENTS HAVE AN INCOME FAR BELOW TWO-PARENT FAMILIES

- 11% of ALASKA's families are headed by one parent.
- Persons in families headed by women accounted for 20% of Alaska's poverty population in 1980 compared to 17% in 1970.
- Less than 30% of the single parents receive any child support payments.
- 23% of its single fathers have responsibility for their children who are 6 years old or younger.
- In FY83, 8,585 children received AFDC.
- In FY85, 10,899 children received AFDC.

Too many children live in single-parent households. If that parent is a mother under the age of 25, it is almost a guarantee of a lifetime in poverty.

Source: 1, 3, 4 and 12

MOTHERS ALONE

ALASKA WOMEN EARN 58 CENTS FOR EVERY DOLLAR A MAN EARNS

- 60% OF ALASKA'S SINGLE MOTHERS WHO HAVE CHILDREN UNDER SIX YEARS OF AGE, ARE IN THE LABOR FORCE.
- In 1980, over 25% of Alaska families headed by women were in poverty. In rural Alaska, more than one of every three families headed by women fell below the poverty level.

The proportion of women who head households in Alaska has doubled since 1960. Mothers alone in our State frequently suffer more stress than their counterparts in the lower 48 because they lack an adequate support system. Often these mothers have no immediate family living close enough to call on for help and they have not developed a system of friends to fill this need.

Source 1 and 3

WORKING MOTHERS

ALASKA HAS A HIGHER PERCENTAGE OF WORKING MOTHERS THAN ANY OTHER STATE

- 46% of married women in Alaska who have children under six years of age are in the labor force.
- 43% of the jobs in Alaska are held by women.

The financial contribution of working wives is significant; two earner married couple families had median incomes 30 percent higher than those in which the husband alone worked.

Source: Land 3



DAY CARE

THERE ARE SHORTAGES OF CHILD CARE SPACES IN ALASKA

- The actual number of children in care is not known.
- The actual number of children needing care is not known.
- In January 1980, the total number of child care facilities licensed in 16 communities was 358 with a total of 4,525 spaces.
- In June, 1985, the total number of child care facilities licensed in 33 communities was 949 with a total of 12,908 spaces.
- In Alaska, family child care homes having four or fewer unrelated children in care are not required to be licensed. Private arrangements for in home care is not regulated.
- Religious preschools and private preschools associated with an elementary program are exempt from licensing.
- Nationally, only 10% of facilities caring for children are licensed.

As Alaska's young population has grown, and the profile of its families and work force have changed, where mothers are employed as wage earners, so has the demand for child care expanded. Acutely needed are infant care, before/after care of the school age child, for the mildly sick child, night time and weekend care.

Source 1



HEADSTART

"FOR EVERY \$1 INVESTED IN HEAD START, \$7 ARE RETURNED IN REDUCED PUBLIC EXPENDITURES AND INCREASED PUBLIC RECEIPTS"

- 1,700 economically disadvantaged young children will be served in FY86 at 66 sites in Alaska.
- Only 20% of the number of children and families who are income eligible will be served.
- 1,981 children and their income eligible families have been identified as requesting Head Start programs or where children were on waiting lists for existing programs.

Head Start, a program for early intervention in the life of the low income child has had significant, positive long term effects. Head Start children are less likely to end up pregnant as teens or on welfare, and more likely to enter vocational school, college, or the workforce.

Source: 1 and 12

DAY CARE ASSISTANCE PROGRAM

MOST PEOPLE DON'T WANT A HANDOUT; THEY JUST WANT AN OPPORTUNITY TO MAKE IT ON THEIR OWN. AS THESE PERSONS ENTER THE WORK FORCE, ADEQUATE DAY CARE FOR THEIR CHILDREN IS A PARAMOUNT CONCERN.

- Nearly 2,200 parents in 33 communities were assisted in October, 1985. Over 3,100 children had licensed, supervised care under this Program.
- During FY85, 84.6% of the families participating were single-parent families. During the first quarter of FY86, this increased to 88.6%.
- From July, 1980 til July, 1984 there was a 283% growth in the number of families being aided by this program.

The Day Care Assistance Program assists low and moderate income families who are working, training, working and training, in off-setting the high cost of child care (average cost \$340 per month).

Source: 1

CHILDREN AND DIVORCE

IT IS ESTIMATED THAT HALF OF ALL CHILDREN BORN TODAY WILL SPEND PART OF THEIR CHILDHOOD IN A SINGLE-PARENT FAMILY

- In Alaska, seven marriages out of every ten end in divorce. This compares to the national average of five out of ten marriages.

Source 4 and 5

"Most divorces are harmful to children. 50% of the time the kids school grades go down - 20% of the time kids school grades go up".

M. Scott Peck, M.D.

CHILDREN IN OUT-OF-HOME CARE *WHEN FAMILIES FAIL, SOCIETY BECOMES THE PARENT.*

- The records of 1,033 children in out-of-home care were reviewed in December, 1985 by the Division of Family and Youth Services.
 - 769 or 85% were Protective Services cases.
 - 134 or 15% were Youth Protective Services cases (Probation/ Corrections).
 - Additional field research was needed on 130.
- There were 1,107 children in foster care in FY85.
- There were 387 children in residential care in FY85.

Well trained personnel are crucial to effective intervention, professional investigation and well thoughtout case management plans. In January, 1985 it was estimated that 39 additional social workers were needed to handle the client case load. This is based on 50 clients per social worker. Recommended standards: Child Welfare League of America child protection: 20 families/worker.

Training funds were reduced significantly two years ago and are extremely limited. Training is currently being targeted to orient new staff and to support supervisors.

Funding for youngsters in residential care had not increased in three years. On September 1, 1986, grant funds to private providers were cut 12.5% thus reducing the number of available placements for youngsters needing this type of care.

Source 6





CHILDREN AND YOUTH AT RISK

At least 15% of all American teenagers between the ages of 16 and 19 are unlikely to become productive adults because they are already "disconnected" from society as a result of drug abuse, delinquency, pregnancy, unemployment and dropping out of school.

Source: 17

RUNAWAYS

"ONE MAJOR INDICATOR OF THE PROBLEM DEVELOPING IN ALASKA IS THE NUMBERS OF THE RUNAWAY REPORTED IN ANCHORAGE (NEARLY FOUR TIMES THE NATIONAL AVERAGE)."

- In Anchorage alone, there are approximately 1,200 known runaways, castaways and homeless youth who annually come in contact with at least one community agency.
- There are an estimated three to five times as many actual runaways and castaways who do not receive any services.
- Statewide statistics are not available on runaways.

A study of adolescent runaways has provided new evidence that physical and sexual abuse are important contributors not only to chronic runaway behavior, but also to delinquency and emotional difficulties.

The 1985-86 Legislature appropriated \$30,000 to the Department of Health and Social Services to further study the Runaway problem in the State. The funds were awarded to the Inter-Departmental team, comprised of senior staff from the Department of Education, the Division of Family and Youth Services, and the Division of Mental Health and Developmental Disabilities. This group will examine, among other things, ways to train staff in residential facilities how to handle runaways.

Source: 7, 8 and 19

ABUSED AND NEGLECTED CHILDREN

"WHILE ABUSIVE PARENTS MAY SIMULTANEOUSLY LOVE AND HATE THEIR CHILDREN, NEGLECTFUL PARENTS HAVE LITTLE OR NO FEELING FOR THEM... THESE PARENTS ARE EMOTIONALLY ABSENT."

Avis Brenner

Total number of children served in FY85 was 7,702 as compared with 6,439 in FY83 - An increase of 10% per year average:

	<u>FY 1983</u>	<u>FY 1985</u>
Physical abuse	1,447	1,750
Sexual abuse	613	1,192
Neglect	3,511	3,701
Other Problems	868	1,059

It is estimated that only one in seven cases is reported. Neglect was by far the most frequently reported type of maltreatment.

Source 9

EMOTIONALLY DISTURBED CHILDREN AND YOUTH

"MENTAL ILLNESS IS THE NUMBER ONE HEALTH PROBLEM AFFLICTING CHILDREN AND ADOLESCENTS TODAY."

- It is estimated that there are 700-750 youngsters in Alaska who are moderately to severely disturbed with very few services available to them.
- Alaska has placed at least 100 children and adolescents a year away from their home communities.
- 35 youth are currently out of State because of lack of appropriate facilities in State.

The Department of Health and Social Services and the Department of Education have begun THE ALASKA YOUTH INITIATIVE to create the necessary new programs in Alaska to ensure that severely mentally ill, abused, delinquent and behavior disordered youth will receive the necessary social services and treatment in their own communities.

Source 8 and 18





**JUVENILES
ARRESTS/DETENTION/TREATMENT
IN A 6 YEAR PERIOD (1980 THRU 85),
ALASKA EXPERIENCED A 99%
INCREASE IN YOUTH ADMITTED
TO YOUTH SERVICES TREATMENT
FACILITIES.**

Indices of juvenile crime indicate continued decreases for the year 1980-84.

	ARRESTS	INTAKE
In 1980	5,569	5,857
In 1984	5,250	6,318

Intakes exceed arrests because in small communities cases are referred to Youth Services that are not always arrest cases.

- Jan. thru Dec. 1980, 847 youth were under probation supervision.
- Jan. thru Dec. 1985, 1,448 youth were under probation supervision.
- This is a 71% change.

**YOUTH SERVICES DETENTION
CENTERS**

- Jan. thru Dec. 1980, 1,198 youth admitted to detention facilities.
- Jan. thru Dec. 1985, 1,995 youth admitted to detention facilities.
- This is a 67% increase - State facilities in Anchorage, Fairbanks and Juneau.

**YOUTH SERVICES TREATMENT
FACILITIES**

- Jan. thru Dec. 1980, 86 youth were admitted to treatment facilities.
- Jan. thru Dec. 1985, 171 youth were admitted to treatment facilities.

State treatment facilities located in Anchorage, Fairbanks and Nome.

Source: 10

**ADOLESCENT PREGNANCIES
ONE OF THE COMPLICATED
TRAGEDIES OF OUR TIME, IS
CHILDREN HAVING CHILDREN.**

- 1,747 babies were born to teenage mothers in Alaska in 1984.

"Helping to prevent pregnancies among young teens, and reducing the social and economic risks for teenage parents and their children, remains a very serious challenge to this nation, our State and our communities."

"Regardless of one's political philosophy, the prospect of one million teenage pregnancies, 400,000 abortions, and one-half million births each year, nearly fifty-five percent of which will be births to unmarried teens, is chilling. The human and fiscal costs to all are unacceptable."

Source: 14 and 15

EDUCATION

"MEN EXIST FOR THE SAKE OF ONE ANOTHER. TEACH THEM OR BEAR WITH THEM."

Marcus Aurelius

- 755 school-age wards of the State provided instructional programs.
- 400 severely handicapped students provided instructional programs.
- 1,200 students in Alaskan Correctional and Detention Institutions received vocational education, post secondary education, special education or high school completion programs.
- 9,500 students received bilingual/bicultural programs in more than 100 different languages in 32 school districts.
- 4,000 academically talented and intellectually gifted students received "special" programs.
- 11,344 handicapped children and young people were provided with "special" programs.
- 3,885 migrant students received "special" programs with emphasis on improving basic skills in 23 school districts.
- 35,867 meals were served daily in Alaska Public Schools.
- 43% of meals served were served free or at reduced rates.

Source: 20



ADOLESCENT SUICIDES

MOST EXPERTS BELIEVE THE ACTUAL SUICIDE RATE IS FAR HIGHER THAN REPORTED AND THAT MANY OF ALASKA'S ACCIDENTAL DEATHS ARE SUICIDES.

- Over the past two decades, the suicide rate in the U.S. as a whole has averaged 10 to 12 per 100,000.

Estimated rates for suicide in Alaska 1984

	Age Group	Suicide deaths	Rates per 100,000 pop.
Entire Population	15-19 yrs.	10	24.0
White males	15-19 yrs.	5	31.4
White females	15-19 yrs.	1	7.4
Native males	15-19 yrs.	2	47.0
Native females	15-19 yrs.	2	49.4

- The number of suicide attempts in rural Alaska is twice as high as in urban areas.

Source: 21



WHAT CAN YOU DO?

The problems cited in this report may seem overpowering. It may seem that there is little that one person can do. But there is MUCH that can be done individually as well as in cooperation with others.

As an individual, you can help by:

- volunteering in a day care center, school, or local advocacy group.
- becoming a foster or adoptive parent.
- serving as a friend to youth in trouble with the law.
- keeping children's needs before the assemblymen and local administration, the school board and school administration, and your state legislators and state administration as well as our congressional representatives.
- be willing to be a part of a "telephone tree" to communicate with the decision makers at all levels of government.
- giving financial or volunteer support to agencies in the community that work with children, youth and families.
- becoming a "block parent" for children home alone after school; or volunteer as a "Safe Home" if this program is available in your community.
- becoming a "Big Brother" or "Big Sister" to a child from a single parent family.

As part of an organization, you can have even greater effect on issues involving groups of children. There are several state organizations that advocate for special groups of children. The Child and Family Advocacy Project advocates for the needs of poor and troubled families and children who are neglected, physically and sexually abused, runaways and mentally/emotionally disturbed children - youngsters who are often "wards of the State."

On the local level you can also join child advocacy groups. There are a number of local groups that serve as advocates for particular groups of children.

Whatever issue or group you select for your personal priority, your involvement will be invaluable. With many voices speaking for children, we will be heard. With many hands helping, we will make a difference.

Why not begin right now by calling 907 - 248-0834?

THELMA P. LANGDON,
Project Coordinator

SOURCES

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2. Alaska Department of Education - Directory 1986
3. Alaska Women's Commission - Alaska Women: A Databook - June, 1984
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5. Anchorage Human Services Coalition Factsheet - October, 1985
6. Alaska Department of Health and Social Services - Division of Youth and Family Services - A Profile of Children in Out of Home Care - August, 1986
7. Runaway Support Network Project Report - Anchorage, Alaska - September, 1985
8. Alaska Department of Health and Social Services - Division of Mental Health and Developmental Disabilities - Alaskan Youth Initiative - Summer, 1986
9. Alaska Department of Health and Social Services - Division of Family and Youth Services
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15. U.S. House of Representatives - Select Committee on Children, Youth, and Families Report - 1986 (58-9570)
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17. Education Commission of the States - Business Subcommittee Report - October, 1985
18. "As Advocates We Can Make It Happen" - Paper by Christina K. Young, Akron, Ohio - September, 1985
19. Running Toward Prison - Consultation Unlimited, Marroyce Hall, Anchorage, Alaska - April 30, 1986
20. Alaska Report of Performance - FY85
21. Dept. of Health & Social Services - Division of Mental Health and Developmental Disabilities - Exchange



WHAT IS THE CHILD AND FAMILY ADVOCACY PROJECT?

The Child and Family Advocacy Project is a special program of Alaska Children's Services (ACS), designed to build a broad-based Statewide network of concerned individuals, community organizations and congregations to speak out on behalf of the needs of dependent children and their families.

The activities of the Project will be devoted to improving the systems and institutions that serve troubled children and families of Alaska while working to prevent more children from entering these same systems.

- Increase interest for children's issues
- Disseminate written educational information
- Monitor child welfare agencies, legislation, judicial and administrative policy-making activities
- Sponsor workshops, seminars and conferences

A Citizens' Advisory Committee of eight persons from a variety of backgrounds and disciplines work with the CFA Project Coordinator to determine policy and monitor the project. Members of this committee include:

Barbara Block	Alan Gaddie
Thelma Buchholdt	Carolyn Lyons
Darlene Chapman	Gail H. Rowland
Thomas H. Dahl	Stanley Summers

The Child and Family Advocacy Project is underwritten by private funding including support from Alaska Children's Services, (a United Way Agency,) and grants from the Alaska Christian Conference, national and regional program units of the American Lutheran Church, American Baptist Churches, the United Methodist Church, American Lutheran Church Women, and the Christian Women's Fellowship (Disciples of Christ).

The Child and Family Advocacy Project hopes to become a non-profit organization before the end of 1987, with dues paying membership of individuals concerned and willing to speak out on behalf of children. Currently contributions are being accepted to finance the activities of the Project. They can be sent to: Alaska Children's Services - 4600 Abbott Rd., Anchorage, Alaska 99507

CHILD ADVOCATES ARE IMPERATIVE TO KEEP WHAT LITTLE POLITICAL MOMENTUM IS NOW STARTED. CHILDREN ARE VOICELESS AND POWERLESS. YOUR VOICE CAN MAKE A DIFFERENCE. A UNIFIED VOICE IS CRITICAL.

Consultation
Municipality of Anchorage
Department of Health and Human Services Staff

Alaska Department of Health and Social Services
Division of Family and Youth Services Staff
Division of Mental Health and Developmental Disabilities Staff

Alaska Department of Community and Regional Affairs
Division of Community Development Staff

Department of Education
Division of Educational Program Support Staff

Alaska Children's Services
Director of Public Affairs and Development

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§ 47.10.010 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.10.010

Chapter 10. Delinquent Minors and Children in Need of Aid.

Article

1. Children's Proceedings (§§ 47.10.010 — 47.10.142)
2. Juvenile Institutions (§§ 47.10.150 — 47.10.220)
3. Care of Children (§§ 47.10.230 — 47.10.260)
4. General Provisions (§§ 47.10.270 — 47.10.290)

NOTES TO DECISIONS

Cited in Flores v. Flores, Sup. Ct. Op.
No. 1875 (File No. 3832), 598 P.2d 893
(1979).

Article 1. Children's Proceedings.

Section

10. Jurisdiction
20. Investigation and petition
30. Summons and custody of minor
40. Release of minor
50. Appointment of guardian ad litem or attorney
60. Waiver of jurisdiction
70. Hearings
75. Young adult advisory panels
80. Judgments and orders
81. Predisposition hearing reports
82. Best interests of the child
83. Review hearing information
84. Legal custody, guardianship, and residual parental rights and responsibilities

Section

85. Child in need of aid; religious treatment
90. Records
95. Arrest of a minor
100. Retention of jurisdiction over minor
110. Appointment of guardian or custodian
120. Support of minor
130. Detention
140. Temporary detention and detention hearing
142. Emergency custody and temporary placement hearing

Sec. 47.10.010. Jurisdiction. (a) Proceedings relating to a minor under 18 years of age residing or found in the state are governed by this chapter, except as otherwise provided in this chapter, when the court finds the minor

(1) to be a delinquent minor as a result of violating a criminal law of the state or of a municipality of the state; or

(2) to be a child in need of aid as a result of

(A) the child being habitually absent from home or refusing to accept available care, or having no parent, guardian, custodian or relative caring or willing to provide care, including physical abandonment by

(i) both parents,

(ii) the surviving parent, or

(iii) one parent if the other parent's rights and responsibilities have been terminated under AS 47.10.080 or voluntarily relinquished;

(B) the child being in need of medical treatment to cure, alleviate, or prevent substantial physical harm, or mental harm as evidenced by failure to thrive, severe anxiety, depression, withdrawal, or untoward aggressive behavior or hostility toward others, and the child's parents are unwilling to provide the medical treatment;

(C) the child having suffered substantial physical harm or if there is an imminent and substantial risk that the child will suffer such harm as a result of the actions done by or conditions created by the child's parent, guardian or custodian or the failure of the parent, guardian or custodian adequately to supervise the child;

(D) the child having been sexually abused either by the child's parent, guardian or custodian, or as a result of conditions created by the child's parent, guardian or custodian, or by the failure of the parent, guardian or custodian adequately to supervise the child;

(E) the child committing delinquent acts as a result of pressure, guidance, or approval from the child's parents, guardian or custodian;

(F) the child having suffered substantial physical abuse or neglect as a result of conditions created by the child's parent, guardian or custodian.

(b) When a minor is accused of violating a traffic statute or regulation, a traffic ordinance or regulation of an incorporated municipality, a fish and game statute or regulation under AS 16 or a parks and recreational facilities statute or regulation under AS 41.21, excepting a statute the violation of which is a felony, the procedure prescribed in AS 47.10.020 — 47.10.090 may not be followed, except that a parent, guardian or legal custodian shall be present at all proceedings. The minor accused of a traffic offense, a fish and game statute or regulation violation under AS 16 or parks and recreational facilities violation under AS 41.21 shall be charged, prosecuted, and sentenced in the district court in the same manner as an adult.

(c) In a controversy concerning custody of a minor, the court may appoint a guardian of the person and property of a minor and may order support from either or both parents. Custody of a minor may be given to the Department of Health and Social Services, and payment of support money to the department may be ordered. (§ 4 art I ch 145 SLA 1957; am § 1 ch 76 SLA 1961; am §§ 1, 2 ch 110 SLA 1967; am § 1 ch 64 SLA 1969; am § 6 ch 104 SLA 1971; am §§ 7, 8 ch 63 SLA 1977; am § 1 ch 104 SLA 1982)

Cross references. — See Rules of Children's Procedure, Alaska Rules of Court Procedure and Administration. For waiver of jurisdiction, see AS 47.10.060. For provisions relating to child protection, see AS 47.17. For provisions establishing office of child advocacy, see AS 47.50.

Effect of amendments. — The 1982

amendment added subparagraph (2)(F) to subsection (a).

Editor's notes. — Section 7, ch. 110, SLA 1967, as amended by § 80, ch. 69, SLA 1970, provides: "In exercising its jurisdiction under AS 47.10, the superior court may designate district judges and magistrates as masters under Civil Rule 53."

Section 32, ch. 110, SLA 1967, amended by § 80, ch. 69, SLA 1970, provides: "Section 7 of this act, relating to the changing of a child's name, shall not apply to any child who is found to be an endangered child or a child who is being wayward."

Applicability. — All cases pending on the effective date of the new act are entitled to the new act, rather than the old act. *J.M., Sup. Ct. Op. 3219, 3229, 573 P.2d 581 (1978).*

In order to provide a forum for the juvenile justice, children under the standard (a)(5) of this section 1977 are entitled to a hearing under the newly-enacted subsection. In re *J.M.*, (File Nos. 3219, 3229, 573 P.2d 581 (1978)).

Children adjudicated delinquent (a)(5) of this section request an adjudication under the standards of sub C.L.T., Sup. Ct. Op. 3607, 597 P.2d 581 (1978).

Rehabilitation, in the juvenile justice system, is the expression of the state's interest in the child without treatment of the child as a criminal. The goal of rehabilitation is the goal of rehabilitation. Rehabilitation constitutes punishment. *Rust v. State*, 1668 (File No. 3172).

Principal precept of the juvenile court concept is that the years of age does not determine the consequences of his acts, a child should not generally be stigmatized with the stigma of a criminal conviction of his life. In re *P.H.*, (File No. 1538), 504 P.2d 837 (1972).

A child "in need of care" is the functional "dependent" child who has existed prior to its birth. *Sup. Ct. Op. 3607, 597 P.2d 581 (1978).*

The phrase "under the age of 18" refers to the age of the child at the time of the alleged delinquency. *Sup. Ct. Op. No. 857, 597 P.2d 837 (1972).*

Former AS 17.12.110(d)(4) not in conflict. — Former AS 17.12.110(d)(4), which provided that a person who, while under the age of 18, possesses, controls or uses any amount of marijuana was, upon conviction, guilty of a misdemeanor punishable by a fine of not more than \$1000, was not in conflict with paragraph (a)(1) of this section and AS 47.10.080(b)(1). *M.O.W. v. State*, Ct. App. Op. No. 95 (File No. 4846), 645 P.2d 1229 (1982).

State may interfere with certain conduct of children in need of aid. — Conduct of children alleged to be in need of supervision [see now children alleged to be in need of aid], such as running away from home and foster home placement, may constitutionally be interfered with by the state. *L.A.M. v. State*, Sup. Ct. Op. No. 1249 (File No. 2221), 547 P.2d 827 (1976).

Interests to be protected by legislation regarding children in need of aid. — See *L.A.M. v. State*, Sup. Ct. Op. No. 1249 (File No. 2221), 547 P.2d 827 (1976).

Means chosen by the state to protect children are closely and substantially related to an appropriate government interest. *L.A.M. v. State*, Sup. Ct. Op. No. 1249 (File No. 2221), 547 P.2d 827 (1976).

The purpose of the supervision or treatment contemplated by the creation of the child in need of supervision [see now child in need of aid], and its predecessor noncriminal delinquency was reintegration of the child into her family and resumption of parental custody including parental control. *L.A.M. v. State*, Sup. Ct. Op. No. 1249 (File No. 2221), 547 P.2d 827 (1976).

The discretion allotted a parent in the administration of punishment is not unlimited. Clearly it does not extend to punishment regularly causing the "substantial physical harm" which under subsection (a)(2)(C) determines that a child is in need of aid. In re D.C., Sup. Ct. Op. No. 1862 (File No. 3840), 596 P.2d 22 (1979).

A minor who has been adjudged a child in need of supervision [now child in need of aid] cannot be institutionalized under the Children's Code. In re A Minor Child, Sup. Ct. Op. No. 737 (File No. 1524), 490 P.2d 658 (1971).

The Department of Health and Social Services does not possess the authority to institutionalize any minor, including one who has been declared a child in need of supervision [see now child in need of aid], who has been committed to its custody. It is unreasonable to construe Alaska children's statutes in a manner which would

result in the grant to the Department of Health and Social Services of broader powers of commitment than possessed by the trial court. In re A Minor Child, Sup. Ct. Op. No. 737 (File No. 1524), 490 P.2d 658 (1971).

Requisites to determination of delinquency. — Before a juvenile can be determined delinquent in a proceeding which could result in commitment to an institution, thus curtailing his freedom, certain requisites must be met. First, written notice of the charges must be given to the juvenile and his parents sufficiently in advance of the proceedings to allow preparation to meet the charges. Second, the child and his parents must be apprised of the right to counsel, including appointed counsel in case of indigency. Third, the child may exercise his privilege against self-incrimination. Lastly, absent a valid confession, the determination of delinquency cannot be sustained in the absence of sworn testimony, which is subject to cross-examination. *E.J. v. State*, Sup. Ct. Op. No. 628 (File No. 1144), 471 P.2d 367 (1970).

Minor properly declared delinquent. — Where the lower court determined that a minor would not abide by any orders it entered regarding her supervision under former subsection (j) of AS 47.10.080, this behavior constituted willful criminal contempt of the court's authority; were she an adult, her actions would be characterized as a "crime" under Alaska statutes. She was, therefore, properly declared a delinquent and subject to those sanctions available for the correction of a delinquent minor's behavior. *L.A.M. v. State*, Sup. Ct. Op. No. 1249 (File No. 2221), 547 P.2d 827 (1976).

Where the parents' interests are hostile to the child's, the parents may not select the child's attorney. *Wagstaff v. Superior Court, Family Court Div.*, Sup. Ct. Op. No. 1144 (File No. 2208), 535 P.2d 1220 (1975).

Then the child may retain the attorney of his choice or, in the alternative, ask the court to appoint an attorney for him. *Wagstaff v. Superior Court, Family Court Div.*, Sup. Ct. Op. No. 1144 (File No. 2208), 535 P.2d 1220 (1975).

And court must respect choice. — If the child has retained counsel, the court must respect the child's choice. *Wagstaff v. Superior Court, Family Court Div.*, Sup. Ct. Op. No. 1144 (File No. 2208), 535 P.2d 1220 (1975).

The required standard of proof has been increased from "a preponderance of

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Section 32, ch. 63, SLA 1977, provides:
"Section 7 of this Act has the effect of
changing Children's Rule 12 by deleting
any references to 'Truant from school,'
'endangering) the morals or health,'
'being wayward or habitually disobedient,'

or 'uncontrolled,' and has the effect of
substituting the words 'child in need of aid'
for the terms 'child in need of supervision'
and 'dependent' where those two terms
appear in Rules of Children's Procedure."

NOTES TO DECISIONS

Applicability of 1977 amendment. —
All cases pending at the time of the enact-
ment of the new children's statute by the
1977 acts are entitled to hearing under the
new, rather than the old, standards. In re
J.M., Sup. Ct. Op. No. 1548 (File Nos.
3219, 3229), 573 P.2d 1376 (1978).

In order to provide guidance to the supe-
rior court for the administration of juve-
nile justice, children adjudged dependent
under the standards of former subsection
(a)(5) of this section prior to its repeal in
1977 are entitled, on request, to a disposi-
tional hearing under the standards of the
newly-enacted subsection (a)(2)(C) of this
section. In re J.M., Sup. Ct. Op. No. 1548
(File Nos. 3219, 3229), 573 P.2d 1376
(1978).

Children adjudged dependent under
former (a)(5) of this section are entitled on
request to an adjudicative hearing under
the standards of subsection (a)(2)(C). In re
C.L.T., Sup. Ct. Op. No. 1866 (File No.
3607), 597 P.2d 581 (1979).

Rehabilitation, rather than punish-
ment, is the express purpose of juve-
nile jurisdiction. Mere confinement
without treatment does not contribute to
the goal of rehabilitation; such confine-
ment constitutes cruel and unusual pun-
ishment. Rust v. State, Sup. Ct. Op. No.
1668 (File No. 3172), 582 P.2d 134 (1978).

Principal precept behind children's
court concept is that a person under 18
years of age does not have mature judg-
ment and may not fully realize the conse-
quences of his acts, and that therefore he
should not generally have to bear the
stigma of a criminal conviction for the rest
of his life. In re P.H., Sup. Ct. Op. No. 857
(File No. 1538), 504 P.2d 837 (1972).

A child "in need of aid" appears to
be the functional equivalent of a
"dependent" child under this section as
it existed prior to its 1977 amendment. In
re C.L.T., Sup. Ct. Op. No. 1866 (File No.
3607), 597 P.2d 518 (1979).

The phrase "under 18 years of age"
refers to the age of the accused person at
the time of the alleged offense. In re P.H.,
Sup. Ct. Op. No. 857 (File No. 1538), 504
P.2d 837 (1972).

**Jurisdiction dependent upon age of
offender at time of act.** — Juvenile jurisdic-
tion of the superior court in delin-
quency proceedings is dependent upon the
age of the offender at the time of the delin-
quent acts. Henson v. State, Sup. Ct. Op.
No. 1590 (File No. 3024), 576 P.2d 1352
(1978).

Child is exempt from criminal pros-
ecution until children's court waives
jurisdiction. — From the moment a child
commits an offense he is exempt from
criminal prosecution until the children's
court properly waives its jurisdiction. In re
P.H., Sup. Ct. Op. No. 857 (File No. 1538),
504 P.2d 837 (1972).

Deferring action against child until
18th birthday would frustrate purpose
of juvenile courts. — To allow officials
charged with the execution of the law to
prosecute a child offender as a criminal
merely by deferring action until the child's
18th birthday would frustrate the purpose
of juvenile courts. In re P.H., Sup. Ct. Op.
No. 857 (File No. 1538), 504 P.2d 837
(1972).

Serious constitutional issues would
arise if the nature of the proceedings
against a child offender were to depend on
the arbitrary decision of law-enforcement
officials. In re P.H., Sup. Ct. Op. No. 857
(File No. 1538), 504 P.2d 837 (1972).

When person over or under certain
age. — With respect to penal statutes,
whether a person is over or under a certain
age depends upon whether he has reached
the particular anniversary of his birthday
or not. State v. Linn, Sup. Ct. Op. No. 47
(File No. 122), 363 P.2d 361 (1961).

"Delinquent" status depends not upon
a criminal conviction but upon proof that
the juvenile committed acts which would
have been criminal if committed by an
adult. Rust v. State, Sup. Ct. Op. No. 1668
(File No. 3172), 582 P.2d 134 (1978).

One who committed a crime when 18
years of age could be criminally prose-
cuted, as an adult, when he had been
previously adjudged a delinquent minor
and the court had retained supervisory
jurisdiction over him until age 19. Henson
v. State, Sup. Ct. Op. No. 1590 (File No.
3024), 576 P.2d 1352 (1978).

Sec. 47.10.020. Investigation and petition. (a) Whenever a person informs the court of the facts which bring a minor within this chapter, the court shall appoint a competent person or agency to make a preliminary inquiry and report for the information of the court to determine whether the interests of the public or of the minor require that further action be taken. Upon the receipt of the report, the court may informally adjust or dispose of the matter without a hearing, or it may authorize the person having knowledge of the facts of the case to file with the court a petition setting out the facts. Where the court informally adjusts or disposes of the matter the minor may not be detained or taken into the custody of the court and the matter shall be closed by the court upon adjustment or disposition.

(b) The petition and all subsequent proceedings shall be styled as follows: "In the matter of, a minor under 18 years of age." The petition may be executed upon the petitioner's information and belief, and shall be verified. It shall include the following information:

- (1) the name, address and occupation of the petitioner, together with the petitioner's relationship to the minor, and the petitioner's interest in the matter;
- (2) the name, age and address of the minor;
- (3) a brief statement of the facts which bring the minor within this chapter;
- (4) the names and addresses of the minor's parents;
- (5) the name and address of the minor's guardian, or of the person having control or custody of the minor.

(c) If the petitioner does not know a fact required in this section, the petitioner shall so state in the petition. (§ 5 art I ch 145 SLA 1957)

Cross references. — For the preliminary inquiry referred to in (a) of this section, see Children's Rule 4, Alaska Rules of Court. As to the petition, see Children's Rule 8.

NOTES TO DECISIONS

Distinctions between this section and AS 25.24.310. — See *Granato v. Occhipinti*, Sup. Ct. Op. No. 1962 (File No. 3756), 602 P.2d 442 (1979). Cited in *M.O.W. v. State*, Ct. App. Op. No. 95 (File No. 4846), 645 P.2d 1229 (1982).

Collateral references. — 42 Am. Jur. 2d, *Infants*, §§ 14 to 17, 20, 22 et seq.; 47 Am. Jur. 2d, *Juvenile Courts and Delinquent and Dependent Children*, §§ 13 to 33. 43 C.J.S., *Infants*, §§ 6, 93 et seq.

Sec. 47.10.030. Summons and custody of minor. (a) After a petition is filed and after further investigation which the court directs, if

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the evidence" to "beyond a reasonable doubt" in the adjudicatory stages of at least those delinquency proceedings in which a child is charged with an act that would be a crime if committed by an adult. E.J. v. State, Sup. Ct. Op. No. 628 (File No. 1144), 471 P.2d 367 (1970).

Privilege against self-incrimination. — See E.L.L. v. State, Sup. Ct. Op. No. 1540 (File No. 3374), 572 P.2d 786 (1977) (decided prior to the 1977 amendment to this section).

Violation of former law relating to purchase of intoxicating liquors by minors. — See Purdy v. United States, 16 Alaska 173, 146 F. Supp. 762 (D. Alaska 1956).

Prosecution for joyriding. — Subsection (b) of this section and former AS 28.35.010(d) demonstrated a clear legislative intent to exclude from the coverage and requirements of the juvenile code those cases involving alleged misdemeanor violations of Alaska's "joyriding" statute by persons under 18 years of age. State v. G.L.P., Sup. Ct. Op. No. 1786 (File No. 2978), 590 P.2d 65 (1979).

One under 18 years of age could be charged, prosecuted and sentenced in the district court, as an adult, for a misdemeanor violation of Alaska's "joyriding" statute, former AS 28.35.010(a), before there had been an order by the superior court waiving the latter court's juvenile jurisdiction. State v. G.L.P., Sup. Ct. Op. No. 1786 (File No. 2978), 590 P.2d 65 (1979).

Termination of parental rights due to abandonment. — In proceeding to terminate parental rights, although trial judge orally stated that he considered involuntary incarceration to constitute abandonment, where written findings of

fact, submitted by state and signed by court, referred to parent's voluntary absence from October of 1980 to June of 1981 as the relevant conscious disregard of parental obligations, there was no reversible error. Nada A. v. State, Sup. Ct. Op. No. 2632 (File Nos. 6546, 6693), 660 P.2d 436 (1983).

There is no statute authorizing awards of attorney's fees in child in need of aid proceedings, nor has any rule or order authorizing such an award been promulgated. Cooper v. State, Sup. Ct. Op. No. 2453 (File Nos. 4906, 4970), 638 P.2d 174 (1981).

Appeal after serving sentence. — If there remain collateral legal disabilities apart from the sentence, an appeal is not mooted even though the sentence has been served. E.J. v. State, Sup. Ct. Op. No. 628 (File No. 1144), 471 P.2d 367 (1970).

Applied in In re S.D., Sup. Ct. Op. No. 1255 (File No. 2530), 549 P.2d 1190 (1976).

Quoted in In re P.N., Sup. Ct. Op. No. 1127 (File No. 2191), 533 P.2d 13 (1975); R.D.S.M. v. Intake Officer, Sup. Ct. Op. No. 1449 (File No. 321), 565 P.2d 855 (1977); N.P.A. v. State, Sup. Ct. Op. No. 2005 (File No. 4618), 604 P.2d 599 (1979); E.A. v. State, Sup. Ct. Op. No. 2289 (File Nos. 4687, 4870), 623 P.2d 1210 (1981).

Stated in D.R.C. v. State, Ct. App. Op. No. 94 (File No. 4905), 646 P.2d 252 (1982).

Cited in Granato v. Occhipinti, Sup. Ct. Op. No. 1962 (File No. 3756), 602 P.2d 442 (1979); P.S. v. State, Ct. App. Op. No. 194 (File No. 6870), 655 P.2d 1319 (1982); State v. R.H., Ct. App. Op. No. 375 (File No. 7768), P.2d (1984); Brower v. State, Ct. App. Op. No. 381 (File No. 7816), P.2d (1984).

Collateral references. — 27 Am. Jur., Infants, §§ 101 to 112; 31 Am. Jur., Juvenile Courts and Delinquents, Dependent and Neglected Children, §§ 13 to 50.

43 C.J.S., Infants, §§ 6, 93 et seq.
Another court's jurisdiction over a child as affected by assumption of jurisdiction by juvenile court, 11 ALR 147; 78 ALR 317; 146 ALR 1153.

Vagrancy of minors, 14 ALR 1507.
Constitutionality of statute which, for reformatory purposes, deprives parent of custody or control of child, 60 ALR 1342.

Power of juvenile court to exercise continuing jurisdiction over infant delinquent or offender, 76 ALR 657.

Marriage as affecting jurisdiction of juvenile court over delinquents or dependents, 14 ALR2d 336.

Homicide by juvenile as within jurisdiction of juvenile court, 48 ALR2d 662.

Age of child at time of alleged offense or delinquency, or at time legal proceedings are commenced, as criterion of jurisdiction of juvenile court, 89 ALR2d 506.

State, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971); John Doe v. State, Sup. Ct. Op. No. 707 (File No. 1240), 487 P.2d 47 (1971).

And it must set forth the alleged misconduct with particularity. RLR v. State, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

One day's notice was insufficient to afford a reasonable time to prepare. John Doe v. State, Sup. Ct. Op. No. 707 (File No. 1240), 487 P.2d 47 (1971).

Waiving defects in process. — While some authorities hold that infants, even when represented by counsel, cannot waive defects in process and consent to jurisdiction over the person, such a rule unreasonably restricts the strategic

choices open to a child represented by counsel. A no-waiver rule could be used as a delaying tactic by an unprepared prosecutor when process was not entirely correct. A child represented by competent counsel is about as fit as an adult to waive this sort of objection, which is usually beyond the ken of adult laymen as well as children. RLR v. State, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

Defect in process was waived by child's failure to raise it below. RLR v. State, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

Cited in M.O.W. v. State, Ct. App. Op. No. 95 (File No. 4846), 645 P.2d 1229 (1982).

Collateral references. — Notice to parent, and hearing, before commitment of delinquent, dependent, or neglected children, 76 ALR 247.

Right to and appointment of counsel in

juvenile court proceedings, 60 ALR2d 691.

Right of juvenile court defendant to be represented during court proceedings by parent, 11 ALR4th 719.

Sec. 47.10.040. Release of minor. A minor who is taken into custody may, in the discretion of the court and upon the written promise of the parent, guardian, or custodian to bring the minor before the court at a time specified by the court, be released to the care and custody of the parent, guardian, or custodian. The minor, if not released, shall be detained as provided by AS 47.10.140. The court may determine whether the father or mother or another person shall have the custody and control of the minor for the duration of the proceedings. If the minor is of sufficient age and intelligence to state desires, the court shall give consideration to the minor's desires. (§ 7 art I ch 145 SLA 1957; am § 10 ch 63 SLA 1977)

Cross references. — For temporary custody, see Children's Rule 5, Alaska Rules of Court.

NOTES TO DECISIONS

A child has the right to remain free pending an adjudication that the child is delinquent, dependent, or in need of supervision [now delinquent or in need of aid], where the facts supporting the petition involve an act which, if committed by an adult, would be a crime, and where the court has been given reasonable assurance that the child will appear at future court proceedings. If the facts produced at the

inquiry show that the child cannot return or remain at home, every effort must be made to place the child in a situation where his freedom will not be curtailed. Only if there is clearly no alternative available may the child be committed to a detention facility and deprived of his freedom. John Doe v. State, Sup. Ct. Op. No. 707 (File No. 1240), 487 P.2d 47 (1971).

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the person having custody or control of the minor has not appeared voluntarily, the court shall issue a summons which (1) recites briefly the substance of the petition; (2) clearly states that at the hearing it is possible that parental rights and responsibilities may be terminated forever and that the minor may at the hearing be committed to the Department of Health and Social Services for possible adoption; and (3) directs the person having custody or control of the minor to appear personally in court with the minor at the place and at the time set forth in the summons.

(b) In all cases under this chapter the minor, each parent of the minor and the guardian of the minor shall be given notice adequate to give actual notice of the proceedings and the possibility of termination of parental rights and responsibilities, taking into account education and language differences which are known or reasonably ascertainable by the petitioner or the department. The notice of the hearing shall contain all names by which the minor has been identified. Notice shall be given in the manner appropriate under rules of civil procedure for the service of process in a civil action under Alaska law or in any manner the court by order directs. Proof of the giving of the notice shall be filed with the court before the petition is heard. The court may also subpoena the parent of the minor, or any other person whose testimony may be necessary at the hearing. A subpoena or other process may be served by a person authorized by law to make the service, and where personal service cannot be made, the court may direct that service of process be in a manner appropriate under rules of civil procedure for the service of process in a civil action under Alaska law or in any manner the court directs.

(c) If the minor is in such condition or surroundings that the minor's welfare requires the immediate assumption of custody by the court, the court may order, by endorsement upon the summons, that the officer serving the summons shall at once take the minor into custody and make the temporary placement of the minor which the court directs. (§ 6 art I ch 145 SLA 1957; am § 1 ch 110 SLA 1960; am § 6 ch 104 SLA 1971; am § 9 ch 63 SLA 1977)

NOTES TO DECISIONS

Editor's notes. — RLR v. State, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971) and John Doe v. State, Sup. Ct. Op. No. 707 (File No. 1240), 487 P.2d 47 (1971), cited below, were decided prior to the 1977 amendment to this section, which rewrote subsection (b).

The child and his parents must receive notice which would be deemed adequate in a civil or criminal proceeding. These requirements suggest that Alaska civil and criminal rules should be

looked to for techniques of service on children. RLR v. State, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

Personal service upon the child is required. John Doe v. State, Sup. Ct. Op. No. 707 (File No. 1240), 487 P.2d 47 (1971).

Notice, to comply with due process requirements, must be given sufficiently in advance of scheduled court proceedings so that reasonable opportunity to prepare will be afforded. RLR v.

Sec. 47.10.060. Waiver of jurisdiction. (a) If the court finds at a hearing on a petition that there is probable cause for believing that a minor is delinquent and finds that the minor is not amenable to treatment under this chapter, it shall order the case closed. After a case is closed under this subsection, the minor may be prosecuted as an adult.

(b) *[Repealed, § 8 ch 110 SLA 1967.]*

(c) *[Repealed, § 8 ch 110 SLA 1967.]*

(d) A minor is unamenable to treatment under this chapter if the minor probably cannot be rehabilitated by treatment under this chapter before reaching 20 years of age. In determining whether a minor is unamenable to treatment, the court may consider the seriousness of the offense the minor is alleged to have committed, the minor's history of delinquency, the probable cause of the minor's delinquent behavior, and the facilities available to the division of youth and adult authority for treating the minor.

(e) A person who has been tried as an adult under this section, or the Department of Health and Social Services on the person's behalf, may petition the superior court to seal the records of all criminal proceedings, except traffic offenses, initiated against the person, and all punishments assessed against the person, while the person was a minor. A petition under this subsection may not be filed until five years after the completion of the sentence imposed for the offense for which the person was tried as an adult. If the superior court finds that the punishment assessed against the person has had its intended rehabilitative effect, the superior court shall order the record of proceedings and the record of punishments sealed. Sealing the records restores civil rights removed because of a conviction. A person may not use these sealed records for any purpose except that the court may order their use for good cause shown or may order their use by an officer of the court in making a presentencing report for the court. (§ 9 art I ch 145 SLA 1957; am § 1 ch 118 SLA 1962; am §§ 3, 8 ch 110 SLA 1967; am § 6 ch 104 SLA 1971; am § 13 ch 63 SLA 1977)

Cross references. — For hearings before the juvenile court, see AS 47.10.070. See also, Children's Rule 3, Alaska Rules of Court.

NOTES TO DECISIONS

Non-criminal treatment of child offenders is to be rule. — The statutory framework for dealing with child offenders contemplates that non-criminal treatment is to be the rule and adult criminal disposition the exception. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

Section provides means to determine amenability to treatment available for

child offenders. — The waiver procedure set out in this section and in Rule of Children's Procedure 3 provides the means by which the children's court judge determines, prior to adjudicating the delinquency petition, that an accused child is not a suitable subject for the treatment available for child offenders. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

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Cited in *M.O.W. v. State*, Ct. App. Op. No. 95 (File No. 4846), 645 P.2d 1229 (1982).

Sec. 47.10.050. Appointment of guardian ad litem or attorney.

(a) Whenever in the course of proceedings instituted under this chapter it appears to the court that the welfare of a minor will be promoted by the appointment of an attorney to represent the minor or an attorney or other person to serve as guardian ad litem, the court may make the appointment. Appointment of a guardian ad litem or attorney shall be made under the terms of AS 25.24.310.

(b) In all proceedings initiated under a petition for delinquency, a minor shall have the right to be represented by counsel and if indigent have counsel appointed by the court. The court shall appoint counsel in such cases unless it makes a finding on the record that the minor has made a voluntary, knowing, and intelligent waiver of the right to counsel and a parent or guardian with whom the child resides or resided before the filing of the petition concurs with the waiver. In cases in which it has been alleged that the minor has committed an act which would be a felony if committed by an adult, waiver of counsel shall not be accepted unless the court is satisfied that the minor has consulted with an attorney before the waiver of counsel. (§ 8 art I ch 145 SLA 1957; am § 5 ch 167 SLA 1975; am §§ 11, 12 ch 63 SLA 1977)

Editor's notes. — Section 33, ch. 63, SLA 1977, provides: "Section 12 of this Act has the effect of adding to the court's responsibilities under Rules 14 and 15, Alaska Rules of Children's Procedure, by requiring the court to appoint counsel for an indigent minor unless the minor has

made a voluntary, knowing and intelligent waiver, and in certain cases of delinquency where there has been a waiver of counsel to appoint counsel for the minor unless the court is satisfied that the minor consulted with an attorney before his waiver of counsel."

NOTES TO DECISIONS

Under Rule of Children's Procedure 12(c)(3), the presence of the guardian ad litem is required at a child hearing. In re C.L.T., Sup. Ct. Op. No. 1866 (File No. 3607), 597 P.2d 518 (1979).

Failure to conduct hearing in presence of child's counsel and guardian ad litem held harmless error. — See

In re C.L.T., Sup. Ct. Op. No. 1866 (File No. 3607), 597 P.2d 518 (1979).

Cited in *RLR v. State*, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971); *Cooper v. State*, Sup. Ct. Op. No. 2453 (File Nos. 4906, 4970), 638 P.2d 174 (1981); *M.O.W. v. State*, Ct. App. Op. No. 95 (File No. 4846), 645 P.2d 1229 (1982).

Collateral references. — 39 Am. Jur. 2d, Guardian and Ward, § 17; 42 Am. Jur. 2d, Infants, § 173 et seq.

39 C.J.S., Guardian and Ward, §§ 20 to 29; 43 C.J.S., Infants, § 222 et seq.

Recognition of foreign guardian as next friend or guardian ad litem, 94 ALR2d 211.

Who is minor's next of kin for guardianship purposes, 63 ALR3d 813.

Waiver decision without testimony of psychologist or psychiatrist. — A waiver of juvenile jurisdiction decision can be made without the testimony of a psychologist or psychiatrist, since such testimony is germane to at most two of the four factors set out in subsection (d) of this section, and not all four of those facts need be determined adversely to the youth to warrant waiver of juvenile jurisdiction. In re J.R., Sup. Ct. Op. No. 2165 (File No. 5194), 616 P.2d 865 (1980).

There is no conflict between subsection (d) and AS 47.10.080(b)(1). In re F.S., Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978).

The inconsistency between subsection (d) of this section and 47.10.080(b)(1) that existed prior to the 1977 amendments to these sections has been eliminated in that subsection (d) now provides that the determinative age is 20 and AS 47.10.080(b)(1) provides that the maximum limitation of confinement of minors is to the age of 20. In re F.S., Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978).

Factors to be considered in judging seriousness of alleged offense. — In judging the seriousness of the alleged offense, the children's court judge may consider not only the type of crime charged but also the circumstances surrounding its commission, the factors leading to delinquency, history of delinquency, and facilities available for rehabilitation. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

The amenability decision rests in the sound discretion of the children's court judge. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972); In re F.S., Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978).

But the latitude afforded him is not unbounded. The proper exercise of that discretion must be predicated not only upon procedural regularity sufficient to satisfy the basic requirements of due process but also on a full inquiry into the amenability issue. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

The trial court must make an evidentiary record and make written findings of fact, as required by Children's Rule 5(b), as to each of these four factors enunciated in subsection (d). In re F.S., Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978).

These findings must be supported by substantial evidence. In re F.S., Sup. Ct.

Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978).

Substantial evidence must be presented before jurisdiction may be waived. D.H. v. State, Sup. Ct. Op. No. 1396 (File No. 2837), 561 P.2d 294 (1977).

Based on these findings, the trial court, within its sound discretion, must make a decision as to the minor's amenability to treatment. In re F.S., Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978).

Factors to be considered in determining amenability. — Subsection (d) of this section suggests four factors which may be considered by the court when inquiring into the amenability issue: (1) the seriousness of the offense; (2) the delinquency of the minor; (3) the probable cause of the delinquent behavior; and (4) the facilities available for the treating of the minor. J.W.H. v. State, Sup. Ct. Op. No. 1708 (File No. 3812), 583 P.2d 227 (1978).

All four factors listed in subsection (d) need not be resolved against the child to justify waiver. Nor is there value in requiring the children's court to make an arithmetic calculation as to the weight to be given each factor. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

But there must be a thorough examination of the child, his background and alternative strategies of rehabilitation short of adult criminal treatment. Lacking such an examination, the children's court has no evidentiary basis for the decision. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972); D.H. v. State, Sup. Ct. Op. No. 1396 (File No. 2837), 561 P.2d 294 (1977).

Though the standards for determining amenability to treatment through the children's court lack explicit definition, it is clear from the statute that the court in most cases must go beyond the circumstances surrounding the alleged delinquent acts and the age of the child. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

Even though the children's court may have independent knowledge concerning children's treatment programs and facilities, it is necessary to make the existence and evaluation of such programs a part of the waiver proceedings to enable proper review by the supreme court. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

At a waiver hearing there must be a thorough examination of (1) the probable

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The court's authority to impose a penal sentence on a juvenile is limited under the strict procedures of subsections (a) and (d) and Children's Rule 3. B.A.M. v. State, Sup. Ct. Op. No. 1104 (File No. 2144), 528 P.2d 437 (1974).

A minor may move to waive children's court jurisdiction pursuant to subsection (a). M.O.W. v. State, Ct. App. Op. No. 95 (File No. 4846), 645 P.2d 1229 (1982).

A minor under the age of 18 cannot "elect" to be tried as an adult. M.O.W. v. State, Ct. App. Op. No. 95 (File No. 4846), 645 P.2d 1229 (1982).

Where no waiver hearing has been conducted, the court has no authority to sentence a delinquent child as an adult. B.A.M. v. State, Sup. Ct. Op. No. 1104 (File No. 2144), 528 P.2d 437 (1974).

Before treating a juvenile as an adult, the court must first conduct a waiver hearing. B.A.M. v. State, Sup. Ct. Op. No. 1104 (File No. 2144), 528 P.2d 437 (1974).

Option available to prosecution absent waiver. — A proceeding in children's court, which is limited to the dispositions set forth in AS 47.10.080(b), is the only option available to the prosecution absent waiver under subsection (a) of this section, and the standards established in subsection (a) are sufficiently clear to prevent arbitrary enforcement. M.O.W. v. State, Ct. App. Op. No. 95 (File No. 4846), 645 P.2d 1229 (1982).

But hearing is not criminal in nature. — A waiver hearing is not criminal in nature and is dispositional, rather than adjudicatory. N.P.A. v. State, Sup. Ct. Op. No. 2005 (File No. 4618), 604 P.2d 599 (1979).

And right to attend may be waived. — Although a minor had a constitutional right to attend her waiver hearing, she waived that right when she voluntarily failed to appear at the hearing by refusing to waive extradition from another state. N.P.A. v. State, Sup. Ct. Op. No. 2005 (File No. 4618), 604 P.2d 599 (1979).

Findings necessary to justify waiver. — To justify waiver, the children's court judge must find, on sufficient evidence, that probable cause is established at the hearing for believing that the child committed the act with which he was charged in the petition and which if committed by an adult would constitute a crime and the child is not amenable to the treatment provided under this article. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

As a prerequisite to criminal prosecution, the children's court must find not only that the child is properly accused but also that he would not be receptive to the rehabilitative programs available to the court. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

The inability to predicate a plan for a defendant during the short time remaining before his 19th birthday coupled with the obvious need of treatment as disclosed by the record may be sufficient to justify a waiver to adult jurisdiction. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

The court may close out the case as a juvenile matter only upon finding cause to believe that the minor is delinquent and that the minor is not amenable to treatment. B.A.M. v. State, Sup. Ct. Op. No. 1104 (File No. 2144), 528 P.2d 437 (1974).

A court must find that there is probable cause to believe that the minor is delinquent and that the minor is not amenable to treatment before jurisdiction may be waived. In re J.H.B., Sup. Ct. No. 1626 (File No. 2947), 578 P.2d 146 (1978).

Subsection (d) is clear on its face that age 20 is the proper age for determining whether a minor is amenable to treatment. In re F.S., Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978).

The 1977 amendments of this section and 47.10.080 show that it is the legislature's intent that age 20 is the age to be used in determining the amenability issue. In re F.S., Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978).

Binding consent to treatment. — In order to give effect of the legislature's intent that a court may consider treatment until age 20 in determining waiver of juvenile jurisdiction, it is necessary that the judge be able to evaluate at the time of the waiver hearing whether the juvenile will in fact be available for treatment. It is not possible for the judge to know this unless the child can give binding consent at the time of the hearing. State v. F.L.A., Sup. Ct. Op. No. 2041 (File No. 4333), 608 P.2d 12 (1980).

The portion of the opinion in In re F.S., Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978) that held that a minor in a waiver hearing could not give a binding advance consent to treatment beyond age 19 was mistaken. State v. F.L.A., Sup. Ct. Op. No. 2041 (File No. 4333), 608 P.2d 12 (1980).

Prosecution for joyriding. — One under 18 years of age could be charged, prosecuted and sentenced in the district court, as an adult, for a misdemeanor violation of Alaska's "joyriding" statute, former AS 28.35.010(a), before there had been an order by the superior court waiving the latter court's juvenile jurisdiction. *State v. G.L.R.*, Sup. Ct. Op. No. 1786 (File No. 2978), 590 P.2d 65 (1979).

Applied in *State v. Jensen*, Ct. App. Op.

No. 126 (File No. 5879), 650 P.2d 422 (1982).

Quoted in *Henson v. State*, Sup. Ct. Op. No. 1590 (File No. 3024), 576 P.2d 1352 (1978).

Cited in *E.L.L. v. State*, Sup. Ct. Op. No. 1540 (File No. 3374), 572 P.2d 787 (1977); *State v. R.H.*, Ct. App. Op. No. 375 (File No. 7768), P.2d (1984); *Brower v. State*, Ct. App. Op. No. 381 (File No. 7816), P.2d (1984).

Sec. 47.10.070. Hearings. The court may conduct the hearing in an informal manner in the courtroom or in chambers. A hearing may be held before a young adult advisory panel in accordance with AS 47.10.075. The court shall give notice of the hearing to the department and it may send a representative to the hearing. The court shall also transmit a copy of the petition to the department. The representative of the department may also be heard at the hearing. The public shall be excluded from the hearing, but the court, in its discretion, may permit individuals to attend a hearing, if their attendance is compatible with the best interests of the minor. Nothing in this section may be applied in such a way as to deny a child's rights to a public trial and to a trial by jury. (§ 10(1) art I ch 145 SLA 1957; am § 1 ch 49 SLA 1966; am § 53 ch 71 SLA 1972)

Cross references. — For waiver hearings, see AS 47.10.060.

Editor's notes. — *John Doe v. State*, Sup. Ct. Op. No. 707 (File No. 1240), 487

P.2d 47 (1971) and *RLR v. State*, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971), cited below, were decided prior to the 1972 amendment to this section.

NOTES TO DECISIONS

Constitutionality. — See *In re Gault*, 387 U.S. 1, 87 Sup. Ct. 1428, 18 L. Ed. 2d 527 (1967), discussing due process requirements in juvenile delinquency proceedings.

Constitutional requirements apply to children. *RLR v. State*, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

Hence, states must afford juveniles due process of law in delinquency proceedings that might result in the child's incarceration, and accordingly juveniles must be afforded the right to be represented by counsel, must be given proper and timely notice, must be given the right of confrontation and cross-examination of witnesses, and afforded the privilege against self-incrimination. *John Doe v. State*, Sup. Ct. Op. No. 707 (File No. 1240), 487 P.2d 47 (1971).

While the U.S. Supreme Court has not

held that children must be afforded due process rights in the pre-adjudication stages of the juvenile process, the Alaska supreme court believes that due process safeguards are necessary not only at the adjudicative hearing, but at any stage which may result in deprivation of the child's liberty. *John Doe v. State*, Sup. Ct. Op. No. 707 (File No. 1240), 487 P.2d 47 (1971).

The extension to children of fundamental constitutional rights does not mean a total substitution of the adult criminal model for the present children's court system. *John Doe v. State*, Sup. Ct. Op. No. 707 (File No. 1240), 487 P.2d 47 (1971).

The problems of pre-adjudication treatment of juveniles are unique to the juvenile process; hence, what is held with regard to the procedural requirements at

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cause for believing that the child committed the act with which he was charged and (2) the amenability of the child to juvenile treatment. R.J.C. v. State, Sup. Ct. Op. No. 1022 (File No. 2038), 520 P.2d 806 (1974).

In the absence of such an examination there is no evidentiary basis for a waiver decision. R.J.C. v. State, Sup. Ct. Op. No. 1022 (File No. 2038), 520 P.2d 806 (1974); J.W.H. v. State, Sup. Ct. Op. No. 1708 (File No. 3812), 583 P.2d 227 (1978).

The record must disclose the existence and evaluation of the available children's treatment programs in all future cases in order to establish the validity of the hearing. R.J.C. v. State, Sup. Ct. Op. No. 1022 (File No. 2038), 520 P.2d 806 (1974).

The constitutional prerequisites for a valid waiver of juvenile court treatment are reflected in Rule of Children's Procedure 3 which guarantees the child a hearing before the children's court judge after adequate notice thereof, counsel at the hearing who has had access to records and reports relevant to issues before the court, and a statement of reasons accompanying the waiver order. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

Compliance with Rule of Children's Procedure 3(h) is essential to insure that the waiver hearing is not a "mere ritual" and to provide a meaningful basis for review. R.J.C. v. State, Sup. Ct. Op. No. 1022 (File No. 2038), 520 P.2d 806 (1974).

The waiver hearing is a critically important stage in criminal proceedings against a child. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

At stake at a child's waiver hearing is the statutory promise of special rehabilitative treatment in lieu of the harsher sanction of criminal conviction. Because the consequences of waiver are great, the hearing must measure up to the essentials of due process and fair treatment. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

The investigation at a waiver hearing cannot be a mere ritual. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

There must be a hearing which measures up to the essential of due process and fair treatment. R.J.C. v. State, Sup. Ct. Op. No. 1022 (File No. 2038), 520 P.2d 806 (1974); J.W.H. v. State, Sup. Ct. Op. No. 1708 (File No. 3812), 583 P.2d 227 (1978).

The right of confrontation applies to children's proceedings in which the child is charged with misconduct for which he may be incarcerated. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

Waiver without hearing is denial of due process. — To waive children's court jurisdiction without a hearing or opportunity for adversary presentation is a denial of fair process. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

As is waiver without substantial evidence of unamenability to treatment. — To waive children's court jurisdiction without substantial evidence having been presented that the child is unamenable to juvenile rehabilitation programs is denial of fair process. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

The proper standard of proof as to the amenability of a minor to treatment is the "preponderance of the evidence" standard. In re F.S., Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978).

Probable cause determination cannot be based on hearsay testimony. — The probable cause determination of a court at a waiver hearing concerning juveniles cannot be based upon hearsay testimony. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

Exclusion of testimony held proper. — Although proffered testimony was relevant to the amenability issue, the superior court did not abuse its discretion in excluding it because its prejudicial impact outweighed its probative value. In re F.S., Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978).

Insufficient evidence. — Where the court had little information concerning the probable cause of the minor's delinquent behavior, it was aware only of the nature of the offenses, of the fact that the minor was apparently not in need of funds, and of his statement that he regarded the commission of the crimes as a game, this information was insufficient to satisfy the requirements of this subsection. D.H. v. State, Sup. Ct. Op. No. 1396 (File No. 2837), 561 P.2d 294 (1977).

Waiver hearing did not comply with the standards set forth in this section and Rule of Children's Procedure 3. R.J.C. v. State, Sup. Ct. Op. No. 1022 (File No. 2038), 520 P.2d 806 (1974).

Trial court's conclusion that minor was amenable to treatment was abuse of discretion. — See In re F.S., Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978).

Right to reasonable time to prepare for trial. — It is unquestionable that the right to the assistance of counsel of necessity includes the concomitant right to have a reasonable time in which to prepare for trial. *John Doe v. State*, Sup. Ct. Op. No. 707 (File No. 1240), 487 P.2d 47 (1971).

While an adult defendant in a criminal case must be brought to trial within a reasonable time, due process requires that he may not be brought to trial too soon. He must be given a reasonable time to consult with his counsel and to prepare his defense. *John Doe v. State*, Sup. Ct. Op. No. 707 (File No. 1240), 487 P.2d 47 (1971).

This section provides for the exclusion of the public from children's hearings. *RLR v. State*, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

But such provision involves only persons whose presence is not desired by child. — The area of discretion in the rule, where the court may refuse to open the hearing, involves persons whose presence is not desired by the child. *RLR v. State*, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

It is an abuse of discretion for the court to refuse admittance to individuals whose presence is favored by the child, except in special circumstances such as the unavailability of a courtroom sufficiently large to hold all the individuals whose presence is sought. *RLR v. State*, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

If the child or his guardian ad litem

wants the press, friends, or others to be free to attend, then the hearing must be open to them. *RLR v. State*, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

As children are guaranteed the right to a public trial by the Alaska Constitution. *RLR v. State*, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

Due process requires that children have the right to a public trial by jury where they are charged with acts which would be a crime if committed by an adult. *John Doe v. State*, Sup. Ct. Op. No. 707 (File No. 1240), 487 P.2d 47 (1971).

The fundamental constitutional right of public trial by jury must be afforded children in delinquency adjudication proceedings, in spite of the possible interference with the benevolent motives of the children's court system which have, in the past, justified denial of those rights. *John Doe v. State*, Sup. Ct. Op. No. 707 (File No. 1240), 487 P.2d 47 (1971).

The reasons for the constitutional guarantees of public trial apply as much to juvenile delinquency proceedings as to adult criminal proceedings. *RLR v. State*, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

Delinquency must be proved beyond a reasonable doubt under the due process clause of the 14th amendment. *RLR v. State*, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

Cited in *In re P.N.*, Sup. Ct. Op. No. 1127 (File No. 2191), 533 P.2d 13 (1975); *M.O.W. v. State*, Ct. App. Op. No. 95 (File No. 4846), 645 P.2d 1229 (1982).

Collateral references. — Power of juvenile court to require testimony by children, 151 ALR 1229.

Applicability of rules of evidence in

juvenile delinquency proceedings, 43 ALR2d 1128.

Degree of proof in juvenile delinquency proceedings, 43 ALR2d 1138.

Sec. 47.10.075. Young adult advisory panels. (a) Unless the minor objects, the court may select a young adult advisory panel to hear the case and advise the court of a recommended judgment and order. The court may consider any of the panel recommendations in making its judgment and order in the case.

(b) The principal of each high school shall submit annually to the court a list of the students enrolled in grades 10, 11 and 12. The court shall determine the method of selecting the members of each panel.

(c) A student shall be excused from attending school while serving as a panel member. A student may not serve more than once each year on a panel.

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Children are afforded due process of law in the adjudication of their rights. In Alaska, the right to due process is not only at the trial stage but at any stage of the adjudication of the child. State, Sup. Ct. Op. No. 487 P.2d 47 (1971).

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the adjudicatory stage has no necessary applicability to other steps of the juvenile process. John Doe v. State, Sup. Ct. Op. No. 707 (File No. 1240), 487 P.2d 47 (1971).

Due process standards must be observed at a detention inquiry since it may result in the deprivation of the child's liberty. Due process requires at the very least that detention orders be based on competent, sworn testimony, that the child have the right to be represented by counsel at the detention inquiry, and that the detention order state with particularity the facts supporting it. John Doe v. State, Sup. Ct. Op. No. 707 (File No. 1240), 487 P.2d 47 (1971).

Incarceration, when applied to children, is a taking of liberty under the 14th amendment, regardless of benevolent-sounding labels. RLR v. State, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

The due process clause of the 14th amendment applies when a child is charged with misconduct for which he may be incarcerated in an institution, regardless of the labels of the adjudication and institution, so the child is entitled to notice of charges, counsel, confrontation and cross-examination, and the privilege against self-incrimination. RLR v. State, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

The right to grand jury indictment is not so fundamental that due process is offended by alternate methods for instituting children's proceedings where the child is charged with having violated a criminal statute. John Doe v. State, Sup. Ct. Op. No. 707 (File No. 1240), 487 P.2d 47 (1971).

Children who are charged with acts which would be chargeable only by grand jury indictment, if committed by an adult, need not be indicted by a grand jury. John Doe v. State, Sup. Ct. Op. No. 707 (File No. 1240), 487 P.2d 47 (1971).

Children are constitutionally entitled to jury trial in the adjudicative stage of a delinquency proceeding. However, due to the uniqueness of some facets of the procedures governing children's court proceedings and the potential damage which may accrue to the child by a public trial, the child should first consult with his counsel and his parents or guardian when appropriate, and then affirmatively assert the right to a trial by jury before it is finally granted. RLR v. State, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971). But see McKeiver v.

Pennsylvania, 403 U.S. 528, 91 S. Ct. 1976, 29 L. Ed. 2d 647 (1971), in which it was held that trial by jury in the juvenile court's adjudicative stage is not a constitutional requirement.

Whenever a child in a delinquency proceeding is charged with acts which would be a crime, subject to incarceration if committed by an adult, Alaska Const., art. I, § 11, guarantees him the right to jury trial. To the extent In re White, Sup. Ct. Op. No. 507 (File No. 1013), 445 P.2d 813 (1968) [subsequently overruled, in re G.K., Sup. Ct. Op. No. 796 (File Nos. 1627, 1654, 1674), 497 P.2d 914 (1972)] is inconsistent with this opinion, it is overruled. RLR v. State, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

The purposes of the right to jury trial, such as protection against the corrupt or overzealous prosecutor and against the compliant, biased, or eccentric judge, apply as much in children's cases as in adults' cases. RLR v. State, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

If the child waives jury trial, the state may not require it, but jury trial shall be provided only on demand. RLR v. State, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

The Hammonds test of waiver [Hammonds v. State, Sup. Ct. Op. No. 483 (File No. 828), 442 P.2d 39 (1968)], applies to infants as well as adults. The consequences of application will differ for infants, because some decisions can be "knowingly and intelligently" made only by persons of fuller knowledge and maturity. An infant not advised by an attorney could make few knowledgeable and intelligent decisions about whether to waive rights in judicial proceedings. On the other hand, in areas where an adult ordinarily delegates to his attorney decision-making authority, as in deciding whether to object to introduction of evidence, the competence of the attorney rather than of the client generally determines whether waivers satisfy the Hammonds criteria. RLR v. State, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

The right to counsel extends to children charged with delinquency. RLR v. State, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

A juvenile must be afforded the right to be represented by counsel at the delinquency proceeding, and a denial of that right violates due process. John Doe v. State, Sup. Ct. Op. No. 707 (File No. 1240), 487 P.2d 47 (1971).

of probation; the department may transfer the minor, in the minor's best interests, from one of the probationary placement settings listed in this paragraph to another, and the minor, the minor's parents or guardian, and the minor's attorney are entitled to reasonable notice of the transfer, the probation may be for a period of time, not to exceed two years and in no event extend past the day the minor becomes 19, except that the department may petition for and the court may grant in a hearing

(A) two-year extensions of commitment which do not extend beyond the child's 19th birthday if the extension is in the best interests of the minor and the public; and

(B) an additional one-year period of supervision past age 19 if the continued supervision is in the best interests of the person and the person consents to it; or

(4) order the minor to make suitable restitution in lieu of or in addition to the court's order under (1), (2) or (3) of this subsection.

(5) order the minor committed to the Department of Health and Social Services for placement in an adventure-based education program established under AS 47.21.020 with conditions the court considers appropriate concerning release upon satisfactory completion of the program or commitment under (1) of this subsection if the program is not satisfactorily completed.

(c) If the court finds that the minor is a child in need of aid, it shall

(1) order the minor committed to the department for placement in an appropriate setting for a period of time not to exceed two years or in any event past the date the minor becomes 19 years of age, except that the department may petition for and the court may grant in a hearing (A) two-year extensions of commitment which do not extend beyond the minor's 19th birthday if the extension is in the best interests of the minor and the public; and (B) an additional one-year period of supervision past age 19 if the continued supervision is in the best interests of the person and the person consents to it; the department may transfer the minor, in the minor's best interests, from one placement setting to another, and the minor, the minor's parents or guardian, and the minor's attorney are entitled to reasonable notice of the transfer;

(2) order the minor released to the minor's parents, guardian, or some other suitable person, and, in appropriate cases, order the parents, guardian, or other person to provide medical or other care and treatment; if the court releases the minor, it shall direct the department to supervise the care and treatment given to the minor, but the court may dispense with the department's supervision if the court finds that the adult to whom the minor is released will adequately care for the minor without supervision; the department's supervision may not exceed two years or in any event extend past the date the minor reaches age 19, except that the department may petition for and the court may grant in a hearing

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§ 47.10.080 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.10.080

(d) A student shall be excused from service as a panel member if the student submits a written request to the court indicating the reason for not wishing to serve. (§ 2 ch 49 SLA 1966)

Legislative history reports. — For report on ch. 49, SLA 1966, see 1966 House Journal, p. 52.

Sec. 47.10.080. Judgments and orders. (a) The court, at the conclusion of the hearing, or thereafter as the circumstances of the case may require, shall find and enter a judgment that the minor is or is not delinquent or a child in need of aid.

(b) If the court finds that the minor is delinquent, it shall

(1) order the minor committed to the Department of Health and Social Services for a period of time not to exceed two years or in any event extend past the day th minor becomes 19, except that the department may petition for and the court may grant in a hearing (A) two-year extensions of commitment which do not extend beyond the child's 19th birthday if the extension is in the best interests of the minor and the public; and (B) an additional one-year period of supervision past age 19 if continued supervision is in the best interests of the person and the person consents to it; the department shall place the minor in the juvenile facility which the department considers appropriate and which may include a juvenile correctional school, detention home, or detention facility; the minor may be released from placement or detention and placed on probation on order of the court and may also be released by the department, in its discretion, under AS 47.10.200;

(2) order the minor placed on probation, to be supervised by the department, and released to the minor's parents, guardian, or a suitable person; if the court orders the minor placed on probation, it may specify the terms and conditions of probation; the probation may be for a period of time, not to exceed two years and in no event extend past the day the minor becomes 19, except that the department may petition for and the court may grant in a hearing

(A) two-year extensions of supervision which do not extend beyond the child's 19th birthday if the extension is in the best interests of the minor and the public; and

(B) an additional one-year period of supervision past age 19 if the continued supervision is in the best interests of the person and the person consents to it;

(3) order the minor committed to the department and placed on probation, to be supervised by the department, and released to the minor's parents, guardian, other suitable person, or suitable nondetention setting such as a family home, group care facility, or child care facility, whichever the department considers appropriate to implement the treatment plan of the predisposition report; if the court orders the minor placed on probation, it may specify the terms and conditions

(h) The department shall pay all court costs incurred in all proceedings in connection with the adjudication of delinquency under this chapter, including hearings which result in the release of the minor.

(i) A minor, the minor's parents or guardian acting on the minor's behalf, or the department may appeal a judgment or order, or the stay, modification, setting aside, revocation, or enlargement of a judgment or order issued by the court under this chapter.

(j) [Repealed, § 20 ch 63 SLA 1977.]

(k) In making its order under (c) of this section, the court shall consider the fact, if it is a fact, that the minor was being provided treatment by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by an accredited practitioner of the church or denomination. (§ 1042) art I ch 145 SLA 1957; am § 2 ch 110 SLA 1960; am § 2 ch 118 SLA 1962; am § 1 ch 40 SLA 1967; am §§ 1—4 ch 27 SLA 1970; am §§ 12—15 ch 245 SLA 1970; am § 6 ch 104 SLA 1971; am §§ 6, 7 ch 1 SLA 1972; am §§ 1, 2 ch 125 SLA 1974; am §§ 14—18, 29 ch 63 SLA 1977; am § 6 ch 86 SLA 1979)

Cross references. — For the standard of proof for findings under this section, see Children's Rule 21, Alaska Rules of Court. See also, Children's Rules 22 and 23.

Editor's notes. — Section 31, ch. 63, SLA 1977, provides: "Section 18 of this Act has the effect of adding to the court's responsibilities when holding a review under Rule 28, Alaska Rules of Children's Procedure, by requiring the court to hold a hearing upon a showing of good cause, give notice, and afford an opportunity to be heard."

Section 34, ch. 63, SLA 1977, in the first sentence provides: "The portions of AS 47.10.080(b) and (c) in secs. 15 and 16 of

this Act which specify the length of commitment to the department or probation or supervision by the department are applicable to those minors affected under former AS 47.10.080(b), (c) and (j) before the effective date of this Act (August 26, 1977) so that the commitment, probation or supervision of minors by the department before the effective date of this Act (August 26, 1977) shall continue, but may not exceed two years from the effective date of this Act (August 26, 1977) unless two-year extensions have been granted by the court under this Act." Subsection (j) of AS 47.10.080 was repealed by § 29, ch. 63, SLA 1977.

NOTES TO DECISIONS

Each category of children mandates differences regarding content of dispositional orders. — Alaska's pertinent statutory provisions and procedural rules distinguish between categories of children for purposes of administering Alaska children's laws. Of controlling significance is that each class or category mandates distinct differences regarding the permissible content of any dispositional order the trial court can enter. *In re A Minor Child*, Sup. Ct. Op. No. 737 (File No. 1524), 490 P.2d 658 (1971).

Where a delinquent child was sentenced for a fixed time period and ordered to an adult institution, this

amounted to a penal sentence as opposed to the juvenile disposition required under subsection (b)(1). *B.A.M. v. State*, Sup. Ct. Op. No. 1104 (File No. 2144), 528 P.2d 437 (1974).

Court cannot place child in particular institution. — Under this section as amended, the court no longer has discretion to order the delinquent child placed in a particular institution. The court only has authority to commit the child to the department, which then places the child. *B.A.M. v. State*, Sup. Ct. Op. No. 1104 (File No. 2144), 528 P.2d 437 (1974); *A.A. v. State*, Sup. Ct. Op. No. 1181 (File No. 2400), 538 P.2d 1004 (1975).

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(A) two-year extensions of supervision which do not extend beyond the minor's 19th birthday if the extension is in the best interests of the minor and the public; and

(B) an additional one-year period of supervision past age 19 if the continued supervision is in the best interests of the person and the person consents to it; or

(3) by order, upon a showing in the adjudication by clear and convincing evidence that there is a child in need of aid under AS 47.10.010(a)(2) as a result of parental conduct and upon a showing in the disposition by clear and convincing evidence that the parental conduct is likely to continue to exist if there is no termination of parental rights, terminate parental rights and responsibilities of one or both parents and commit the child to the department or to a legally appointed guardian of the person of the child, and the department or guardian shall report annually to the court on efforts being made to find a permanent placement for the child.

(d) An order issued under (c) (3) of this section authorizes the commissioner of health and social services or a designee or the guardian of the person of the child to consent to the adoption of the child.

(e) If the court finds that the minor is not delinquent or a child in need of aid, it shall immediately order the minor released from the department's custody and returned to the minor's parents, guardian, or custodian, and dismiss the case.

(f) A minor found to be delinquent or a child in need of aid is a ward of the state while committed to the department or the department has the power to supervise the minor's actions. The court shall review an order made under (b) or (c)(1) or (2) of this section annually, and may review the order more frequently to determine if continued placement, probation, or supervision, as it is being provided, is in the best interest of the minor and the public. The department, the minor, the minor's parents, guardian, or custodian are entitled, when good cause is shown, to a review on application. If the application is granted, the court shall afford these parties and their counsel reasonable notice in advance of the review and hold a hearing where these parties and their counsel shall be afforded an opportunity to be heard. The minor shall be afforded the opportunity to be present at the review.

(g) No adjudication under this chapter upon the status of a child may operate to impose any of the civil disabilities ordinarily imposed by conviction upon a criminal charge, nor may a minor afterward be considered a criminal by the adjudication, nor may the adjudication be afterward deemed a conviction, nor may a minor be charged with or convicted of a crime in a court, except as provided in this chapter. The commitment and placement of a child and evidence given in the court are not admissible as evidence against the minor in a subsequent case or proceedings in any other court, nor does the commitment and placement or evidence operate to disqualify a minor in a future civil service examination or appointment in the state.

No. 2041 (File No. 4333), 608 P.2d 12 (1980).

The portion of the opinion in *In re F.S.*, Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978) that held that a minor in a waiver hearing could not give a binding advance consent to treatment beyond age 19 was mistaken. *State v. F.L.A.*, Sup. Ct. Op. No. 2041 (File No. 4333), 608 P.2d 12 (1980).

While it is true, as indicated in *In re F.S.*, Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978), that the statute contemplates that the determination of the additional period of treatment be made after the initial hearing, such an intent does not mandate that an advance consent to treatment given by the minor may not be regarded as binding. *State v. F.L.A.*, Sup. Ct. Op. No. 2041 (File No. 4333), 608 P.2d 12 (1980).

The lower court erred in considering the purported consent of a minor to an additional year of supervision because: (1) the minor could withdraw his consent upon reaching majority and (2) even assuming the minor's consent could not be withdrawn, subsection (b)(1) requires that the department petition the court and that additional commitment be in the minor's best interests before the court has jurisdiction to order the additional one-year period. *In re F.S.*, Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978).

Subsection (b)(1) requires that the department petition for an additional one-year period of supervision and that continued supervision be in the best interests of the minor before the court may order an additional year. Thus, a minor's prospective consent to additional supervision is not a material factor unless the other two conditions of the statute are fulfilled. *In re F.S.*, Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978).

This statute contemplates that the decision to extend the period of supervision be made after the initial dispositional hearing. To give effect to the minor's advance consent would thus be contrary to the apparent intent of the legislature. *In re F.S.*, Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978).

The court must choose between commitment to the Department of Health and Social Services and probation, and may not delegate the choice to the Department of Health and Social Services. This is a correct textual analysis, especially in light of the provision in subsection (b)(1) for subsequent court order for probation following placement or

detention. The legislature has clearly indicated its intent to place this choice in the hands of the court. *RLR v. State*, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

Court-ordered probation. — Probation cannot be deemed court-ordered under subsection (b) of this section unless it is directly ordered. It cannot be "triggered" by a decision of the department that the juvenile has successfully completed a rehabilitation program, even if the court judgment states that institutionalization will end upon such successful completion. *In re L.C. v. State*, Sup. Ct. Op. No. 2277 (File Nos. 4401, 4411), 625 P.2d 839 (1981).

The hearing judge erred by placing a delinquent child on probation until his 20th birthday. *B.A.M. v. State*, Sup. Ct. Op. No. 1104 (File No. 2144), 528 P.2d 437 (1974).

Petition necessary to extend probation beyond 19th birthday. — The superior court was without authority to extend probation beyond the delinquent child's 19th birthday without a petition from the department to extend the probationary period for an additional year. *B.A.M. v. State*, Sup. Ct. Op. No. 1104 (File No. 2144), 528 P.2d 437 (1974).

A minor who has been adjudged a child in need of supervision [see now child in need of aid] cannot be institutionalized under the Children's Code. *In re A Minor Child*, Sup. Ct. Op. No. 737 (File No. 1524), 490 P.2d 658 (1971).

Where a runaway child is found to be a child in need of supervision [see now child in need of aid], not a delinquent minor, no legal basis exists for his incarceration. *In re A Minor Child*, Sup. Ct. Op. No. 737 (File No. 1524), 490 P.2d 658 (1971).

The only instance under Alaska children's laws authorizing institutionalization or incarceration is when the child has violated the laws of the state, or any of its political subdivisions, and in turn has been adjudged a delinquent minor. *In re A Minor Child*, Sup. Ct. Op. No. 737 (File No. 1524), 490 P.2d 658 (1971).

The legislature has authorized institutionalization only where the child is found to be a delinquent minor. *In re A Minor Child*, Sup. Ct. Op. No. 737 (File No. 1524), 490 P.2d 658 (1971).

Power of court under subsection (c). — Under subsection (c) of this section, the court is empowered to order the minor committed to the Department of Health and Social Services or order the minor released to his parents, guardian, or some

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Authority to order placement of delinquent child. — In enacting paragraph (b)(3), the legislature intended for the department, not the court, to make the decisions concerning placement of the minor. *State, Dep't of Health & Social Servs. v. A.C., Ct. App. Op. No. 384 (File No. 7643), P.2d (1984).*

Paragraph (b)(3) of this section provides the court authority to order the delinquent minor placed on probation to the Department of Health and Social Services; it is then up to the department to determine whether the minor should be placed with his parents or in another setting. *State, Dep't of Health & Social Servs. v. A.C., Ct. App. Op. No. 384 (File No. 7643), P.2d (1984).*

Review of placement decision. — The superior court has the authority to review the decision of the department to determine if the placement is in the best interest of the minor, but in reviewing a decision of the department, the superior court may not substitute its judgment for the judgment of the department; since the legislature has committed the decision of placement to the department's discretion, the question for the court is whether the agency abused its discretion. *State, Dep't of Health & Social Servs. v. A.C., Ct. App. Op. No. 384 (File No. 7643), P.2d (1984).*

Jurisdiction dependent upon age of offender at time of act. — Juvenile jurisdiction of the superior court in delinquency proceedings is dependent upon the age of the offender at the time of the delinquent acts. *Henson v. State, Sup. Ct. Op. No. 1590 (File No. 3024), 573 P.2d 1352 (1978).*

Where a delinquent child was under the age of 18 at the time the acts of delinquency were committed, he is considered a minor for the purposes of adjudication and disposition. *B.A.M. v. State, Sup. Ct. Op. No. 1104 (File No. 2144), 528 P.2d 437 (1974).*

Option available to prosecution absent waiver under AS 47.10.060(a). — A proceeding in children's court, which is limited to the dispositions set forth in AS 47.10.080(b), is the only option available to the prosecution absent waiver under AS 47.10.060(a), and the standards established in that section are sufficiently clear to prevent arbitrary enforcement. *M.O.W. v. State, Ct. App. Op. No. 95 (File No. 4846), 645 P.2d 1229 (1982).*

One who committed a crime when 18 years of age could be criminally prosecuted, as an adult, when he had been

previously adjudged a delinquent minor and the court had retained supervisory jurisdiction over him until age 19. *Henson v. State, Sup. Ct. Op. No. 1590 (File No. 3024), 576 P.2d 1352 (1978).*

Section is maximum sentencing statute. — Statutes requiring release upon a specified birthday are, in effect, maximum sentencing statutes. *Davenport v. McGinnis, Sup. Ct. Op. No. 1049 (File No. 1942), 522 P.2d 1140 (1974).*

Sentence reduction to 19 years of age not retroactive. — There was nothing in the amendatory legislation to this section that indicated an intention that the sentence reduction should operate retrospectively. *Davenport v. McGinnis, Sup. Ct. Op. No. 1049 (File No. 1942), 522 P.2d 1140 (1974).*

There is no conflict between subsection (b)(1) and AS 47.10.060(d). In re F.S., *Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978).*

Age 20 is the proper age for determining whether a minor is amenable to treatment. In re F.S., *Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978).*

The inconsistency between AS 47.10.060(d) and subsection (b)(1) of this section that existed prior to the 1977 amendments to these sections has been eliminated in that AS 47.10.060 (d) now provides that the determinative age is 20 and subsection (b)(1) provides that the maximum limitation of confinement of minors is 20. In re F.S., *Sup. Ct. Op. No. 1756 (File No. 4015), 586 P.2d 607 (1978).*

Binding advance consent to treatment. — In order to give effect to the legislature's intent that a court may consider treatment until age 20 in determining waiver of juvenile jurisdiction, it is necessary that the judge be able to evaluate at the time of the waiver hearing whether the juvenile will in fact be available for treatment. It is not possible for the judge to know this unless the child can give binding consent at the time of the hearing. *State v. F.L.A., Sup. Ct. Op. No. 2041 (File No. 4333), 608 P.2d 12 (1980).*

A minor may bindingly consent to an additional period of supervision as provided by subsection (b)(1) of this section. In determining the effect to be given to such consent, the court should consider the age and maturity of the juvenile and whether he has the advice of counsel. To protect a minor from making a decision adverse to his own interests, a guardian ad litem may be appointed. *State v. F.L.A., Sup. Ct. Op.*

Trial court did not abuse discretion in failing to consider possibility of setting up plan for reestablishing family relationship between father and son. — See *In re E.J. (T.)*, Sup. Ct. Op. No. 1348 (File No. 2775), 557 P.2d 1128 (1976).

Role of trial court in proceeding involving termination of parental rights. — See *In re E.J. (T.)*, Sup. Ct. Op. No. 1348 (File No. 2775), 557 P.2d 1128 (1976).

Applicability of burden of proof. — A burden of proof is not applicable to a dispositive hearing other than when termination of parental rights is involved. In *re S.D.*, Sup. Ct. Op. No. 1255 (File No. 2530), 549 P.2d 1190 (1976). See also *In re C.L.T.*, Sup. Ct. Op. No. 1866 (File No. 3607), 597 P.2d 518 (1979).

Determination of the standard to be applied by the court at the dispositive phase of a child hearing was not tantamount to establishing a burden of proof requirement. Such a requirement had been set forth in former subsection (c)(3)(D) [see now subsection (c)(3)]. No such requirement had been set forth in situations such as where termination of parental rights was not involved. In *re S.D.*, Sup. Ct. Op. No. 1255 (File No. 2530), 549 P.2d 1190 (1976).

Standard of proof held constitutional. — Allowing parental rights to be terminated based on a standard of proof less stringent than "beyond a reasonable doubt" does not violate the due process clause of the United States Constitution or the Alaska Constitution. In *re C.L.T.*, Sup. Ct. Op. No. 1866 (File No. 3607), 597 P.2d 518 (1979).

Since in proceedings brought to terminate parental rights, the parent is neither charged with criminal behavior nor subject to incarceration as a direct consequence of the proceeding, there is nothing in the federal constitution that compels adoption of the proof beyond a reasonable doubt standard in termination proceedings. In *re C.L.T.*, Sup. Ct. Op. No. 1866 (File No. 3607), 597 P.2d 518 (1979).

Clear and convincing proof is a more demanding standard than a mere preponderance of the evidence and is adequate to protect the parent's substantial interest in his or her child custody rights. This evidentiary standard balances the competing interests involved in a proceeding brought to terminate parental rights, one of which is the right of a child to an adequate home. In *re C.L.T.*, Sup. Ct.

Op. No. 1866 (File No. 3607), 597 P.2d 518 (1979).

The due process clause did not require a standard of proof greater than clear and convincing evidence when the state sought to terminate parental rights because of unfitness under former subsection (c)(3)(D). In *re C.L.T.*, Sup. Ct. Op. No. 1866 (File No. 3607), 597 P.2d 518 (1979).

Standard of proof under former subsection (c)(3)(D) calling for "clear and convincing" evidence of the natural mother's unfitness for the care and custody of the child was held proper. In *re K.S.*, Sup. Ct. Op. No. 1219 (File No. 2359), 543 P.2d 1191 (1975).

Protection provided by Indian Child Welfare Act. — The Indian Child Welfare Act, 25 U.S.C. §§ 1901 — '963, enacted in 1978, provides a higher standard of protection to the rights of parents in termination proceedings involving Indians and Native Alaskans than that provided in this section. *E.A. v. State*, Sup. Ct. Op. No. 2289 (File Nos. 4687, 4870), 623 P.2d 1210 (1981).

Orders terminating parental rights met statutory and rule of court requirements regarding findings of fact. — See *In re C.L.T.*, Sup. Ct. Op. No. 1866 (File No. 3607), 597 P.2d 518 (1979).

Review of orders terminating parental rights. — Orders made under subsection (c)(3) of this section are not entitled to automatic review, inasmuch as subsection (f) of this section specifies which orders are entitled to this review and orders under subsection (c)(3) of this section are not included within the list. *Rita T. v. State*, Sup. Ct. Op. No. 2294 (File No. 5036), 623 P.2d 344 (1981).

All orders made pursuant to this section, including orders under subsection (c)(3) of this section, are to be reviewed upon application of an interested party if the party establishes good cause for the review, and if the child is still a ward of the court. *Rita T. v. State*, Sup. Ct. Op. No. 2294 (File No. 5036), 623 P.2d 344 (1981).

As long as a child remains the ward of the court, under subsection (f) of this section his or her natural parents are entitled to a review of the order terminating their parental rights upon a showing of good cause for the hearing. *Rita T. v. State*, Sup. Ct. Op. No. 2294 (File No. 5036), 623 P.2d 344 (1981).

Good cause could be established if the parents showed that it would be in the best interests of the child to resume living with them because they have sufficiently reha-

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other suitable person. In re A Minor Child, Sup. Ct. Op. No. 737 (File No. 1524), 490 P.2d 658 (1971).

The Department of Health and Social Services does not possess the authority to institutionalize any minor, including one who has been declared a child in need of supervision [see now child in need of aid], who has been committed to its custody. It is unreasonable to construe Alaska children's statutes in a manner which would result in the grant to the Department of Health and Social Services of broader powers of commitment than possessed by the trial court. In re A Minor Child, Sup. Ct. Op. No. 737 (File No. 1524), 490 P.2d 658 (1971).

A child "in need of aid" appears to be the functional equivalent of a "dependent" child under AS 47.10.010 as it existed prior to its 1977 amendment. In re C.L.T., Sup. Ct. Op. No. 1866 (File No. 3607), 597 P.2d 518 (1979).

Parental right to custody and control is not absolute. — While a parent has a right to the care, custody and control of his or her children, this right is not absolute, and "courts have become increasingly aware of the rights of children." The Alaska legislature has struck a balance between these potentially competing rights by requiring the state to prove its allegations by clear and convincing evidence in parental rights termination cases. Once this burden of proof has been met, however, the statute mandates a termination. In re D.C., Sup. Ct. Op. No. 1862 (File No. 3840), 592 P.2d 22 (1979).

The discretion allotted a parent in the administration of punishment is not unlimited. Clearly it does not extend to punishment regularly causing the "substantial physical harm" which under AS 47.10.010(a)(2)(C) determines that a child is in need of aid. In re D.C., Sup. Ct. Op. No. 1862 (File No. 3840), 592 P.2d 22 (1979).

Statutory provisions governing judgments and orders terminating parental rights have been changed. In order to terminate parental rights, the court must now find that the child is in need of aid under AS 47.10.010(a)(2) as the result of parental conduct proved by clear and convincing evidence and that the parental conduct is likely to continue to exist if there is no termination of parental rights, proved again by clear and convincing evidence. AS 47.10.080(c)(3). In re C.L.T., Sup. Ct. Op. No. 1866 (File No. 3607), 597 P.2d 518 (1979).

In order to terminate parental rights under this section, the court must find by clear and convincing evidence (1) that there is a child in need of aid under AS 47.10.010(a)(2) as a result of parental conduct, and (2) that the parental conduct is likely to continue. E.A. v. State, Sup. Ct. Op. No. 2289 (File Nos. 4687, 4870), 623 P.2d 1210 (1981).

Under former AS 47.10.010(a)(5) and subsection (a) and former subsection (c)(3)(D) of this section, in order to terminate parental rights, the superior court was required to find (1) that the child was a "dependent minor" and (2) that the parent had demonstrated by her conduct, proved by clear and convincing proof, that she was unfit to continue to exercise her parental rights and responsibilities. In re C.L.T., Sup. Ct. Op. No. 1866 (File No. 3607), 597 P.2d 518 (1979).

Parent's impulsive personality disorder not ground for termination of rights. — Where after finding that child was in need of aid, trial judge found that the parent "is likely to continue to demonstrate a conscious disregard of the obligation owed by a parent to a child even after her release from incarceration because she suffers from an impulsive personality disorder," such finding was insufficient to satisfy requirement of clear and convincing evidence that conduct leading to determination that child is in need of aid is likely since an impulsive personality disorder itself is not conduct and thus, not a ground for termination. Nada A. v. State, Sup. Ct. Op. No. 2632 (File Nos. 6546, 6693), 660 P.2d 436 (1983).

Findings. — A finding that the parental conduct is likely to continue must be made expressly on the record prior to ordering the termination of parental rights. E.A. v. State, Sup. Ct. Op. No. 2289 (File Nos. 4687, 4870), 623 P.2d 1210 (1981).

Abandonment. — For cases construing former language in subsection (c) providing for termination of parental rights and responsibilities when the child had been abandoned, see D.M. v. State, Sup. Ct. Op. No. 962 (File No. 1843), 515 P.2d 1234 (1973); In re B.J., Sup. Ct. Op. No. 1110 (File No. 2161), 530 P.2d 747 (1975); In re E.J. (T.), Sup. Ct. Op. No. 1348 (File No. 2775), 557 P.2d 1128 (1976).

A rehabilitation program is not a common practice in the trial courts absent approval by a representative of the state. In re E.J. (T.), Sup. Ct. Op. No. 1348 (File No. 2775), 557 P.2d 1128 (1976).

critical need to afford a criminal defendant reasonable inquiry into the motives of prosecution witnesses. *Gonzales v. State*, Sup. Ct. Op. No. 1030 (File No. 2002), 521 P.2d 512, cert. denied, 419 U.S. 868, 95 S. Ct. 125, 42 L. Ed. 2d 106 (1974).

Conflict between section and decision in *Davis v. Alaska* is superficial. — The conflict between this section and the supreme court's decision in *Davis v. Alaska*, 415 U.S. 308, 94 S. Ct. 1105, 39 L. Ed. 2d 347 (1974), is only superficial. *Gonzales v. State*, Sup. Ct. Op. No. 1030 (File No. 2002), 521 P.2d 512, cert. denied, 419 U.S. 868, 95 S. Ct. 125, 42 L. Ed. 2d 106 (1974).

Since disclosure required because of probationary status, not juvenile adjudication. — The constitutional requirement of disclosure in the facts in *Davis v. Alaska*, 415 U.S. 308, 94 S. Ct. 1105, 39 L. Ed. 2d 347 (1974), is created not by the juvenile adjudication itself but by the probationary status of the juvenile at the time of *Davis'* trial, with its potential for motivating false testimony. *Gonzales v. State*, Sup. Ct. Op. No. 1030 (File No. 2002), 521 P.2d 512, cert. denied, 419 U.S. 868, 95 S. Ct. 125, 42 L. Ed. 2d 106 (1974).

Where the witness was not on juvenile probation, it cannot be seriously argued that the fact of previous juvenile convictions, standing alone, provided any inference of potential bias. *Gonzales v. State*, Sup. Ct. Op. No. 1030 (File No. 2002), 521 P.2d 512, cert. denied, 419 U.S. 868, 95 S. Ct. 125, 42 L. Ed. 2d 106 (1974).

State adjudications directed solely at credibility do not conflict with confrontation right. — Juvenile adjudications which are stale by Alaska's standards and directed solely at general credibility rather than bias are generally not sufficiently probative to create a genuine conflict with the defendant's right of confrontation. *Gonzales v. State*, Sup. Ct. Op. No. 1030 (File No. 2002), 521 P.2d 512, cert. denied, 419 U.S. 868, 95 S. Ct. 125, 42 L. Ed. 2d 106 (1974).

Where the attempted impeachment was of general credibility by proof of prior "convictions," the probative value of this type of evidence is considerably less than that which suggests false or distorted testimony because of bias, and the need to confront a witness with such evidence is correspondingly less. *Gonzales v. State*, Sup. Ct. Op. No. 1030 (File No. 2002), 521 P.2d 512, cert. denied, 419 U.S. 868, 95 S. Ct. 125, 42 L. Ed. 2d 106 (1974).

As a general rule, the trial courts could properly refuse evidence of stale con-

victions or juvenile adjudications where these were offered for the purpose of discrediting the witness generally rather than to show some specific potential for bias or prejudice toward the defendant. *Thomas v. State*, Sup. Ct. Op. No. 1040 (File Nos. 1888, 1854), 522 P.2d 528 (1974).

Privilege against self-incrimination. — When a person under the age of 18 years violated former AS 47.10.010(a)(1), he could be adjudged a "delinquent minor," one possible consequence of which adjudication was commitment to a juvenile facility until the age of 19 [now 20]. Moreover, if there was probable cause to believe the minor was delinquent and the court found that he was not amenable to treatment as a juvenile, he could be prosecuted as if he were an adult. Thus, there was always some danger of incarceration, or other criminal sanctions, when a child committed an act which would have been a crime if committed by an adult. Under such circumstances a child had a privilege against self-incrimination. *E.L.L. v. State*, Sup. Ct. Op. No. 1540 (File No. 3374), 572 P.2d 786 (1977).

A child adjudicated delinquent for selling LSD may be incarcerated, possibly even in a city jail, until age 19, which may be many years. *RLR v. State*, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

Subsection (g) provides in part that a juvenile offender may not be considered a criminal by reason of the adjudication, nor may the adjudication be afterward deemed a conviction. *Gonzales v. State*, Sup. Ct. Op. No. 1030 (File No. 2002), 521 P.2d 512, cert. denied, 419 U.S. 868, 95 S. Ct. 125, 42 L. Ed. 2d 106 (1974).

A judge cannot consider a juvenile offense as a criminal conviction for the purpose of prescribing a mandatory sentence. *Berfield v. State*, Sup. Ct. Op. No. 581 (File No. 960), 458 P.2d 1008 (1969).

The judge's consideration of factors relating to accused's life, characteristics, background and behavior prior to reaching the age of 18 years did not mean that he considered accused a criminal or that he was using the juvenile offenses as criminal convictions in determining the sentence to impose. *Berfield v. State*, Sup. Ct. Op. No. 581 (File No. 960), 458 P.2d 1008 (1969).

Consideration of the juvenile record is proper by the court imposing a sentence upon an adult offender. *Penn v. State*, Sup. Ct. Op. No. 1774 (File No. 3873), 588 P.2d 298 (1978).

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§ 47.10.080 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.10.080

bilitated themselves so that they can provide proper guidance and care for the child. Rita T. v. State, Sup. Ct. Op. No. 2294 (File No. 5036), 623 P.2d 344 (1981).

Where, when a mother applied for a hearing before the superior court, she indicated that as a result of a 14-month rehabilitation program she had overcome the problems that had led to the termination of her parental rights and also indicated that professional counselors, social workers and others would be able to establish that she was now capable of providing a warm and loving home for the child, this was a sufficient showing of good cause to entitle her to a review of the order terminating her parental rights if the child had not yet been adopted. Rita T. v. State, Sup. Ct. Op. No. 2294 (File No. 5036), 623 P.2d 344 (1981).

Former AS 17.12.110(d)(4) not in conflict. — Former AS 17.12.110(d)(4), which provided that a person who, while under the age of 18, possesses, controls or uses any amount of marijuana was, upon conviction, guilty of a misdemeanor punishable by a fine of not more than \$1000, was not in conflict with AS 47.10.010(a)(1) and paragraph (b)(1) of this section. M.O.W. v. State, Ct. App. Op. No. 95 (File No. 4846), 645 P.2d 1229 (1982).

For reference to apparent conflict between subsection (c)(1) as it read prior to 1977 amendment and Children's Rule 22(f), see footnote 30 in In re S.D., Sup. Ct. Op. No. 1255 (File No. 2530), 549 P.2d 1190 (1976).

Peremptory challenge procedure inapplicable to juvenile proceedings. — While juvenile proceedings have some of the characteristics of both civil and criminal actions, they are basically different from both, and the words "civil or criminal" as used in AS 22.20.022 must be strictly construed. The trial judge was correct in holding that peremptory challenge procedure applied only to civil and criminal actions and not to juvenile proceedings. In re A Minor Child, Sup. Ct. Op. No. 737 (File No. 1524), 490 P.2d 658 (1971).

Notions of benevolent protective policies cannot be used to validate departures from positive law relating to the adjudicative and dispositive phases of children's proceedings. In re A Minor Child, Sup. Ct. Op. No. 737 (File No. 1524), 490 P.2d 658 (1971).

Nor to justify dispensing with constitutional safeguards. — The benevolent social theory supposedly underlying children's court acts does not

furnish justification for dispensing with constitutional safeguards. In re A Minor Child, Sup. Ct. Op. No. 737 (File No. 1524), 490 P.2d 658 (1971).

The right of confrontation is paramount to the state's policy of protecting a juvenile offender. Davis v. State, 415 U.S. 308, 94 S. Ct. 1105, 39 L. Ed. 2d 347 (1974).

But state's interest in secrecy of juvenile adjudications need not always fall before confrontation right. — See Gonzales v. State, Sup. Ct. Op. No. 1030 (File No. 2002), 521 P.2d 512, cert. denied, 419 U.S. 868, 95 S. Ct. 125, 42 L. Ed.2d 106 (1974).

Prosecution witness impeachable by cross-examination for bias from probationary status as juvenile delinquent. — The confrontation clause requires that a defendant in a criminal case be allowed to impeach the credibility of a prosecution witness by cross-examination directed at possible bias deriving from the witness's probationary status as juvenile delinquent although such an impeachment would conflict with a state's asserted interest in preserving the confidentiality of juvenile adjudications of delinquency. Davis v. Alaska, 415 U.S. 308, 94 S. Ct. 1105, 39 L. Ed. 2d 347 (1974).

Whatever temporary embarrassment might result to a prosecution witness or his family by disclosure of his juvenile record — if the prosecution insisted on using him to make its case — is outweighed by petitioner's right to probe into the influence of possible bias on the testimony of a crucial identification witness. Davis v. Alaska, 415 U.S. 308, 94 S. Ct. 1105, 39 L. Ed. 2d 347 (1974).

The state cannot, consistent with right of confrontation, require the defendant to bear the full burden of vindicating the state's interest in the secrecy of juvenile criminal records. Davis v. Alaska, 415 U.S. 308, 94 S. Ct. 1105, 39 L. Ed. 2d 347 (1974).

The United States supreme court has held that the constitutional right of confrontation required that defense counsel be allowed to investigate the potential bias of a crucial prosecution witness, even where that potential bias arose out of a juvenile adjudication and its resultant probationary status. Gonzales v. State, Sup. Ct. Op. No. 1030 (File No. 2002), 521 P.2d 512, cert. denied, 419 U.S. 868, 95 S. Ct. 125, 42 L. Ed. 2d 106 (1974).

The United States supreme court concluded that Alaska's interest in protecting the anonymity of the juvenile offender was outweighed by the more

(3) a description of the potential harm to the child which may result from removal from the home and any efforts which can be made to minimize such harm; and

(4) any further information which the court may request.

(c) The court shall inform the child, the child's parents and the attorneys representing the parties and the guardian ad litem that the predisposition report will be available to them not less than 10 days before the disposition hearing.

(d) For purposes of this section "parents" means the natural or adoptive parents, and any legal guardian, relative, or other adult person with whom the child has resided and who has acted as a parent in providing for the child for a continuous period of time before this action. (§ 25 ch 63 SLA 1977)

NOTES TO DECISIONS

Applied in *Granato v. Occhipinti*, Sup. Ct. Op. No. 1962 (File No. 3756), 602 P.2d 442 (1979).

Cited in *M.O.W. v. State*, Ct. App. Op. No. 95 (File No. 4846), 645 P.2d 1229 (1982).

Sec. 47.10.082. Best interests of the child. In making its dispositional order under AS 47.10.080(b) the court shall consider the best interests of the child and the public, and in making its dispositional order under AS 47.10.080(c) the court shall consider the best interests of the child; in either case the court shall consider also the ability of the state to take custody and to care for the child to protect the child's best interests under AS 47.10.010 — 47.10.142. (§ 26 ch 63 SLA 1977)

NOTES TO DECISIONS

Showing required to justify termination of parental rights. — While best interests of the child become relevant at some point, there first must be a showing of parental conduct sufficient to justify termination. *Nada A. v. State*, Sup. Ct. Op.

No. 2632 (File Nos. 6546, 6693), 660 P.2d 436 (1983).

Cited in *Granato v. Occhipinti*, Sup. Ct. Op. No. 1962 (File No. 3756), 602 P.2d 442 (1979); *M.O.W. v. State*, Ct. App. Op. No. 95 (File No. 4846), 645 P.2d 1229 (1982).

Sec. 47.10.083. Review hearing information. In the case of a child in need of aid, the child shall be returned home at the review hearing under AS 47.10.080(f) unless the court finds by a preponderance of the evidence that the basis upon which the child was adjudicated under AS 47.10.010(a)(2) continues to exist. If the child is not returned home, the court shall establish on the record

(1) why the child was removed from the home;

(2) what services have been provided to or offered to the parents to facilitate reunion;

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Use of the juvenile history of the offender in sentencing proceedings does not amount to the use of those proceedings as evidence against the offender within the proscription of such a statute as this section. *Penn v. State, Sup. Ct. Op. No. 1774 (File No. 3873), 588 P.2d 288 (1978).*

When sentence determined. — The sentence which may be imposed upon a convicted adult is determined as of the time of the final judgment of conviction, or as of the time of commission of the offense. These rules have been applied to juvenile sentencing. *Davenport v. McGinnis, Sup. Ct. Op. No. 1049 (File No. 1942), 522 P.2d 1140 (1974).*

Review of custody orders. — The new children's law, as a result of the 1977 acts, provides for review of custody orders annually or more often if good cause is shown. *In re J.M., Sup. Ct. Op. No. 1548 (File Nos. 3219, 3229), 573 P.2d 1376 (1978).*

Appeal of detention order. — Under this section and Children's Rule 29(a), a minor who is detained may appeal his detention order. *A.M. v. State, Ct. App. Op. No. 150 (File No. 6105), 653 P.2d 346 (1982).*

Appellants are authorized to bring juvenile bail appeals under App. R. 207 to ensure that juvenile detention hearings

are not insulated from review. *A.M. v. State, Ct. App. Op. No. 150 (File No. 6105), 653 P.2d 346 (1982).*

Appeal from detention order dismissed as untimely. — See *A.M. v. State, Ct. App. Op. No. 150 (File No. 6105), 653 P.2d 346 (1982).*

Appellate jurisdiction. — AS 22.05.010 places final appellate jurisdiction in all cases in the supreme court. *In re A Minor Child, Sup. Ct. Op. No. 737 (File No. 1524), 490 P.2d 658 (1971).*

Applied in *L.A.M. v. State, Sup. Ct. Op. No. 1249 (File No. 2221), 547 P.2d 827 (1976); Adams v. Ross, Sup. Ct. Op. No. 1281 (File No. 2458), 551 P.2d 948 (1976); D.H. v. State, Sup. Ct. Op. No. 1396 (File No. 2837), 561 P.2d 294 (1977).*

Quoted in *Davis v. State, Sup. Ct. Op. No. 816 (File Nos. 1428, 1436), 499 P.2d 1025 (1972).*

Stated in *In re G.K., Sup. Ct. Op. No. 796 (File Nos. 1627, 1654, 1674), 497 P.2d 914 (1972).*

Cited in *Elliason v. State, Sup. Ct. Op. No. 898 (File No. 1750), 511 P.2d 1066 (1973); D.L.J. v. W.D.R., Sup. Ct. Op. No. 2433 (File No. 5411), 635 P.2d 834 (1981); S.O. v. W.S., Sup. Ct. Op. No. 2491 (File No. 5856), 643 P.2d 997 (1982).*

Collateral references. — Right of indigent parent to appointed counsel in proceeding for involuntary termination of parental rights, 80 ALR3d 1141.

Sec. 47.10.081. Predisposition hearing reports. (a) Before the disposition hearing of a delinquent minor the department shall submit a predisposition report with a recommended plan of treatment to aid the court in its selection of a disposition, and any further information which the court may request.

(b) Before the disposition hearing of a child in need of aid the department shall submit a predisposition report to aid the court in its selection of a disposition. This report shall include, but is not limited to, the following:

(1) a statement of changes in the child's or parent's behavior, which will aid the court in determining that supervision of the family or placement is no longer necessary;

(2) if removal from the home is recommended, a description of the reasons the child cannot be protected or rehabilitated adequately in the home, including a description of any previous efforts to work with the parents and the child in the home and the parents' attitude toward placement of the child;

consent to adoption, consent to marriage, consent to military enlistment, consent to major medical treatment except in cases of emergency or cases falling under AS 09.65.100, and the responsibility for support, except if by court order any residual right and responsibility has been delegated to a guardian under (b) of this section. (§ 26 ch 63 SLA 1977)

NOTES TO DECISIONS

Effect of being foster parents on husband-wife evidentiary privilege. — A foster child is a child of the foster parents for purposes of applying the exception to the husband-wife privilege set forth in Alaska Evidence Rule 505(a)(2)(D)(i); one foster parent cannot rely on the husband-wife privilege to refuse to testify

against the other concerning evidence relating to an assault on the foster child. *Daniels v. State*, Ct. App. Op. No. 357 (File No. A-366), P.2d (1984).

Cited in *M.O.W. v. State*, Ct. App. Op. No. 95 (File No. 4846), 645 P.2d 1229 (1982).

Sec. 47.10.085. Child in need of aid; religious treatment. In a case in which the minor's status as a child in need of aid is sought to be based on the need for medical care, the court may, upon consideration of the health of the minor and the fact, if it is a fact, that the minor is being provided treatment by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by an accredited practitioner of the church or denomination, dismiss the proceedings and thereby close the matter. This may be done, in the interests of justice and religious freedom, on the court's own motion or upon the application of a party to the proceedings, at any stage of the proceedings after information is given to the court under AS 47.10.020(a). (§ 8 ch 1 SLA 1972; am § 19 ch 63 SLA 1977)

NOTES TO DECISIONS

Cited in *M.O.W. v. State*, Ct. App. Op. No. 95 (File No. 4846), 645 P.2d 1229 (1982).

Sec. 47.10.090. Records. (a) The court shall make and keep records of all cases brought before it. The court's official records may be inspected only with the court's permission and only by persons having a legitimate interest in them. All information and social records pertaining to a minor and prepared by an employee of the court or by a federal, state or city agency in the discharge of the employee's or agency's official duty, are privileged and may not be disclosed directly or indirectly to anyone without the court's permission. However, a state or city law-enforcement agency shall disclose information regarding a case which is needed by the person or agency charged with

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- (3) what services were utilized by the parents to facilitate reunion;
- (4) the visitation history between the parents and the child;
- (5) whether additional services are needed to facilitate the return of the child to the child's parents;
- (6) when return of the child can be expected. (§ 26 ch 63 SLA 1977)

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NOTES TO DECISIONS

Cited in M.O.W. v. State, Ct. App. Op.
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Sec. 47.10.084. Legal custody, guardianship, and residual parental rights and responsibilities. (a) When a child is committed under AS 47.10.080(b)(1) or (c)(1) to the department or released under AS 47.10.080(b)(2) or (3) or (c)(2) to the child's parents, guardian, or other suitable person, a relationship of legal custody exists. This relationship imposes on the department and its authorized agents or the parents, guardian, or other suitable person the responsibility of physical care and control of the child, the determination of where and with whom the child shall live, the right and duty to protect, train and discipline the child, and the duty of providing the child with food, shelter, education, and medical care. These obligations are subject to any residual parental rights and responsibilities and rights and responsibilities of a guardian if one has been appointed. When parental rights have been terminated, or there are no living parents and no guardian has been appointed, the responsibilities of legal custody include those in (b) and (c) of this section. The department or person having legal custody of the child may delegate any of the responsibilities under this section, except authority to consent to marriage, adoption, and military enlistment may not be delegated. For purposes of this chapter a person in charge of a placement setting is an agent of the department.

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(b) When a guardian is appointed for the child, the court shall specify in its order the rights and responsibilities of the guardian. The guardian may be removed only by court order. The rights and responsibilities may include, but are not limited to, having the right and responsibility of reasonable visitation, consenting to marriage, consenting to military enlistment, consenting to major medical treatment, obtaining representation for the child in legal actions, and making decisions of legal or financial significance concerning the child.

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(c) When there has been transfer of legal custody or appointment of a guardian and parental rights have not been terminated by court decree, the parents shall have residual rights and responsibilities. These residual rights and responsibilities of the parent include, but are not limited to, the right and responsibility of reasonable visitation,

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Sec. 47.10.095. Arrest of a minor. The arrest of a minor other than for a traffic offense is not considered an arrest for any purpose except for the purpose of the disposition of a proceeding arising out of that arrest. (§ 2 ch 124 SLA 1972)

Sec. 47.10.100. Retention of jurisdiction over minor. (a) The court retains jurisdiction over the case and may at any time stay execution, modify, set aside, revoke, or enlarge a judgment or order, or grant a new hearing, in the exercise of its power of protection over the minor and for the minor's best interest, for a period of time not to exceed two years or in any event extend past the day the minor becomes 19, unless sooner discharged by the court, except that the department may apply for and the court may grant an additional one-year period of supervision past age 19 if continued supervision is in the best interests of the person and the person consents to it. An application for any of these purposes may be made by the parent, guardian, or custodian acting in behalf of the minor, or the court may, on its own motion, and after reasonable notice to interested parties and the appropriate department, take action which it considers appropriate.

(b) If the court determines at a rehearing that it is for the best interests of the minor to be released to the care or custody of the minor's parent, guardian, or custodian, it may enter an order to that effect and the minor is discharged from the control of the department.

(c) If a minor is adjudicated a delinquent or a child in need of aid before the minor's 18th birthday, the court may retain jurisdiction over the minor after the minor's 18th birthday for the purpose of supervising the minor's rehabilitation, but the court's jurisdiction over the minor under this chapter never extends beyond the minor's 19th birthday, except that the department may apply for and the court may grant an additional one-year period of supervision past age 19 if continued supervision is in the best interests of the person and the person consents to it. The department may retain jurisdiction over a child between the child's 18th and 19th birthdays for the purpose of supervising the child's rehabilitation if the child has been placed under the supervision of the department before the child's 18th birthday, except that the department may apply for and the court may grant an additional one-year period of supervision past age 19 if continued supervision is in the best interests of the person and the person consents to it. (§ 11 art I ch 145 SLA 1957; am §§ 16, 17 ch 245 SLA 1970; am § 21 ch 63 SLA 1977)

NOTES TO DECISIONS

When one commits a criminal offense after reaching the age of 18 years, he is no longer entitled to claim the benefits of the Children's Code. *Henson v.*

State, Sup. Ct. Op. No. 1590 (File No. 3024), 576 P.2d 1352 (1978).

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making a preliminary investigation for the information of the court. Within 30 days of the date of a minor's 18th birthday or, if the court retains jurisdiction of a minor past the minor's 18th birthday, within 30 days of the date on which the court relinquishes jurisdiction over the minor, the court shall order sealed all the court's official records, information and social records pertaining to that minor, as well as records of all criminal proceedings against the minor and punishments assessed against the minor except for traffic offenses. A person may not use these sealed records for any purpose except that the court may order their use for good cause shown or may order their use by an officer of the court in making a presentencing report for the court.

(b) The name or picture of a minor under the jurisdiction of the court may not be made public in connection with the minor's status as a delinquent child or a child in need of aid unless authorized by order of the court, except that the name of a minor who is found for the second time to have violated a law, which if committed by an adult would be a felony, shall be made public unless the court, for good cause, in certain individual cases, enters an order prohibiting the disclosure.

(c) A person who violates a provision of this section is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$500 or by imprisonment for not more than one year, or by both. (§ 10(3)(4) art I ch 145 SLA 1957; am § 1 ch 124 SLA 1972; am § 1 ch 90 SLA 1975; am § 20 ch 63 SLA 1977)

Cross references. — For explanation of of Children's Procedure. see § 2, ch. 90. how amendments in 1975 change. Rules SLA 1975).

NOTES TO DECISIONS

Purpose for enacting subsection (a). — Reading this section together with other sections of the laws relating to children's proceedings leads one to believe that subsection (a) was enacted principally for the purpose of protecting the child against the possible adverse effects an unauthorized revelation of his social record would have. In re P.N., Sup. Ct. Op. No. 1127 (File No. 2191), 533 P.2d 13 (1975).

There is no indication that subsection (a) was intended to authorize the granting of testimonial use immunity to parents. In re P.N., Sup. Ct. Op. No. 1127 (File No. 2191), 533 P.2d 13 (1975).

The supreme court could not say with certainty that this section would be construed to forbid the use, in a subsequent criminal action against a parent, of testimony that the parent gave at a chil-

dren's proceeding. In re P.N., Sup. Ct. Op. No. 1127 (File No. 2191), 533 P.2d 13 (1975).

Waiver of provisions of section. — In the case of use of restraints more severe than placement in adjustment rooms (solitary confinement), the approval of the director of McLaughlin Youth Center must be obtained and a report made to the child's attorney and the family court. The provisions of this section are waived for this purpose. T.M. v. Director of McLaughlin Youth Center, Superior Court, No. 72-449 (1973).

Stated in RLR v. State, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

Cited in M.O.W. v. State, Ct. App. Op. No. 95 (File No. 4846), 645 P.2d 1229 (1982); State v. R.H., Ct. App. Op. No. 375 (File No. 7768), P.2d (1984).

Cross references. — For conditions of detention, see Children's Rule 27, Alaska Rules of Court.

NOTES TO DECISIONS

A detention which was twice continued by the master of the children's court for a total period of six days exemplifies a usurpation of judicial power. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).

Sec. 47.10.140. Temporary detention and detention hearing.

(a) A peace officer may arrest a minor who violates a law or ordinance in the officer's presence, or whom the officer reasonably believes is a fugitive from justice. A peace officer may continue a lawful arrest made by a citizen. The officer may have the minor detained in a juvenile detention facility if in the officer's opinion it is necessary to do so to protect the minor or the community.

(b) A peace officer who has a minor detained under (a) of this section shall immediately, and in no event more than 12 hours later, notify the court, the minor's parents or guardian, and the Department of Health and Social Services of the officer's action. The department may file with the court a petition alleging delinquency before the detention hearing.

(c) The court shall immediately, and in no event more than 48 hours later, hold a hearing at which the minor and the minor's parents or guardian if they can be found shall be present. The court shall determine whether probable cause exists for believing the minor to be delinquent. The court shall inform the minor of the reasons alleged to constitute probable cause and the reasons alleged to authorize the minor's detention. The minor is entitled to counsel and to confrontation of adverse witnesses.

(d) If the court finds that probable cause exists, it shall determine whether the minor should be detained pending the hearing on the petition or released. It may either order the minor held in detention or released to the custody of a suitable person pending the hearing on the petition. If the court finds no probable cause, it shall order the minor released and close the case.

(e) Except for temporary detention pending a detention hearing or temporary detention under (f) of this section, a minor may not be detained except by court order.

(f) A peace officer may detain a minor who is evading the person having the minor's legal custody if the minor is not otherwise subject to arrest or detention under (a) of this section, for the sole purpose of either (1) returning the minor to the person having legal custody or (2) if the minor prefers, taking the minor to an office specified by the Department of Health and Social Services, facility or contract agency of the Department of Health and Social Services where such exists in the community. Immediately upon detaining a minor under this provi-

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§ 47.10.110 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.10.130

(a) nor subsection (c) purports to extend the court's juvenile jurisdiction to newly committed offenses occurring between the offender's 18th and 19th birthdays. *Henson v. State*, Sup. Ct. Op. No. 1590 (File No. 3024), 576 P.2d 1352 (1978).

Jurisdiction defeated only by expressly retroactive statute. — Once

the sentencing court acquires jurisdiction over the individual, only an expressly retroactive statute could defeat its continuing jurisdiction for the duration of the sentence originally imposed. *Davenport v. McGinnis*, Sup. Ct. Op. No. 1049 (File No. 1942), 522 P.2d 1140 (1974).

Sec. 47.10.110. Appointment of guardian or custodian. When, in the course of a proceeding under this chapter, it appears to the court that the welfare of a minor will be promoted by the appointment of a guardian or custodian of the minor's person, the court may make the appointment. The court shall have a summons issued and served upon the parents of the minor, if they can be found, in a manner and within a time before the hearing which the court considers reasonable. The court may determine whether the father, mother, or the Department of Health and Social Services shall have the custody and control of the minor. If the minor is of sufficient age and intelligence to state desires, the court shall consider them. (§ 12 art I ch 145 SLA 1957; am § 6 ch 104 SLA 1971; am § 22 ch 63 SLA 1977)

Collateral references. — 39 Am. Jur. 2d, Guardian and Ward, § 17.
39 C.J.S., Guardian and Ward, §§ 20 to 29.

Right of infant to select his own guardian, 85 A.L.R2d 921.

Sec. 47.10.120. Support of minor. (a) When a child in need of aid is committed under this chapter, the court may, after giving the parent a reasonable opportunity to be heard, adjudge that the parent shall pay in a manner which the court directs a sum which will cover in full or in part the support of the child in need of aid. When a delinquent minor is committed under this chapter, the court shall order that the parent of the minor pay in a manner which the court directs a sum which will cover in full or in part the support of the delinquent minor.

(b) If a parent wilfully fails or refuses to pay the sum fixed, the parent may be proceeded against as provided by law in cases of family desertion and nonsupport.

(c) The sum collected from a parent under this section shall be directly credited to the general fund of the state. (§ 13 art I ch 145 SLA 1957; am § 1 ch 31 SLA 1959; am § 1 ch 141 SLA 1959; am § 23 ch 63 SLA 1977)

Sec. 47.10.130. Detention. No minor under 18 years of age who is detained pending hearing may be incarcerated in a jail unless assigned to separate quarters so that the minor cannot communicate with or view adult prisoners convicted of, under arrest for, or charged with a crime. When a minor is detained pending hearing, the minor's parent, guardian, or custodian shall be notified immediately. (§ 14 art I ch 145 SLA 1957)

(c) When a child is taken into custody under (a) or (b) of this section, the department shall immediately, and in no event more than 12 hours later unless prevented by lack of communication facilities, notify the parents or the person or persons having custody of the child and the court of the action and file with the court a petition alleging that the child is a child in need of aid.

(d) The court shall immediately, and in no event more than 48 hours after being notified unless prevented by lack of transportation, hold a hearing at which the minor, if the minor's health permits, and the minor's parents or guardian, if they can be found, shall be permitted to be present. The court shall determine whether probable cause exists for believing the minor to be a child in need of aid, as defined in AS 47.10.290. The court shall inform the minor, and the minor's parents or guardian if they can be found, of the reasons given as constituting probable cause and the reasons given as authorizing the minor's temporary placement.

(e) If the court finds that probable cause exists it shall order the minor committed to the department for temporary placement, or order the minor returned to the custody of the minor's parents or guardian subject to the department's supervision of the minor's care and treatment. If the court finds no probable cause it shall order the minor returned to the custody of the minor's parents or guardian. (§ 3 ch 100 SLA 1971; am § 6 ch 104 SLA 1971; am § 24 ch 63 SLA 1977; am § 2 ch 104 SLA 1982)

NOTES TO DECISIONS

Effect of amendments. — The 1982 amendment added paragraph (4) to subsection (a). Cited in State v. R.H., Ct. App. Op. No. 375 (File No. 7768), P.2d (1984).

Article 2. Juvenile Institutions.

Section	Section
150. General powers of department over juvenile institutions	190. Conditions governing detention
160. Duties of department	200. Releasing juveniles after commitment
170. Power of cities to maintain and operate home or facility	210. Youth counsellors
180. Operation of homes and facilities	220. Grants-in-aid

Sec. 47.10.150. General powers of department over juvenile institutions. The Department of Health and Social Services may

(1) purchase, lease or construct buildings or other facilities for the care, detention, rehabilitation and education of children in need of aid or delinquent minors;

(2) adopt plans for construction of juvenile homes, juvenile detention facilities, and other juvenile institutions;

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§ 47.10.142 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.10.142

sion, the peace officer shall advise the minor of the right to social services under AS 47.10.142(b), and, if known, the peace officer shall advise the person having the legal custody of the minor of the detention.

(g) A minor who is detained under (f) of this section may not be detained in a jail or other facility unless kept out of contact with adult persons convicted or accused of a crime. A minor may not be detained in a jail or other detention facility which has not been approved by the Department of Health and Social Services before detention of the minor. (§ 15 art I ch 145 SLA 1957; am § 3 ch 118 SLA 1962; am § 2 ch 100 SLA 1971; am § 6 ch 104 SLA 1971; am §§ 1, 2 ch 128 SLA 1972)

Cross references. — For custody without a court order, see Children's Rules 6 and 7, Alaska Rules of Court.

NOTES TO DECISIONS

Detention orders neither based on competent testimony nor accompanied by the required statement of facts are invalid. In re P.H., Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1972).
Appeal of detention order. — See

notes under this catchline, AS 47.10.080, A.M. v. State, Ct. App. Op. No. 150 (File No. 6105), 653 P.2d 346 (1982).
Cited in State v. R.H., Ct. App. Op. No. 375 (File No. 7768), P.2d (1984).

Sec. 47.10.142. Emergency custody and temporary placement hearing. (a) The Department of Health and Social Services may take emergency custody of a minor upon discovering any of the following circumstances:

- (1) the minor has been abandoned;
- (2) the minor has been grossly neglected by the minor's parents or guardian as "neglect" is defined in AS 47.17.070(5), so that immediate removal from the minor's surroundings is, in the determination of the department, necessary to protect the minor's life;
- (3) the minor has been abused, as "abuse" is defined in AS 47.17.070(1), so that immediate medical attention is necessary, in the determination of the department;
- (4) the minor has been sexually abused under circumstances listed in AS 47.10.010(a)(2)(D).

(b) A minor who has left home and is evading the person having legal custody of the minor 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 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.

(3) conduct studies and prepare findings and recommendations on the need, number, type, construction, maintenance, and operating costs of juvenile homes, facilities and the other institutions, and adopt and submit a plan for construction of the homes, facilities, and institutions when needed, together with a plan for financing the construction programs;

(4) examine, where possible, all facilities, institutions, and places of juvenile detention in Alaska and inquire into their methods and the management of juveniles in them. (§ 5 art II ch 145 SLA 1957; am § 4 ch 110 SLA 1967; am § 4 ch 100 SLA 1971; am § 6 ch 104 SLA 1971)

Sec. 47.10.170. Power of cities to maintain and operate home or facility. (a) A city having a population of 1700 or more, according to the latest decennial census, or found by the department to have a present population of 1700 or more may maintain and operate a juvenile detention home or facility.

(b) The city may receive grants-in-aid from the state for costs of operation of the homes or facilities. (§ 5 art II ch 145 SLA 1957)

Sec. 47.10.180. Operation of homes and facilities. (a) The Department of Health and Social Services shall adopt standards and regulations for the operation of juvenile detention homes and juvenile detention facilities in the state.

(b) The department may enter into contracts with cities and other governmental agencies for the detention of juveniles before and after commitment by juvenile authorities. A contract may not be made for longer than one year. (§ 8 art II ch 145 SLA 1957; am § 3 ch 97 SLA 1960; am § 6 ch 104 SLA 1971)

Cross references. — For the general powers of the department over juvenile institutions, see AS 47.10.150. For stan-

dards of care for the welfare of children under the care of the department, see AS 47.10.250.

NOTES TO DECISIONS

Standards and formal conditions for use of adjustment rooms in juvenile detention homes. — See T.M. v. Director of McLaughlin Youth Center, Superior Court, No. 72-449 (1973).

Department ordered to promulgate standards for operation of juvenile detention homes. — See T.M. v. Director of McLaughlin Youth Center, Superior Court, No. 72-449 (1973).

Sec. 47.10.190. Conditions governing detention. When the court commits a minor to the custody of the department, the department shall arrange to place the juvenile in a detention home, facility or another suitable place which the department designates for that purpose. A juvenile detained in a jail or similar institution at the request of the department shall be held in custody in a room or other place apart and separate from adults. (§ 9 art II ch 145 SLA 1957)

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§ 47.10.160 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.10.160

(3) adopt standards and regulations under this chapter for the design, construction, repair, maintenance and operation of all juvenile detention homes, facilities, and institutions;

(4) inspect periodically each juvenile detention home, facility, or other institution to ensure that the standards and regulations adopted are being maintained;

(5) reimburse cities maintaining and operating juvenile detention homes and facilities;

(6) enter into contracts and arrangements with cities and state and federal agencies to carry out the purposes of this chapter;

(7) do all acts necessary to carry out the purposes of this chapter;

(8) adopt the regulations necessary to carry out this chapter;

(9) accept donations, gifts or bequests of money or other property for use in construction of juvenile homes, institutions or detention facilities;

(10) operate juvenile homes when municipalities are unable to do so;

(11) receive, care for, and place in a juvenile detention home, the minor's own home, a foster home, or correctional school or treatment institution all minors committed to its custody under this chapter. (§ 3 art II ch 145 SLA 1957; am § 1 ch 152 SLA 1959; am § 6 ch 104 SLA 1971; am § 25 ch 63 SLA 1977)

Cross references. — For operation of juvenile detention homes and facilities, see AS 47.10.180. For standards of care for the welfare of children under the care of the department, see AS 47.10.250.

NOTES TO DECISIONS

Department ordered to promulgate standards for operation of juvenile detention homes. — See T.M. v. Director of McLaughlin Youth Center, Superior Court, No. 72-449 (1973).

Collateral references. — 60 Am Jur. 2d. Penal and Correctional Institutions, § 1 et seq.

Sec. 47.10.160. Duties of department. The Department of Health and Social Services shall

(1) accept all minors committed to the custody of the department and all minors who are involved in a written agreement under AS 47.10.230(c), and provide for the welfare, control, care, custody, and placement of these minors in accordance with this chapter;

(2) require and collect statistics on juvenile offenses and offenders in Alaska;

Sec. 47.10.210. Youth counsellors. The department may employ youth counsellors. Youth counsellors shall exercise the duties of probation officers and shall prepare preliminary investigations for the information of the court. They shall also carry out other duties in the care and treatment of minors which are consistent with the intent of this chapter. Youth counsellors have the powers of a peace officer with respect to the service of process, the making of arrests of minors who violate state or municipal law, and the execution of orders of the court relating to juveniles. The youth counsellors shall assist and advise the courts in the furtherance of the welfare and control of minors under the court's jurisdiction. (§ 11 art II ch 145 SLA 1957)

Sec. 47.10.220. Grants-in-aid. The Department of Health and Social Services may accept grants-in-aid from the federal government or private foundations and may accept other gifts consistent with the purposes of this chapter. (§ 13 art II ch 145 SLA 1957; am § 6 ch 104 SLA 1971)

Article 3. Care of Children.

Section	Section
230. Powers and duties of department over care of child	250. Standards of care
240. Adequacy of home or institution	260. Payment of costs

Sec. 47.10.230. Powers and duties of department over care of child. (a) Subject to (e) and (f) of this section, the Department of Health and Social Services shall arrange for the care of every child committed to its custody by placing the child in a foster home or in the care of an agency or institution providing care for children inside or outside the state. The department may place a child in a suitable family home, with or without compensation, and may place a child released to it, in writing verified by the parent, or guardian or other person having legal custody, for adoptive purposes, in a home for adoption in accordance with existing law.

(b) The department may pay the costs of maintenance which are necessary to assure adequate care of the child, and may accept funds from the federal government which are granted to assist in carrying out the purposes of this chapter, or which are paid under contract entered into with a federal department or agency. A child under the care of the department may not be placed in a family home or institution that does not maintain adequate standards of care.

(c) The department may receive, care for, and make appropriate placement of minors accepted for care for a period of up to six months on the basis of an individual voluntary written agreement between the minor's parent, legal guardian, or other person having legal custody and the department. The agreement may include provisions for payment, in whole or in part, to the department for the minor's care

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Cross references. — For similar provisions, see AS 47.10.130 and 47.10.140(g).

NOTES TO DECISIONS

This section prescribes conditions of confinement after the court has lawfully determined that a child should be confined in an institution. In re A Minor Child, Sup. Ct. Op. No. 737 (File No. 1524), 490 P.2d 658 (1971).

"Juvenile" used interchangeably with "minor". — The term "juvenile" is not defined, but throughout this section is used interchangeably with "minor." Davenport v. McGinnis, Sup. Ct. Op. No. 1049 (File No. 1942), 522 P.2d 1140 (1974).

The apparent intent of the legislature was the two terms "minor" and "juvenile" and to be construed identically. Davenport v. McGinnis, Sup. Ct. Op. No. 1049 (File No. 1942), 522 P.2d 1140 (1974).

Thus, instruction that "juvenile" defined identically to minor is correct. — Since, for the purposes of this section, a minor is a person under 18 years of age, an instruction that "juvenile" is identically defined is correct. Davenport v. McGinnis, Sup. Ct. Op. No. 1049 (File No. 1942), 522 P.2d 1140 (1974).

Department need not incarcerate over-18-year olds apart from adults. — The department is not limited in its options pertaining to the selection of a suitable facility for those over 18 years of age by the requirement of incarceration apart from adult offenders. Davenport v. McGinnis, Sup. Ct. Op. No. 1049 (File No. 1942), 522 P.2d 1140 (1974).

Problems when juvenile reaches 18 years before incarceration. — Difficult problems are presented when one who has committed an offense while under 18 years of age is ordered incarcerated at a later age. Great care must be exercised by the Department of Health and Social Services to provide for custody in an appropriate institution geared to the dual constitutional dictates of reformation of the juvenile and protection of the public. Davenport v. McGinnis, Sup. Ct. Op. No. 1049 (File No. 1942), 522 P.2d 1140 (1974).

Quoted in B.A.M. v. State, Sup. Ct. Op. No. 1104 (File No. 2144), 528 P.2d 437 (1974).

Sec. 47.10.200. Releasing juveniles after commitment. A juvenile delinquent who by conduct gives sufficient evidence of having reformed may be released at any time under the conditions and regulations which the department considers proper, if it appears to the satisfaction of the department that there is a reasonable probability that the juvenile will remain at liberty without violating the law. (§ 10 art II ch 145 SLA 1957)

NOTES TO DECISIONS

Jurisdiction over probation revocation proceedings. — The Department of Health and Social Services has the authority to conduct revocation proceedings when it has granted the probation allegedly violated, as a corollary to its power under this section to grant probation. However, until such time as the department chooses to establish procedures regarding probation revocation, jurisdiction over such cases will remain in the superior court. In re L.C. v. State, Sup. Ct. Op. No. 2277 (File Nos. 4401, 4411), 625 P.2d 839 (1981).

Hearing. — The requirement in Children's Rule 12(a) of a disposition hearing applies to a court-ordered revocation of a juvenile delinquent's administratively granted probation. In re L.C. v. State, Sup. Ct. Op. No. 2277 (File Nos. 4401, 4411), 625 P.2d 839 (1981).

The hearing in connection with a juvenile delinquent's probation revocation must be broader than merely determining probable cause that probation conditions are violated. In re L.C. v. State, Sup. Ct. Op. No. 2277 (File Nos. 4401, 4411), 625 P.2d 839 (1981).

NOTES TO DECISIONS

Quoted in E.A. v. State, Sup. Ct. Op. No. 2289 (File Nos. 4637, 4870), 623 P.2d 1210 (1981).

Sec. 47.10.240. Adequacy of home or institution. (a) A representative of the department shall visit, as often as is considered necessary, every foster home or institution in which a child is placed, and if not satisfied as to the care given, may remove the child from the foster home or institution and place the child elsewhere.

(b) The person or institution receiving a child shall submit the reports the department requires as to the education, health and welfare of the child and the conditions under which the child is living. (§ 2 art III ch 145 SLA 1957)

Sec. 47.10.250. Standards of care. The Department of Health and Social Services shall establish standards of care and regulations desirable for the welfare of every child under its care. (§ 3 art III ch 145 SLA 1957; am § 6 ch 104 SLA 1971)

Cross references. — For the general operation of juvenile detention homes and powers of the department over juvenile facilities, see AS 47.10.180. For the institutions, see AS 47.10.150. For the

NOTES TO DECISIONS

Standards and formal conditions for use of adjustment rooms in juvenile detention homes. — See T.M. v. Director of McLaughlin Youth Center, Superior Court, No. 72-449 (1973). **Department ordered to promulgate standards for operation of juvenile detention homes.** — See T.M. v. Director of McLaughlin Youth Center, Superior Court, No. 72-449 (1973).

Sec. 47.10.260. Payment of costs. The department shall pay the proper and necessary costs of the court and witnesses and other expenses necessarily incurred in the enforcement of AS 47.10.230 — 47.10.260. (§ 4 art III ch 145 SLA 1957)

Article 4. General Provisions.

Section

- 270. Appropriation
- 290. Definitions

Sec. 47.10.270. Appropriation. Funds to carry out this chapter shall be provided for in the general appropriation act of the legislature. (§ 1 art IV ch 145 SLA 1957)

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§ 47.10.230 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.10.230

and treatment. The agreement entered into shall not operate to prohibit a minor's parent, legal guardian, or other person who had legal custody from regaining care of the minor at any time.

(d) In addition to funds paid for the maintenance of foster children under (b) of this section, the department shall pay the costs of caring for physically or mentally handicapped foster children, including the additional costs of medical care, habilitative and rehabilitative treatment, services and equipment, special clothing, and the indirect costs of medical care, including child care, transportation expenses, and respite care. In this subsection "respite care" means child care not to exceed 12 hours in any 30-day period; it also means child care for a period not to exceed seven days in a year for the purpose of providing emergency protection for the child when the foster parent is away from the home because of an emergency and no other care is available for the child or when the foster parent is on vacation and the child, because of age or infirmity, cannot be placed in any other type of temporary care facility.

(e) A child may not be placed in a foster home or in the care of an agency or institution providing care for children if a blood relative exists who requests custody of the child. However, the department may retain custody of the child and provide for its placement in the same manner as for other children if it makes a determination, supported by clear and convincing evidence, that the custody of the child by the blood relative will result in physical or emotional damage. In making that determination, poverty, including inadequate or crowded housing, on the part of the blood relative, is not considered prima facie evidence that physical or emotional damage to the child will occur. This determination may be appealed to the superior court to hear the matter de novo.

(f) If a blood relative of the child specified under (e) of this section exists and agrees that the child should be placed elsewhere, before placement elsewhere the department shall fully communicate the nature of the placement proceedings to the relative. Communication under this subsection shall be made in the relative's native language, if necessary. Nothing in this subsection or in (e) of this section applies to child placement for adoptive purposes. (§ 1 art III ch 145 SLA 1957; am § 5 ch 100 SLA 1971; am § 6 ch 104 SLA 1971; am § 1 ch 76 SLA 1976; am §§ 36, 37 ch 126 SLA 1977; am § 132 ch 6 SLA 1984)

Cross references. — For the legislative intent of amendments made in 1977, see § 35, ch. 126, SLA 1977.

Effect of amendments. — The 1984

amendment substituted "subsection" for "section" in the last two sentences of subsection (f).

The term "juvenile" is not defined, but throughout AS 47.10.190 is used interchangeably with "minor." *Davenport v. McGinnis*, Sup. Ct. Op. No. 1049 (File No. 1942), 522 P.2d 1140 (1974).

Self-incrimination. — The possible consequences of proceedings brought under former AS 47.10.010(a)(3) or (6) and former paragraph (3) or (7) of this section do not give rise to a right against self-incrimination. *E.L.L. v. State*, Sup. Ct. Op. No. 1540 (File No. 3374), 572 P.2d 786 (1977).

Applied in *L.A.M. v. State*, Sup. Ct. Op.

No. 1249 (File No. 2221), 547 P.2d 827 (1976).

Quoted in *In re P.H.*, Sup. Ct. Op. No. 857 (File No. 1538), 504 P.2d 837 (1974); *R.D.S.M. v. Intake Officer*, Sup. Ct.

No. 1449 (File No. 2821), 565 P.2d 282 (1977); *Henson v. State*, Sup. Ct. Op. No. 1590 (File No. 3024), 576 P.2d 1352 (1978).

Cited in *In re White*, Sup. Ct. Op. No. 507 (File No. 1013), 445 P.2d 813 (1968); *In re White v. State*, Sup. Ct. Op. No. 569 (File No. 1051), 457 P.2d 650 (1969); *N.P.A. v. State*, Sup. Ct. Op. No. 2005 (File No. 4618), 604 P.2d 599 (1979).

Chapter 15. Uniform Interstate Compact on Juveniles.

Section

- 10. Execution of interstate compact
- 20. Juvenile compact administrator
- 30. Supplementary agreements
- 40. Financial arrangements

Section

- 50. Appointment of attorney or guardian
- 60. Enforcement
- 70. Additional procedures not precluded
- 80. Short title

Sec. 47.15.010. Execution of interstate compact. The governor shall execute a compact on the behalf of the state with any other state or states legally joining in it in substantially the following form:

INTERSTATE COMPACT ON JUVENILES

That Contracting States Solemnly Agree:

ARTICLE I

FINDINGS AND PURPOSES

That juveniles who are not under proper supervision and control, or who have absconded, escaped or run away, are likely to endanger their own health, morals and welfare, and the health, morals and welfare of others. The cooperation of the states party to this compact is therefore necessary to provide for the welfare and protection of juveniles and of the public with respect to:

- (1) cooperative supervision of delinquent juveniles on probation or parole;
- (2) the return, from one state to another, of delinquent juveniles who have escaped or absconded;
- (3) the return, from one state to another, of nondelinquent juveniles who have run away from home; and
- (4) additional measures for the protection of juveniles and of the public, which any two or more of the party states may find desirable to undertake cooperatively. In carrying out the provisions of this compact

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§ 47.10.280 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.10.290

Cross references. — As to acceptance of grants-in-aid, see AS 47.10.220.

Sec. 47.10.280. Purpose of chapter. [Repealed, § 1 ch 152 SLA 1976. For the purpose and policy of this title relating to children, see AS 47.05.060.]

Sec. 47.10.290. Definitions. In this chapter, unless the context otherwise requires,

- (1) "caring" under AS 47.10.010(a)(2)(A) means to provide for the physical, emotional, mental, and social needs of the child;
 - (2) "child in need of aid" means a minor found to be within the jurisdiction of the court under AS 47.10.010(a)(2);
 - (3) "court" means the superior court of the state;
 - (4) "delinquent minor" means a minor found to be within the jurisdiction of the court under AS 47.10.010(a)(1);
 - (5) "juvenile detention facility" means separate quarters within a city jail used for the detention of delinquent minors;
 - (6) "juvenile detention home" or "detention home" is a separate establishment, exclusively devoted to the detention of minors on a short-term basis and not a part of an adult jail;
 - (7) "minor" is a person under 18 years of age.
- (§ 1 art I ch 145 SLA 1957; am § 5 ch 110 SLA 1967; am §§ 5, 6 ch 27 SLA 1970; am §§ 27 — 28 ch 63 SLA 1977)

Revisor's notes. — Reorganized in 1984 to alphabetize the terms defined.

Editor's notes. — Section 7, ch. 110, SLA 1967, as amended by § 80, ch. 69, SLA

1970, provides: "In exercising its jurisdiction under AS 47.1" the superior court may designate district judges and magistrates as masters under Civil Rule 53."

NOTES TO DECISIONS

The legislature has authorized institutionalization only where the child is found to be a delinquent minor. In re A Minor Child, Sup. Ct. Op. No. 737 (File No. 1524), 490 P.2d 658 (1971).

Hence, a minor who has been adjudged a child in need of supervision [see now child in need of aid] cannot be institutionalized under the Children's Code. In re A Minor Child, Sup. Ct. Op. No. 737 (File No. 1524), 490 P.2d 658 (1971).

The Department of Health and Social Services does not possess the authority to institutionalize any minor, including one who has been declared a child in need of supervision [see now child in need of aid], who has been committed to its custody. It is unreasonable to construe Alaska children's statutes in a manner which would result in the grant to the

Department of Health and Social Services of broader powers of commitment than possessed by the trial court. In re A Minor Child, Sup. Ct. Op. No. 737 (File No. 1524), 490 P.2d 658 (1971).

A child who sells LSD is a "delinquent minor" under paragraph (2) of this section because the sale of LSD is a crime under former AS 17.12.010 [now see AS 11.71]. RLR v. State, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

"Delinquent" status depends not upon a criminal conviction but upon proof that the juvenile committed acts which would have been criminal if committed by an adult. Rust v. State, Sup. Ct. Op. No. 1668 (File No. 3172), 552 P.2d 134 (1978).

"Juvenile" and "minor" as used in AS 47.10.190 construed identically. — See Davenport v. McGinnis, Sup. Ct. Op. No. 1049 (File No. 1942), 522 P.2d 1140 (1974).

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the juvenile who has run away is endangering the juvenile's own welfare or the welfare of others and is not an emancipated minor. The petition shall be verified by affidavit, shall be executed in duplicate, and shall be accompanied by two certified copies of the document or documents on which the petitioner's entitlement to the juvenile's custody is based, such as birth certificates, letters of guardianship, or custody decrees. Further affidavits and other documents which are considered proper may be submitted with the petition. The judge of the court to which this application is made may hold a hearing on it to determine whether for the purposes of this compact the petitioner is entitled to the legal custody of the juvenile, whether or not it appears that the juvenile has in fact run away without consent, whether or not the juvenile is an emancipated minor, and whether or not it is in the best interest of the juvenile to compel the juvenile's return to the state. If the judge determines, either with or without a hearing, that the juvenile should be returned the judge shall present to the appropriate court or to the executive authority of the state where the juvenile is alleged to be located, a written requisition for the return of such juvenile. This requisition shall set out the name and age of the juvenile, the determination of the court that the juvenile has run away without the consent of a parent, guardian, person or agency entitled to the juvenile's legal custody, and that it is in the best interest and for the protection of such juvenile that the juvenile be returned. In the event that a proceeding for the adjudication of the juvenile as a delinquent, neglected or dependent juvenile is pending in the court at the time when such juvenile runs away, the court may issue a requisition for the return of the juvenile upon its own motion, regardless of the consent of the parent, guardian, person or agency entitled to legal custody, reciting therein the nature and circumstances of the pending proceeding. The requisition shall in every case be executed in duplicate and shall be signed by the judge. One copy of the requisition shall be filed with the compact administrator of the demanding state, there to remain on file subject to the provisions of law governing records of the court. Upon the receipt of a requisition demanding the return of a juvenile who has run away, the court or the executive authority to whom the requisition is addressed shall issue an order to any peace officer or other appropriate person directing the officer or other person to take into custody and detain such juvenile. The detention order must substantially recite the facts necessary to the validity of its issuance hereunder. No juvenile detained upon the order may be delivered over to the officer whom the demanding court has appointed to receive the juvenile, unless the juvenile is first taken immediately before a judge of a court in the state, who shall inform the juvenile of the demand made for the juvenile's return, and who may appoint counsel or guardian ad litem for the juvenile. If the judge of the court finds that the requisition is in order, the judge shall deliver the juvenile over to the

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Op. Ct. Op. No. 2d 837 (1972);
Sup. Ct. Op. 565 P.2d 855
Op. Ct. Op. No. 2d 1352 (1978).
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the party states shall be guided by the noncriminal, reformatory and protective policies which guide their laws concerning delinquent, neglected or dependent juveniles generally. It shall be the policy of the states party to this compact to cooperate and observe their respective responsibilities for the prompt return and acceptance of juveniles and delinquent juveniles who become subject to the provisions of this compact. The provisions of this compact shall be reasonably and liberally construed to accomplish the foregoing purposes.

ARTICLE II

EXISTING RIGHTS AND REMEDIES

That all remedies and procedures provided by this compact shall be in addition to and not in substitution for other rights, remedies and procedures, and shall not be in derogation of parental rights and responsibilities.

ARTICLE III

DEFINITIONS

That, for the purposes of this compact, "delinquent juvenile" means any juvenile who has been adjudged delinquent and who, at the time the provisions of this compact are invoked, is still subject to the jurisdiction of the court that has made such adjudication or to the jurisdiction or supervision of an agency or institution under an order of the court; "probation or parole" means any kind of conditional release of juveniles authorized under the laws of the party hereto; "court" means any court having jurisdiction over delinquent, neglected or dependent children; "state" means the possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico; and "residence" or any variant of it means a place at which a home or regular place of abode is maintained.

ARTICLE IV

RETURN OF RUNAWAYS

(a) That the parent, guardian, person or agency entitled to legal custody of a juvenile who has not been adjudged delinquent but who has run away without the consent of the parent, guardian, person or agency may petition the appropriate court in the demanding state for the issuance of a requisition for the juvenile's return. The petition shall state the name and age of the juvenile, the name of the petitioner and the basis of entitlement to the juvenile's custody, the circumstances of the juvenile's running away, the juvenile's location if known at the time application is made, and such other facts as may tend to show that

name and age of the delinquent juvenile, the particulars of the juvenile's adjudication as a delinquent juvenile, the circumstances of the breach of the terms of the juvenile's probation or parole or of the juvenile's escape from an institution or agency vested with the juvenile's legal custody or supervision, and the location of the delinquent juvenile, if known, at the time the requisition is made. The requisition shall be verified by affidavit, shall be executed in duplicate, and shall be accompanied by two certified copies of the judgment, formal adjudication, or order of commitment which subjects the delinquent juvenile to probation or parole or to the legal custody of the institution or agency concerned. Further affidavits and other documents which are deemed proper may be submitted with the requisition. One copy of the requisition shall be filed with the compact administrator of the demanding state, there to remain on file subject to the provisions of law governing records of the appropriate court. Upon the receipt of a requisition demanding the return of a delinquent juvenile who has absconded or escaped, the court or the executive authority to whom the requisition is addressed shall issue an order to a peace officer or other appropriate person directing the officer or other person to take into custody and detain the delinquent juvenile. This detention order must substantially recite the facts necessary to the validity of its issuance hereunder. No delinquent juvenile detained upon such order may be delivered over to the officer whom the demanding person or authority has appointed to receive the juvenile, unless the juvenile is first taken immediately before a judge of an appropriate court in the state, who shall inform the juvenile of the demand made for the juvenile's return and who may appoint counsel or guardian ad litem for the juvenile. If the judge of such court finds that the requisition is in order, the judge shall deliver the delinquent juvenile over to the officer whom the demanding person or authority shall have appointed to receive the juvenile. The judge, however, may fix a reasonable time to be allowed for the purpose of testing the legality of the proceeding.

Upon reasonable information that a person is a delinquent juvenile who has absconded while on probation or parole, or escaped from an institution or agency vested with the juvenile's legal custody or supervision in any state party to this compact, the person may be taken into custody in any other state party to this compact without a requisition. But in this event, the juvenile must be taken immediately before a judge of the appropriate court, who may appoint counsel or guardian ad litem for the person and who shall determine, after a hearing, whether sufficient cause exists to hold the person subject to the order of the court for a time, not exceeding ninety days, which will enable the juvenile's detention under a detention order issued on a requisition under this article. If, at the time when a state seeks the return of a delinquent juvenile who has either absconded while on probation or parole or escaped from an institution or agency vested with the juve-

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officer whom the demanding court shall have appointed to receive the juvenile. The judge, however, may fix a reasonable time to be allowed for the purpose of testing the legality of the proceeding.

Upon reasonable information that a person is a juvenile who has run away from another state party to this compact without the consent of a parent, guardian, person or agency entitled to the juvenile's legal custody, the juvenile may be taken into custody without a requisition and brought immediately before a judge of the appropriate court who may appoint counsel or guardian ad litem for the juvenile and who shall determine after a hearing whether sufficient cause exists to hold the person, subject to the order of the court for the juvenile's own protection and welfare, for such a time not exceeding 90 days as will enable the juvenile's return to another state party to this compact pursuant to a requisition for the juvenile's return from a court of that state. If, at the time when a state seeks the return of a juvenile who has run away, there is pending in the state wherein the juvenile is found any criminal charge, or any proceeding to have the juvenile adjudicated a delinquent juvenile for an act committed in such state, or if the juvenile is suspected of having committed within that state a criminal offense or an act of juvenile delinquency, the juvenile shall not be returned without the consent of that state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for the offense of juvenile delinquency. The duly accredited officers of any state party to this compact, upon the establishment of their authority and the identity of the juvenile being returned, shall be permitted to transport the juvenile through any and all states party to this compact, without interference. Upon the juvenile's return to the state from which the juvenile ran away, the juvenile shall be subject to such further proceedings as may be appropriate under the laws of that state.

(b) That the state to which a juvenile is returned under this article shall be responsible for payment of the transportation costs of such return.

(c) That "juvenile" as used in this article means any person who is a minor under the law of the state of residence of the parent, guardian, person or agency entitled to the legal custody of such minor.

ARTICLE V

RETURN OF ESCAPEES AND ABSCONDERS

(a) That the appropriate person or authority from whose probation or parole supervision a delinquent juvenile has absconded or from whose institutional custody the juvenile has escaped shall present to the appropriate court or to the executive authority of the state where the delinquent juvenile is alleged to be located a written requisition for the return of the delinquent juvenile. The requisition shall state the

or delinquent juvenile is being returned, order the juvenile or delinquent juvenile to return unaccompanied to the state and shall provide the juvenile or delinquent juvenile with a copy of the court order; in this event a copy of the consent shall be forwarded to the compact administrator of the state to which said juvenile or delinquent juvenile is ordered to return.

ARTICLE VI†

COOPERATIVE SUPERVISION OF PROBATIONERS AND PAROLEES

(a) That the duly constituted judicial and administrative authorities of a state party to this compact (herein called "sending state") may permit any delinquent juvenile within such state, placed on probation or parole, to reside in any other state party to this compact (herein called "receiving state") while on probation or parole, and the receiving state shall accept the delinquent juvenile, if the parent, guardian or person entitled to the legal custody of the delinquent juvenile is residing or undertakes to reside within the receiving state. Before granting this permission, opportunity shall be given to the receiving state to make the investigations which it considers necessary. The authorities of the sending state shall send to the authorities of the receiving state copies of pertinent court orders, social case studies and all other available information which may be of value to and assist the receiving state in supervising a probationer or parolee under this compact. A receiving state, in its discretion, may agree to accept supervision of a probationer or parolee in cases where the parent, guardian or person entitled to the legal custody of the delinquent juvenile is not a resident of the receiving state, and if so accepted the sending state may transfer supervision accordingly.

(b) That each receiving state will assume the duties of visitation and of supervision over any such delinquent juvenile and in the exercise of those duties will be governed by the same standards of visitation and supervision that prevail for its own delinquent juveniles released on probation or parole.

(c) That, after consultation between the appropriate authorities of the sending state and of the receiving state as to the desirability and necessity of returning such a delinquent juvenile, the duly accredited officers of a sending state may enter a receiving state and there apprehend and retake any such delinquent juvenile on probation or parole. For that purpose, no formalities will be required, other than establishing the authority of the officer and the identity of the delinquent juvenile to be retaken and returned. The decision of the sending state to retake a delinquent juvenile on probation or parole shall be conclusive upon and not reviewable within the receiving state, but if, at the time the sending state seeks to retake a delinquent juvenile on probation or parole, there is pending against the juvenile within the

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nile's legal custody or supervision there is pending in the state where the juvenile is detained a criminal charge or a proceeding to have the juvenile adjudicated a delinquent juvenile for an act committed in such state, or if the juvenile is suspected of having committed within that state a criminal offense or an act of juvenile delinquency, the juvenile shall not be returned without the consent of that state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for the offense or juvenile delinquency. The duly accredited officers of any state party to this compact, upon the establishment of their authority and the identity of the delinquent juvenile being returned, shall be permitted to transport the delinquent juvenile through any and all states party to this compact, without interference. Upon the juvenile's return to the state from which the juvenile escaped or absconded, the delinquent juvenile shall be subject to the further proceedings which are appropriate under the laws of that state.

(b) That the state to which a delinquent juvenile is returned under this article shall be responsible for payment of the transportation costs of such return.

ARTICLE VI

VOLUNTARY RETURN PROCEDURE

That a delinquent juvenile who has absconded while on probation or parole, or escaped from an institution or agency vested with the delinquent juvenile's legal custody or supervision in a state party to this compact, and a juvenile who has run away from a state party to this compact, who is taken into custody without a requisition in another state party to this compact under the provisions of article IV (a) or of article V (a), may consent to the juvenile's immediate return to the state from which the juvenile absconded, escaped or ran away. This consent shall be given by the juvenile or delinquent juvenile and the juvenile's or delinquent juvenile's counsel or guardian ad litem, if any, by executing or subscribing a writing, in the presence of a judge of the appropriate court, which states that the juvenile or delinquent juvenile and the counsel or guardian ad litem, if any, consent to the return to the demanding state. Before this consent is executed or subscribed, however, the judge, in the presence of counsel or guardian ad litem, if any, shall inform the juvenile or delinquent juvenile of the rights under this compact. When the consent has been duly executed, it shall be forwarded to and filed with the compact administrator of the state in which the court is located and the judge shall direct the officer having the juvenile or delinquent juvenile in custody to deliver the juvenile or delinquent juvenile to the duly accredited officer or officers of the state demanding return of the juvenile or delinquent juvenile, and shall cause to be delivered to the officer or officers a copy of the consent. The court may, however, upon the request of the state to which the juvenile

that the agreements will improve the facilities or programs available for the care, treatment and rehabilitation. The care, treatment and rehabilitation may be provided in an institution located within any state entering into the supplementary agreement. The supplementary agreements shall

(1) provide the rates to be paid for the care, treatment and custody of the delinquent juveniles, taking into consideration the character of facilities, services and subsistence furnished;

(2) provide that the delinquent juvenile shall be given a court hearing before being sent to another state for care, treatment and custody;

(3) provide that the state receiving the delinquent juvenile in one of its institutions shall act solely as agent for the state sending such delinquent juvenile;

(4) provide that the sending state shall at all times retain jurisdiction over delinquent juveniles sent to an institution in another state;

(5) provide for reasonable inspection of such institutions by the sending state;

(6) provide that the consent of the parent, guardian, person or agency entitled to the legal custody of the delinquent juvenile shall be secured before the juvenile is sent to another state; and

(7) make provision for other matters and details which are necessary to protect the rights and equities of the delinquent juveniles and of the cooperating states.

ARTICLE XI

ACCEPTANCE OF FEDERAL AND OTHER AID

That a state party to this compact may accept any and all donations, gifts and grants of money, equipment and services from the federal or a local government, or an agency of it and from a person, firm or corporation, for any of the purposes and functions of this compact, and may receive and utilize them subject to the terms, conditions and regulations governing the donations, gifts and grants.

ARTICLE XII

COMPACT ADMINISTRATORS

That the governor of each state party to this compact shall designate an officer who, acting jointly with like officers of other party states, shall promulgate rules and regulations to carry out more effectively the terms and provisions of this compact.

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receiving state a criminal charge or a proceeding to have the juvenile adjudicated a delinquent juvenile for an act committed in that state, or if the juvenile is suspected of having committed within that state a criminal offense or an act of juvenile delinquency, the juvenile shall not be returned without the consent of the receiving state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for such offense or juvenile delinquency. The duly accredited officers of the sending state may transport delinquent juveniles being so returned through any and all states party to this compact, without interference.

(d) That the sending state shall be responsible under this article for paying the costs of transporting any delinquent juvenile to the receiving state or of returning any delinquent juvenile to the sending state.

ARTICLE VIII

RESPONSIBILITY FOR COSTS

(a) That the provisions of articles IV (b), V (b) and VII (d) of this compact shall not be construed to alter or affect any internal relationship among the departments, agencies and officers of and in the government of a party state, or between a party state and its subdivisions, as to the payment of costs, or responsibilities for the payment of costs.

(b) That nothing in this compact shall be construed to prevent a party state or subdivision of it from asserting a right against a person, agency or other entity in regard to costs for which the party state or subdivision of it is responsible under articles IV (b), V (b) or VII (d) of this compact.

ARTICLE IX

DETENTION PRACTICES

That, to every extent possible, it shall be the policy of states party to this compact that no juvenile or delinquent juvenile shall be placed or detained in a prison, jail or lockup, or detained or transported in association with criminal, vicious or dissolute persons.

ARTICLE X

SUPPLEMENTARY AGREEMENTS

That the duly constituted administrative authorities of a state party to this compact, may enter into supplementary agreements with any other state or states party hereto for the cooperative care, treatment and rehabilitation of delinquent juveniles whenever they shall find

an appropriate institution for delinquent juveniles within the territory of the receiving state, such receiving state to act in that regard solely as agent for the sending state.

(b) Escapees and absconders who would otherwise be returned pursuant to article V of the Compact may be confined or reconfined in the receiving state pursuant to this amendment. In any such case the information and allegations required to be made and furnished in a requisition pursuant to such article shall be made and furnished, but in place of the demand pursuant to article V, the sending state shall request confinement or reconfinement in the receiving state. Whenever applicable, detention orders as provided in article V may be employed pursuant to this paragraph preliminary to disposition of the escapee or absconder.

(c) The confinement or reconfinement of a parolee, probationer, escapee, or absconder pursuant to this amendment shall require the concurrence of the appropriate judicial or administrative authorities of the receiving state.

(d) As used in this amendment:

(1) "sending state" means sending state as that term is used in article VII of the Compact or the state from which a delinquent juvenile has escaped or absconded within the meaning of article V of the Compact;

(2) "receiving state" means any state, other than the sending state, in which a parolee, probationer, escapee, or absconder may be found, provided that said state is a party to this amendment.

(e) Every state which adopts this amendment shall designate at least one of its institutions for delinquent juveniles as a "Compact Institution" and shall confine persons therein as provided in paragraph (a) hereof unless the sending and receiving state in question shall make specific contractual arrangements to the contrary. All states party to this amendment shall have access to "Compact Institutions" at all reasonable hours for the purpose of inspecting the facilities thereof and for the purpose of visiting such of said state's delinquents as may be confined in the institution.

(f) Persons confined in "Compact Institutions" pursuant to the terms of this compact shall at all times be subject to the jurisdiction of the sending state and may at any time be removed from said "Compact Institution" for transfer to an appropriate institution within the sending state, for return to probation or parole, for discharge, or for any purpose permitted by the laws of the sending state.

(g) All persons who may be confined in a "Compact Institution" pursuant to the provisions of this amendment shall be treated in a reasonable and humane manner. The fact of confinement or reconfinement in a receiving state shall not deprive any person so confined or reconfined of any rights which said person would have had if confined or reconfined in an appropriate institution of the sending

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ARTICLE XIII

EXECUTION OF COMPACT

That this compact shall become operative immediately upon its execution by any state as between it and any other state or states so executing. When executed it shall have the full force and effect of law within the state, the form of execution to be in accordance with the laws of the executing state.

ARTICLE XIV

RENUNCIATION

That this compact shall continue in force and remain binding upon each executing state until renounced by it. Renunciation of this compact shall be by the same authority which executed it, by sending six months' notice in writing of its intention to withdraw from the compact to the other states party hereto. The duties and obligations of a renouncing state under article VII hereof shall continue as to parolees and probationers residing therein at the time of withdrawal until retaken or finally discharged. Supplementary agreements entered into under article X hereof shall be subject to renunciation as provided by such supplementary agreements, and shall not be subject to the six months' renunciation notice of the present article.

ARTICLE XV

SEVERABILITY

That the provisions of this compact shall be severable and if a phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of a participating state or of the United States or the applicability of it to a government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability of it to the government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of a state participating in it, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

ARTICLE XVI

OUT-OF-STATE CONFINEMENT

(a) Whenever the duly constituted judicial or administrative authorities in a sending state shall determine that confinement of a probationer or reconfinement of a parolee is necessary or desirable, said officials may direct that the confinement or reconfinement be in

diction the institution is operated, or whose department or agency is charged with performing the service. (§ 3 ch 88 SLA 1960)

Sec. 47.15.040. Financial arrangements. The compact administrator, subject to the approval of the commissioner of administration, may make or arrange for the payments necessary to discharge the financial obligations imposed upon this state by the compact or by a supplementary agreement made under the compact. (§ 4 ch 88 SLA 1960)

Sec. 47.15.050. Appointment of attorney or guardian. Appointment of an attorney or guardian ad litem under the provisions of this compact shall be made in accordance with AS 25.24.310 or AS 44.21.400 — 44.21.440. (§ 5 ch 88 SLA 1960; am § 55 ch 94 SLA 1980; am § 16 ch 55 SLA 1984)

Cross references. — See Admin. R. 13, Alaska Rules of Court.

Effect of amendments. — The 1984 amendment rewrote this section, which formerly read "A council or guardian ad

litem appointed under the provisions of this compact may be paid as provided in the Rules Governing the Administration of all Courts."

Sec. 47.15.060. Enforcement. The courts, departments, agencies and officers of this state and its subdivisions shall enforce this compact and shall do all things appropriate to the effectuation of its purposes and intent which are within their respective jurisdiction. (§ 6 ch 88 SLA 1960)

Sec. 47.15.070. Additional procedures not precluded. In addition to the procedures provided in articles IV and VI of the compact for the return of a runaway juvenile, the particular states, the juvenile or the juvenile's parents, the courts, or other legal custodian involved may agree upon and adopt any plan or procedure legally authorized under the laws of this state and the other respective party states for the return of the runaway juvenile. (§ 7 ch 88 SLA 1960)

Sec. 47.15.080. Short title. This chapter may be cited as the Uniform Interstate Compact on Juveniles. (§ 8 ch 88 SLA 1960)

Chapter 17. Child Protection.

Section

- 10. Purpose
- 20. Persons required to report
- 25. Duties of public authorities
- 30. Action on reports: termination of parental rights
- 40. Central registry; confidentiality

Section

- 50. Immunity
- 60. Evidence not privileged
- 64. Photographs and x-rays
- 68. Penalty for failure to report
- 70. Definitions

Sec. 47.17.010. Purpose. In order to protect children whose health and well-being may be adversely affected through the infliction, by

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§ 47.15.020 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.15.030

state; nor shall any agreement to submit to confinement or reconfinement pursuant to the terms of this amendment be construed as a waiver of any rights which the delinquent would have had if the delinquent had been confined or reconfined in any appropriate institution of the sending state except that the hearing or hearings, if any, to which a parolee, probationer, escapee, or absconder may be entitled (prior to confinement or reconfinement) by the laws of the sending state may be had before the appropriate judicial or administrative officers of the receiving state. In this event, said judicial and administrative officers shall act as agents of the sending state after consultation with appropriate officers of the sending state.

(h) Any receiving state incurring costs or other expenses under this amendment shall be reimbursed in the amount of such costs or other expenses by the sending state unless the states concerned shall specifically otherwise agree. Any two or more states party to this amendment may enter into supplementary agreements determining a different allocation of costs as among themselves.

(i) This amendment shall take initial effect when entered into by any two or more states party to the compact and shall be effective as to those states which have specifically enacted this amendment. Rules and regulations necessary to effectuate the terms of this amendment may be promulgated by the appropriate officers of those states which have enacted this amendment. (§ 1 ch 88 SLA 1960; am § 2 ch 67 SLA 1966)

Editor's notes. — Section 1, ch. 67, SLA 1966. provides: "The Out-of-State Confinement Amendment to the Interstate Compact on Juveniles is hereby enacted into

law and entered into by this state with all other states legally joining therein in the form substantially as follows in this Act."

Sec. 47.15.020. Juvenile compact administrator. Under the compact, the governor may designate an officer as the compact administrator. The administrator, acting jointly with like officers of other party states, shall adopt regulations to carry out more effectively the terms of the compact. The compact administrator serves subject to the pleasure of the governor. The compact administrator shall cooperate with all departments, agencies and officers of and in the government of this state and its subdivisions in facilitating the proper administration of the compact or of a supplementary agreement entered into by this state. (§ 2 ch 88 SLA 1960)

Sec. 47.15.030. Supplementary agreements. The compact administrator may make supplementary agreements with appropriate officials of other states pursuant to the compact. If a supplementary agreement requires or contemplates the use of an institution or facility of this state or requires or contemplates the provision of a service of this state, the supplementary agreement has no force or effect until approved by the head of the department or agency under whose juris-

(c) If the person making a report of harm under this section cannot reasonably contact the nearest office of the department and immediate action is necessary for the well-being of the child, the person shall make the report to a peace officer. The peace officer shall take immediate action to protect the child and shall, at the earliest opportunity, notify the nearest office of the department. (§ 1 ch 100 SLA 1971; am §§ 4, 5 ch 104 SLA 1982; am E.O. No. 55, § 42 (1984))

Effect of amendments. — The 1982 amendment, in subsection (a), added "and school administrative staff members" at the end of paragraph (2) and added paragraphs (6) and (7).

The 1984 amendment substituted "Department of Corrections" for "division of corrections" in paragraph (4) of subsection (a).

NOTES TO DECISIONS

Cited in *State v. R.H.*, Ct. App. Op. No. 375 (File No. 7768), P.2d (1984).

Collateral references. — Civil liability report battered child syndrome, 97 ALR3d of physician for failure to diagnose or 33E.

Sec. 47.17.025. Duties of public authorities. (a) A law enforcement agency shall immediately notify the department of the receipt of a report of harm to a child from abuse. Upon receipt from any source of a report of harm to a child from abuse, the department shall notify the Department of Law and investigate the report and, within 72 hours of the receipt of the report, shall provide a written report of its investigation of the harm to a child from abuse to the Department of Law for review.

(b) The report of harm to a child from abuse required from the department by this section shall include:

(1) the names and addresses of the child and the child's parent or other persons responsible for the child's care, if known;

(2) the age and sex of the child;

(3) the nature and extent of the harm to the child from abuse;

(4) the name and age and address of the person known or believed to be responsible for the harm to the child from abuse, if known;

(5) information that the department believes may be helpful in establishing the identity of the person believed to have caused the harm to the child from abuse. (§ 6 ch 104 SLA 1982)

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§ 47.17.020 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.17.020

other than accidental means, of harm through physical abuse or neglect or sexual abuse or sexual exploitation, the legislature requires the reporting of these cases by practitioners of the healing arts and others to the appropriate public authorities. It is the intent of the legislature that, as a result of these reports, protective services will be made available in an effort to prevent further harm to the child, to safeguard and enhance the general well-being of the children in this state, and to preserve family life whenever possible. (§ 1 ch 100 SLA 1971; am § 3 ch 104 SLA 1982)

Effect of amendments. — The 1982 amendment, in the first sentence, substituted "neglect or sexual abuse or sexual exploitation" for "neglect requiring the attention of a practitioner of the healing arts" and inserted "of the healing arts."

NOTES TO DECISIONS

Use of reports. — The reports of child abuse and neglect required by this section are intended for use in child protection proceedings and are not intended for use in criminal proceedings. State v. R.H., Ct. App. Op. No. 375 (File No. 7768), P.2d (1984). See also notes to AS 47.17.060, under catchline "Judicial proceeding."

Collateral references. — 42 Am. Jur. 2d, Infants, §§ 16, 17.
43 C.J.S., Infants, §§ 36 to 39, 70 to 75, 94.
Medical attention, criminal neglect by failure to provide, 12 ALR2d 1047.
Liability of parent for injury to unemancipated child caused by parent's negligence, 41 ALR3d 904.
Validity and construction of penal statute prohibiting child abuse, 1 ALR4th 38.

Sec. 47.17.020. Persons required to report. (a) The following persons who, in the performance of their professional duties, have cause to believe that a child has suffered harm as a result of abuse or neglect shall immediately report the harm to the nearest office of the department:

- (1) practitioners of the healing arts;
- (2) school teachers and school administrative staff members;
- (3) social workers;
- (4) peace officers, and officers of the Department of Corrections;
- (5) administrative officers of institutions;
- (6) licensed day care providers and paid staff;
- (7) licensed foster care providers.

(b) This section does not prohibit the named persons from reporting cases which have come to their attention in their nonprofessional capacities nor does it prohibit any other person from reporting a child's harm which the person has cause to believe is a result of abuse or neglect. These reports shall be made to the nearest office of the department.

Applied in *State v. R.H.*, Ct. App. Op. No. 375 (File No. 7768), P.2d (1984).

Quoted in *Granato v. Occhipinti*, Sup. Ct. Op. No. 1962 (File No. 3756), 602 P.2d 442 (1979).

Collateral references. — 43 C.J.S., Infants, §§ 71, 72.

Physical abuse of child by parent as ground for termination of parent's right to child. 53 ALR3d 605.

Sexual abuse of child by parent as

ground for termination of parent's right to child, 58 ALR3d 1074.

Validity of state statute providing for termination of parental rights, 22 ALR4th 774.

Sec. 47.17.040. Central registry; confidentiality. (a) The department shall maintain a central registry of all investigation reports but not of the reports of harm.

(b) Investigation reports and reports of harm filed under this chapter are considered confidential and are not subject to public inspection and copying under AS 09.25.110 and 09.25.120. However, in accordance with department regulations, investigation reports may be used by appropriate governmental agencies with child-protection functions, inside and outside Alaska, in connection with investigations or judicial proceedings involving child abuse, neglect, or custody. A person, not acting in accordance with department regulations, who makes public information contained in confidential reports is guilty of a misdemeanor. (§ 1 ch 100 SLA 1971; am § 2 ch 222 SLA 1976)

NOTES TO DECISIONS

Psychotherapist/patient privilege. — Child abuse reports are not open to the public, and are therefore not within A.R.E.R. 504(d)(5), which provides that there is no physician or psychotherapist/patient privilege "as to information that the physician or

psychotherapist is required to report to a public employee or as to information required to be recorded in a public office, if such report or record is open to public inspection." *State v. R.H.*, Ct. App. Op. No. 375 (File No. 7768), P.2d (1984).

Sec. 47.17.050. Immunity. A person who, in good faith, makes a report under this chapter, or who participates in judicial proceedings related to the submission of reports under this chapter, is immune from any civil or criminal liability which might otherwise be incurred or imposed. (§ 1 ch 100 SLA 1971)

Sec. 47.17.060. Evidence not privileged. Neither the physician-patient nor the husband-wife privilege is a ground for excluding evidence regarding a child's harm, or its cause, in a judicial proceeding related to a report made under this chapter. (§ 1 ch 100 SLA 1971)

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§ 47.17.030 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.17.030

NOTES TO DECISIONS

Applied in State v. R.H., Ct. App. Op.
No. 375 (File No. 7768), P.2d
(1984).

Sec. 47.17.030. Action on reports; termination of parental rights. (a) If a child, concerning whom a report of harm is made, is believed to reside within the boundaries of a local government exercising health functions for the area in which the child is believed to reside, the department may, upon receipt of the report, refer the matter to the appropriate health or social services agency of that local government. For cases not referred to an agency of a local government, the department shall, for each report received, investigate and take action, in accordance with law, which may be necessary to prevent further harm to the child or to insure the proper care and protection of the child.

(b) A local government health or social services agency receiving a report of harm shall, for each report received, investigate and take action, in accordance with law, which may be necessary to prevent further harm to the child or to insure the proper care and protection of the child. In addition, the agency receiving a report of harm shall forward a copy of its report of the investigation, including information the department requires by regulation, to the department.

(c) Action shall be taken regardless of whether the identity of the person making the report of harm is known.

(d) Before the department or a local government health or social services agency may seek the termination of parental rights, under AS 47.10.080(c)(3), it shall offer protective social services and pursue all other reasonable means of protecting the child.

(e) In all actions taken by the department or a health and social services agency of a local government under this chapter that result in a judicial proceeding, the child shall be represented by a guardian ad litem in that proceeding. Appointment of a guardian ad litem shall be made in accordance with AS 25.24.310. (§ 1 ch 100 SLA 1971; am § 1 ch 222 SLA 1976; am § 17 ch 55 SLA 1984)

Effect of amendments. — The 1984 amendment added the second sentence in subsection (e).

NOTES TO DECISIONS

Effect of subsection (d). — Subsection (d) of this section is clearly intended to prevent further abuse by providing protective services to the child, and it does not place a mandatory duty on the state to pro-

vide counseling and other support services to the family prior to seeking termination of parental rights. E.A. v. State, Sup. Ct. Op. No. 2289 (File Nos. 4687, 4870), 623 P.2d 1210 (1981).

(4) "institution" means a private or public hospital or other facility providing medical diagnosis, treatment, or care;

(5) "neglect" means the failure to provide necessary food, care, clothing, shelter, or medical attention for a child;

(6) "practitioner of the healing arts" includes chiropractors, dentists, health aides, nurses, optometrists, osteopaths, physical therapists, physicians, psychiatrists, psychologists, religious healing practitioners, and surgeons;

(7) "sexual exploitation" means

(A) permission or encouragement to a child for prostitution prohibited by AS 11.66.100 — 11.66.150 by a person responsible for the child's welfare;

(B) permission, encouragement, or activity involved in the unlawful exploitation of a minor prohibited by AS 11.41.455 by a person responsible for the minor's welfare. (§ 1 ch 100 SLA 1971; am § 6 ch 104 SLA 1971; am § 3 ch 222 SLA 1976; am §§ 56, 57 ch 94 SLA 1980; am §§ 8, 9 ch 104 SLA 1982)

Effect of amendments. — The 1980 amendment substituted "18" for "eighteen" near the middle of paragraph (1), and substituted "18" for "16" in paragraph (2).

The 1982 amendment inserted "or neglect" and "sexual exploitation" in paragraph (1) and added paragraph (7).

NOTES TO DECISIONS

Where parents refuse permission for blood transfusion because of religious conviction, the state may intercede and make the child a dependent minor by the parents' failure to provide medical

attention under paragraph (5) of this section, obtaining custody and thereafter consenting to the operation. In re Lausterer, Superior Court, 3rd Jud. Dist., No. CP2720 (1972).

Chapter 20. Exceptional Children.

Section
05. Purpose
10. Assistance authorized

Section
20. Standards for assistance
50. Definitions

Sec. 47.20.005. Purpose. It is the purpose of AS 47.20.005 — 47.20.050 to provide appropriate public education and training for the exceptional children in this state who have not reached the age of three. To the maximum extent possible, the department shall establish a learning program which emphasizes individual needs, is home based, and involves parents in the education and training of their children. (§ 1 ch 77 SLA 1978)

Sec. 47.20.010. Assistance authorized. (a) The department shall provide professional guidance and financial assistance to organized groups of parents, nonprofit corporations, school districts, and regional educational attendance areas according to regulations adopted by the

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§ 47.17.064 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.17.070

NOTES TO DECISIONS

For discussion of constitutional problems in interpreting this section to abrogate psychotherapist privilege in criminal proceedings, see *State v. R.H.*, Ct. App. Op. No. 375 (File No. 7768), P.2d (1984).

Applicability to psychologists. — The court assumed but did not decide that this section applies to psychologists, who are not physicians. *State v. R.H.*, Ct. App. Op. No. 375 (File No. 7768), P.2d (1984).

"Judicial proceeding". — This section only applies to child protective proceedings instituted under AS 47.10 and not to criminal proceeding for sexual abuse. *State v. R.H.*, Ct. App. Op. No. 375 (File No. 7768), P.2d (1984).

Giving the Department of Health and Social Services primary control of the abused child again indicates a legislative intent that the "judicial proceedings"

referred to in this section occur through the department in relation to protective services, and are civil rather than criminal. *State v. R.H.*, Ct. App. Op. No. 375 (File No. 7768), P.2d (1984).

Since AS 47.17.025 refers to the Department of Law, without reference to the criminal division, AS 47.17.025 does not, standing alone, necessarily resurrect the requirement of former AS 11.67.040 that the district attorney receive child abuse reports; nor does it establish an intent that child abuse reports result in criminal prosecutions; and consequently, the Court of Appeals could not find that a criminal prosecution for child sexual abuse is necessarily "a judicial proceeding related to a report made under this chapter" pursuant to this section. *State v. R.H.*, Ct. App. Op. No. 375 (File No. 7768), P.2d (1984).

Sec. 47.17.064. Photographs and x-rays. The department or a person required under AS 47.17.020(a)(1) to report that a child suffered substantial harm as a result of physical abuse or neglect may without the permission of the parents

- (1) take or have taken photographs of the areas of trauma visible on the child; and
- (2) if medically indicated, have a radiological examination of the child performed. (§ 7 ch 104 SLA 1982)

Sec. 47.17.068. Penalty for failure to report. A person required to file a report of abuse or neglect under AS 47.17.020 who wilfully or knowingly fails or refuses to report the harm required under AS 47.17.020 is guilty of a class B misdemeanor. (§ 7 ch 104 SLA 1982)

Cross references. — For penalties for misdemeanors, see AS 12.55.135.

Sec. 47.17.070. Definitions. In AS 47.17.010 — 47.17.070

- (1) "child abuse or neglect" means the physical injury or neglect, sexual abuse, sexual exploitation, or maltreatment of a child under the age of 18 by a person who is responsible for the child's welfare under circumstances which indicate that the child's health or well'are is harmed or threatened thereby;
- (2) "child" means a person under 18 years of age;
- (3) "department" means the Department of Health and Social Services;

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- (B) family and interpersonal counseling;
- (C) community systems utilization:
 - (i) transportation,
 - (ii) community services systems,
 - (iii) community problem solving.
- (b) Criteria for adventure-based education programs shall be estab-
lished by the Department of Community and Regional Affairs and
shall include provisions for
 - (1) staff members with background experience in Outward Bound,
NOLS, Alaska Wilderness Experience, Inc., or other similar wilderness
skills programs or indigenous cultural experience;
 - (2) minimum program standards. (§ 4 ch 86 SLA 1979)

Chapter 23. Child Support Enforcement Agency.

Section	Section
10. Creation of child support enforcement agency	port obligations; modification of a finding or decision of responsibility
20. Duties and responsibilities of the agency	200. Administrative establishment of support obligations; use of standards in determination of support payments
25. Rates of penalty and interest	210. Administrative establishment of support obligations; obtaining judicial review
30. Establishment of fund	220. Administrative establishment of support obligations; procedure on review
40. Determination of paternity	225. Support payment obligations as judgments
45. Determination of support obligation	226. Action to collect child support
50. Legal assistance	227. Nature of remedies
60. Order of support	228. Court costs
65. Waiver of child support	230. Assertion of lien
70. Order to assign wages for support	240. Service of lien
80. Enforcement of support orders	250. Order to withhold and deliver
85. Subpoenas	253. Earnings subject to an order or lien
95. Agency exempt from execution	255. Income assignment orders
100. All persons may use agency	260. Civil liability upon failure to comply with an order or lien
103. Payments to agency	265. Service; notification of change of address
105. Audit of collections	270. Judicial relief from administrative execution
120. Obligor liable for public assistance furnished obligee	273. Reporting of payment information concerning delinquent obligors
130. Subrogation of state	275. Location of children
140. Power of agency to administratively establish and enforce support obligation; procedures to be utilized	280. Severability: Alternative when method of notification held invalid
150. Required notice in administrative enforcement of support orders	900. Definitions
160. Administrative establishment of support obligations; notice and finding of financial responsibility	
170. Administrative establishment of support obligations; hearing	
180. Administrative establishment of support obligations; decision	
190. Administrative establishment of sup-	

Cross references. — For the purpose of this chapter, see § 1, ch. 126, SLA 1977.

Editor's notes. — Section 6, ch. 251, SLA 1976, provides: "Section 1 of this Act

§ 47.20.010

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§ 47.20.020 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.20.050

department for providing special services, evaluation, and special training required by exceptional children.

(b) The program established under (a) of this section shall emphasize individual needs and, where possible, be home based and involve parents in the education and training of their children. (§ 2 ch 118 SLA 1961; am § 6 ch 104 SLA 1971; am § 2 ch 77 SLA 1978)

Sec. 47.20.020. Standards for assistance. The department shall assist organized parental groups, school districts, regional educational attendance areas, and nonprofit corporations which have requested assistance and have arranged for the necessary facilities and equipment for training centers for exceptional children. (§ 3 ch 118 SLA 1961; am § 5 ch 77 SLA 1978)

Secs. 47.20.030 — 47.20.040. Appropriations; purpose. [Repealed, 7 6 ch 77 SLA 1978.]

Sec. 47.20.050. Definitions. In this chapter

(1) "department" means the Department of Health and Social Services;

(2) "evaluation" means the physical and mental examinations necessary to determine the extent of the handicap;

(3) "exceptional children" includes those children who have not reached age of three and whose development is significantly delayed due to mental retardation, physical, neurological, or emotional handicaps;

(4) "professional guidance" means the consultative services or other medical and educational specialists developed by the department for the education and training of exceptional children;

(5) "special service" means evaluation and special training;

(6) "special training" means (A) nursery or pre-school training to compensate for the special handicaps of exceptional children in order to prepare them, when possible, for admission to special classes in a regular school at the age determined by law, or (B) training in self-help skills, safety, social and simple occupational skills for trainable mentally retarded children of school age who are incapable of academic subjects. (§ 5 ch 118 SLA 1961; am §§ 4-6 ch 77 SLA 1978)

Revisor's notes. — Reorganized in 1984 to alphabetize the terms defined.

Chapter 21. Adventure-Based Education.

Section

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20. Program

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§ 47.23.025 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.23.050

Effect of amendments. — The 1982 amendment added subsection (b). The amendment also, in present subsection (a), substituted the language beginning "subject to AS 47.23.025 and to federal law" and ending "arrearages of support that

shall" for "a uniform schedule of fees which may" and "upon notice if child support payments" for "if the child support payments" in subparagraph (2)(C), and added paragraphs (6) and (7).

Sec. 47.23.025. Rates of penalty and interest. A penalty imposed under AS 47.23.020(a)(2)(C) may not be at a rate that exceeds the rate of interest imposed on delinquent taxes under AS 43.05.225. The rate of interest imposed under AS 47.23.020(a)(2)(C) shall equal the rate imposed under AS 43.05.225 or a lesser rate that is the maximum rate of interest permitted to be imposed under federal law. (§ 6 ch 118 SLA 1982)

Sec. 47.23.030. Establishment of fund. There is established in the state general fund a continuing, revolving, reserve account to receive collections and make the authorized disbursements of the agency. (§ 1 ch 251 SLA 1976)

Sec. 47.23.040. Determination of paternity. (a) The agency shall appear on behalf of minor children or their mother or legal custodian or the state and initiate efforts to have the paternity of children born out of wedlock determined by the court on voluntary application by the mother or other legal custodian.

(b) The agency may not attempt to establish paternity in any case involving incest or forcible rape, when legal proceedings for adoption are pending, or when it would not be in the best interests of the children or the state. (§ 1 ch 251 SLA 1976; am § 18 ch 126 SLA 1977)

NOTES TO DECISIONS

Appointment of counsel for indigent defendant. — In light of the fact that paternity suits, in effect, are brought by the state, the significance of the parent-child relationship involved and the

peculiar problems presented in such a proceeding, due process requires the appointment of counsel for an indigent defendant. Reynolds v. Kimmons, Sup. Ct. Op. No. 1505 (File No. 3305). 569 P.2d 799 (1977).

Sec. 47.23.045. Determination of support obligation. The agency may appear in an action seeking an award of support in behalf of a child owed a duty of support, and may also appear in an action seeking modification of a support order, decree or judgment already entered. Action under this section may be undertaken upon application of an obligee, or at the agency's own discretion if the obligor is liable to the state under AS 47.23.120(a) or (b). (§ 19 ch 126 SLA 1977)

Sec. 47.23.050. Legal assistance. The agency shall contract with the Department of Law to provide needed legal services. (§ 1 ch 251 SLA 1976; am § 20 ch 126 SLA 1977)

has the effect of amending Rule 67, Rules of Civil Procedure, by identifying situations where child support payments need not be made to the agency. The section containing the change in court rule must be approved by an affirmative vote of

two-thirds of the membership to which the house is entitled."

Legislative history reports. — For report on ch. 251, SLA 1976 (HCS SSSB 659 [Rules]), see 1976 House Journal, p. 1583.

Sec. 47.23.010. Creation of child support enforcement agency. There is created in the Department of Revenue the child support enforcement agency. (§ 1 ch 251 SLA 1976; am § 16 ch 126 SLA 1977)

Cross references. — For the Uniform Reciprocal Enforcement of Support Act, see AS 25.25.

Sec. 47.23.020. Duties and responsibilities of the agency. (a) The agency shall

(1) obtain, enforce, and administer child support orders of the superior courts of the state;

(2) adopt regulations to carry out the purposes of this chapter including regulations which establish

(A) schedules for determining the amount an obligor is liable to contribute toward the support of an obligee under this chapter and under 42 U.S.C. 651—665 (Title IV-D, Social Security Act);

(B) procedures for hearings conducted under AS 47.23.170; and

(C) subject to AS 47.23.025 and to federal law, a uniform schedule of penalties and a rate of interest on arrearages of support that shall be charged the obligor upon notice if child support payments are 10 or more days overdue or if payment is made by a check backed by insufficient funds;

(3) administer and enforce the Uniform Reciprocal Enforcement of Support Act (AS 25.25);

(4) establish, enforce, and administer child support obligations administratively in accordance with this chapter;

(5) administer the state plan required under 42 U.S.C. 651—665 (Title IV-D, Social Security Act), as amended;

(6) disburse child support payments collected by the agency to the obligee together with interest charged under (2)(C) of this subsection; and

(7) deposit penalties charged under (2)(C) of this subsection in the general fund.

(b) In determining the amount of money an obligor must pay to satisfy the obligor's immediate duty of support, the agency shall consider all payments made by the obligor directly to the obligee or to the obligee's custodian. (§ 1 ch 251 SLA 1976; am § 17 ch 126 SLA 1977; am §§ 3 — 5 ch 118 SLA 1982)

§ 47.23.065

Social Services.
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§ 47.23.070 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.23.080

(2) the agreement is signed at the time it is made by both the obligor and the person acting for the obligee.

(b) When the right to receive child support has been assigned to a governmental entity, an agreement under (a) of this section that has not been adopted as an administrative order of the agency is not effective during a period when the obligee is receiving public assistance under AS 47.25.310 — 47.25.420.

(c) In a separation, dissolution, or divorce proceeding, a court may not accept a waiver of support by a custodial parent without proof that the custodial parent can support the needs of the child adequately. (§ 6 ch 144 SLA 1984).

Cross references. — For legislative findings and purpose, see § 1, ch. 144, SLA 1984 in the Temporary and Special Acts.

Sec. 47.23.070. Order to assign wages for support. (a) In a proceeding in which the court has ordered either or both parents to pay for the support of a minor child, the court may, on its own motion or motion of a party or the agency on behalf of a party, after notice and an opportunity for hearing, order either parent or both parents to assign to the custodian of the child that portion of salary or wages of either parent due them currently and in the future sufficient to pay the amount ordered by the court for the support, maintenance, nurture and education of the minor child.

(b) The order of assignment is binding upon an employer upon service of a copy of the order upon the employer and until further order of the court. The employer may, for each payment made under the order, deduct \$1 from other wages or salary owed to the employee.

(c) The assignment made under court order has priority as against an attachment, execution or other assignment unless otherwise ordered by the court.

(d) An employer may not terminate an employee's employment because wages of the employee are subject to an order under this section. (§ 1 ch 251 SLA 1976; am § 22 ch 126 SLA 1977)

Sec. 47.23.080. Enforcement of support orders. (a) A court order requiring payment of child support shall be modified to order payments be made to the agency upon application.

(b) The agency on behalf of the custodian or the state shall take all necessary action permitted by law to enforce child support orders so entered, including petitioning the court for orders to aid in the enforcement of child support.

(c) The determination or enforcement of a duty of support is unaffected by any interference by the custodian of the child with rights of custody or visitation granted by a court. When the agency appears on behalf of a child in an action seeking to establish or enforce support, the court may not adjudicate custody, visitation, or property rights in the same action.

NOTES TO DECISIONS

Legal services for Department of Health and Social Services. — Under this section, the Department of Law may provide needed legal services for the Department of Health and Social Services. Reynolds v. Kimmons, Sup. Ct. Op. No. 1505 (File No. 3305), 569 P.2d 799 (1977).

Sec. 47.23.060. Order of support. (a) An order of support establishes a relationship by which the custodian of the child is the administrator for the purposes of administering child support on behalf of the child. The court shall carefully consider the need for support, the ability of both parents to meet such support obligations, the extent to which the parents supported the child before divorce, and the economic ability of the parents to pay after separation and divorce. The court shall also consider the effect on the support obligation of a change in custodian. The need of the child for support shall be considered regardless of the sex of the parent awarded custody of the child.

(b) *[Repealed, § 21 ch 126 SLA 1977.]*

(c) In a court proceeding where the support of a minor child is an issue, the court may order either or both parents to pay the amount necessary for support, maintenance, nurture and education of the child. Upon a showing of good cause the court may order the parents required to pay support to give reasonable security for payments. An order for prospective child support may be modified or revoked as the court considers necessary. (§ 1 ch 251 SLA 1976; am § 21 ch 126 SLA 1977)

NOTES TO DECISIONS

Effect of waiver of child support. — A waiver freely executed by custodial parent can be asserted by noncustodial parent to bar recovery of child support arrearages without any formalities such as consideration or contemporaneous judicial scrutiny, absent a finding that such a result would be deleterious to the child. Malekos v. Chloe Ann Yin, Sup. Ct. Op. No. 2580 (File Nos. 5767, 5817), 655 P.2d 728 (1982).

Retraction of waiver. — Custodial parent may retract waiver of decretory child support at any time by initiating proceedings to enforce support obligation, and once withdrawn, the support obligation is renewed, subject to the court's continuing authority to modify the support obligation in light of changed circumstances. Malekos v. Chloe Ann Yin, Sup. Ct. Op. No. 2580 (File Nos. 5767, 5817), 655 P.2d 728 (1982).

Sec. 47.23.065. Waiver of child support. (a) A custodian of a child, including a custodial parent, owes a duty to that child to ensure that child support is paid by a noncustodial parent who is obligated to pay it. An agreement to waive past or future child support, made between an obligor and a person who is entitled to receive support on behalf of an obligee, is not enforceable unless

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§ 47.23.100

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§ 47.23.103 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.23.120

Revisor's notes. — As amended by § 7, ch. 118, SLA 1982, this section contained a subsection (b) which has been redesignated as AS 47.23.103.

Effect of amendments. — The 1981 amendment, in present subsection (a), substituted the present second sentence for the former second and third sentences

which read "If the obligee is indigent or otherwise unable to pay for these services, the agency shall act without charge to the obligee. If the agency determines that the obligee is financially able to pay, costs shall be assessed according to regulations adopted by the department and be paid into the fund established in AS 47.23.030."

Sec. 47.23.103. Payments to agency. An obligor may make child support payments to the agency. An obligor may pay money to the agency to satisfy the obligor's immediate duty of child support as well as any additional amount of money intended by the obligor to be used for support of the child. The agency shall disburse that portion of a payment that exceeds the amount of money necessary to satisfy the obligor's immediate duty of support in accordance with the instructions of the obligor. The agency shall credit money disbursed under this subsection toward satisfaction of the obligor's duty of support. (§ 7 ch 118 SLA 1982)

Revisor's notes. — Enacted as AS 47.23.100(b). Renumbered in 1982.

Sec. 47.23.105. Audit of collections. Within 10 working days after receipt of a written request from an obligor or the obligor's legal representative, the agency shall provide an audit of all child support payments made by the obligor and received by the agency. The audit shall include the date and amount of each payment, the name of the obligee, and the total amount of arrearages of support past due and amount of unpaid penalties and interest imposed under AS 47.23.020(a)(2)(C). The agency is required to provide an audit for an obligor under this section only once each year. (§ 8 ch 118 SLA 1982)

Sec. 47.23.110. [Renumbered as AS 47.23.900.]

Sec. 47.23.120. Obligor liable for public assistance furnished obligee. (a) An obligor is liable to the state in the amount of assistance granted under AS 47.25.310 — 47.25.420 to a child whom the obligor owes a duty of support except that if a support order has been entered, the liability of the obligor may not exceed the amount of support provided for in the support order.

(b) An obligor is liable to the state in the amount of the cost incurred if the state is maintaining a child whom the obligor owes a duty of support in a foster home or institution, except that if a support order has been entered, or an agreement for payment of that cost executed between the obligor and the state, the liability of the obligor may not exceed the amount provided in the support order or agreement. (§ 29 ch 126 SLA 1977)

(d) An order of arrest may not be issued in the enforcement of child support unless the court has reason to believe that the obligor may flee the jurisdiction or unless the obligor has been ordered to appear in the action and has failed to do so. (§ 1 ch 251 SLA 1976; am § 23 ch 126 SLA 1977; am § 7 ch 144 SLA 1984)

Revisor's notes. — The wording of AS 47.23.080(d), as it appeared in ch. 126, SLA 1977 used the term "obligee" which appears to be a clear error and has been changed to "obligor."

Cross references. — For legislative findings and purpose in connection with the 1984 amendment of this section, see § 1, ch. 144, SLA 1984 in the Temporary and Special Acts.

Effect of amendments. — The 1984 amendment added the second sentence of subsection (c).

Editor's notes. — Section 34, ch. 126, SLA 1977, provides: "Section 23 of this Act has the effect of changing Rule 67(b) of the Rules of Civil Procedure of the Alaska Supreme Court. It removes the requirement that the court accept reasonable agreements as to method of payment of child support. It requires that the court order payments to be made to the child support enforcement agency only upon application, and not in every child support matter coming before the court."

NOTES TO DECISIONS

Quoted in *Malekos v. Chloe Ann Yin*, Sup. Ct. Op. No. 2580 (File Nos. 5767, 5817), 655 P.2d 728 (1982).

Sec. 47.23.085. Subpoenas. The agency, with the concurrence of the commissioner of revenue, may subpoena persons, books, records, and documents to determine the extent and location of assets of any obligor who is more than 45 days in arrears in a child support obligation established either by court or administrative order. (§ 8 ch 144 SLA 1984)

Cross references. — For legislative findings and purpose, see § 1, ch. 144, SLA 1984 in the Temporary and Special Acts.

Sec. 47.23.090. Reducing arrears to judgment. [Repealed, § 24 ch 126 SLA 1977.]

Sec. 47.23.095. Agency exempt from execution. Execution may not issue against money held in the fund established under AS 47.23.030. (§ 25 ch 126 SLA 1977)

Sec. 47.23.100. All persons may use agency. The agency shall provide aid to any person due child support under the laws of this state upon application. The agency may not impose a fee for services provided under AS 47.23.010 — 47.23.280 unless required by federal law. (§ 1 ch 251 SLA 1976; am § 26 ch 126 SLA 1977; am § 3 ch 96 SLA 1981)

§ 47.23.150

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§ 47.23.160 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.23.170

(b) Notice served under (a) of this section shall state the amount of the obligor's liability under the support order and that the property of the obligor is subject to execution in that amount in accordance with the procedures prescribed in AS 47.23.230 — 47.23.270 at the expiration of 30 days from the date of service of the notice. (§ 29 ch 126 SLA 1977)

Sec. 47.23.160. Administrative establishment of support obligations; notice and finding of financial responsibility. (a) An action to establish a duty of support authorized under AS 47.23.140(a) is initiated by the agency serving on the alleged obligor a notice and finding of financial responsibility. The notice and finding served under this subsection shall be served personally or by registered, certified, or insured mail, return receipt requested, for restricted delivery only to the person to whom the notice and finding is directed or to the person authorized under federal regulation to receive that person's restricted delivery mail.

(b) The notice and finding of financial responsibility served under (a) of this section shall state

(1) the sum or periodic payments for which the alleged obligor is found to be responsible, calculated by taking into consideration the need of the alleged obligee, the alleged obligor's liability to the state under AS 47.23.130 if any, and the duty of support under the law;

(2) the name of the alleged obligee and the obligee's custodian;

(3) that the alleged obligor may appear and show cause in a hearing held by the agency why the finding is incorrect, should not be finally ordered, and should be modified or rescinded, because (A) no duty of support is owed, or (B) the amount of support found to be owed is incorrect;

(4) that if the person served with the notice and finding of financial responsibility does not request a hearing within 30 days, the property of the person will be subject to execution in accordance with AS 47.23.230 — 47.23.270 in the amounts stated in the finding without further notice or hearing. (§ 29 ch 126 SLA 1977)

Sec. 47.23.170. Administrative establishment of support obligations; hearing. (a) A person served with a notice and finding of financial responsibility is entitled to a hearing if a request in writing for a hearing is served on the agency by registered mail, return receipt requested, within 30 days of the date of service of the notice of financial responsibility.

(b) If a request under (a) of this section is made, the execution under AS 47.23.230 — 47.23.270 shall be stayed pending the decision on the hearing, or the decision of a court, if appealed. If no request for a hearing is made, the finding of responsibility is final at the expiration of the 30-day period.

Sec. 47.23.130. Subrogation of state. (a) If the obligor is liable to the state under AS 47.23.120(a) or (b), the state is subrogated to the rights of the obligee to

(1) bring an action in the superior court seeking an order of support;
(2) proceed under AS 47.23.160 — 47.23.270 to establish a duty of support; or

(3) enforce by execution, in accordance with AS 47.23.230 — 47.23.270, or otherwise, a support order entered in favor of the obligee.

(b) To establish or enforce an order of support, based on the subrogation of the state, the agency is not limited to the amount of assistance being granted to the minor child.

(c) The recovery of any amount for which the obligor is liable that exceeds the total assistance granted under AS 47.25.310 — 47.25.420 shall be paid to the obligee. (§ 29 ch 126 SLA 1977; am § 5 ch 96 SLA 1981)

Effect of amendments. — The 1981 amendment rewrote this section.

Sec. 47.23.140. Power of agency to administratively establish and enforce support obligation; procedures to be utilized. (a) If no support order has been entered, the agency may establish a duty of support utilizing the procedures prescribed in AS 47.23.160 — 47.23.220 and may enforce a duty of support utilizing the procedure prescribed in AS 47.23.230 — 47.23.270. Action under this subsection may be undertaken upon application of an obligee, or at the agency's own discretion if the obligor is liable to the state under AS 47.23.120(a) or (b).

(b) If a support order has been entered, the agency may enforce the support order utilizing the procedures prescribed in AS 47.23.150 and 47.23.230 — 47.23.270.

(c) A decision of the agency determining a duty of support shall include an income assignment order as provided under AS 09.65.132. (§ 29 ch 126 SLA 1977; am § 6 ch 96 SLA 1981)

Effect of amendments. — The 1981 amendment added subsection (c).

Sec. 47.23.150. Required notice in administrative enforcement of support orders. (a) Action to enforce a support order administratively under AS 47.23.230 — 47.23.270 is initiated by the agency serving a notice on the obligor of the obligor's liability under the support order. Notice under this subsection shall be served personally or by registered, certified, or insured mail, return receipt requested, for restricted delivery only to the person to whom the notice is directed or to the person authorized under federal regulation to receive that person's restricted delivery mail.

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§ 47.23.200 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.23.210

(b) The agency shall grant a hearing upon a petition made under (a) of this section if affidavits submitted with the petition make a showing of good cause and material change in circumstances sufficient to justify action under (e) of this section.

(c) If a hearing is granted, the agency shall serve a notice of hearing together with a copy of the petition and affidavits submitted on the obligee or the obligee's custodian and the obligor personally or by registered, certified, or insured mail, return receipt requested, for restricted delivery only to the person to whom the notice is directed or to the person authorized under federal regulation to receive that person's restricted delivery mail.

(d) A hearing shall be set not less than 15 nor more than 30 days from the date of mailing of notice of hearing, unless extended for good cause.

(e) Modification of future periodic support payments may be ordered upon a showing of good cause and material change in circumstances. (§ 29 ch 126 SLA 1977)

Sec. 47.23.200. Administrative establishment of support obligations; use of standards in determination of support payments. In making its findings under AS 47.23.160 and in establishing and modifying amounts of periodic support payments under AS 47.23.180 and 47.23.190, the agency shall consider the standards adopted by regulation under AS 47.23.020 and any standards for determination of support payments used by the superior court of the district of residence of the obligor. (§ 29 ch 126 SLA 1977)

Sec. 47.23.210. Administrative establishment of support obligations; obtaining judicial review. (a) Judicial review by the superior court of an agency decision establishing or modifying a duty of support or amounts of support due may be obtained by filing a notice of appeal in accordance with the applicable rules of court governing appeals in civil matters. A notice of appeal shall be filed within 30 days of the decision.

(b) The complete record of the proceedings, or the parts of it which the appellant designates, shall be prepared by the agency. A copy shall be delivered to all parties participating in the appeal. The original shall be filed in the superior court within 30 days after the appellant pays the estimated cost of preparing the complete or designated record or files a corporate surety bond equal to the estimated cost.

(c) The complete record includes

- (1) the notice and finding of financial responsibility;
- (2) the request for a hearing;
- (3) the decision of the hearing officer;
- (4) the exhibits admitted or rejected;
- (5) the written evidence;

(c) If a hearing is requested, it shall be held within 30 days of the date of service of the request for hearing on the agency.

(d) The hearing officer shall determine the amount of periodic payments necessary to satisfy the past, present, and future liability of the alleged obligor under AS 47.23.130, if any, and under any duty of support imposable under the law. The amount of periodic payments determined under this subsection is not limited by the amount of any public assistance payment made to or for the benefit of the child.

(e) The hearing officer shall consider the following in making a determination under (d) of this section:

(1) the needs of the alleged obligee, disregarding the income or assets of the custodian of the alleged obligee;

(2) the amount of the alleged obligor's liability to the state under AS 47.23.125 if any;

(3) the intent of the legislature that children be supported as much as possible by their natural parents;

(4) the ability of the alleged obligor to pay.

(f) If the alleged obligor requesting the hearing fails to appear at the hearing, the hearing officer shall enter a decision declaring the property of the alleged obligor subject to execution in accordance with AS 47.23.230 — 47.23.270 in the amounts stated in the notice and finding of financial responsibility. (§ 29 ch 126 SLA 1977; am § 7 ch 96 SLA 1981)

Effect of amendments. — The 1981 amendment, in subsection (f), substituted "finding" for "filing" preceding "of financial responsibility."

Editor's notes. — The reference to AS 47.23.125 in paragraph (2) of subsection (e) is apparently incorrect. AS 47.23.120 would appear to be the intended reference.

Sec. 47.23.180. Administrative establishment of support obligations; decision. (a) Within 20 days of the date of the hearing, the hearing officer shall adopt findings and a decision determining whether a duty of support exists and, if a duty of support is found, the amount of periodic payments or sum for which the alleged obligor is found to be responsible.

(b) Liability to the state under AS 47.23.130 is limited to the amount for which the obligor is found to be responsible under (a) of this section.

(c) A decision rendered under (a) of this section is modified to the extent that a subsequent order, judgment, or decree of a superior court is inconsistent with the decision entered under (a) of this section. (§ 29 ch 126 SLA 1977)

Sec. 47.23.190. Administrative establishment of support obligations; modification of a finding or decision of responsibility. (a) Unless a support order has been entered, the obligor, or the obligee or the obligee's custodian, may petition the agency or its designee for a modification of the finding or decision of responsibility previously entered with regard to future periodic support payments.

§ 47.23.220

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§ 47.23.225 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.23.227

(h) If further appeal is taken, the supreme court may, in its discretion, stay the superior court judgment or agency order. (§ 29 ch 126 SLA 1977)

Sec. 47.23.225. Support payment obligations as judgments. A court order ordering a noncustodial parent obligor to make periodic child support payments to the custodian of a child is a judgment that becomes vested when each payment becomes due and unpaid. The custodian of the child, or the agency on behalf of that person, may take legal action under AS 47.23.226 to establish a judgment for child support payments ordered by a court of this state that are delinquent. (§ 9 ch 144 SLA 1984)

Cross references. — For legislative findings and purpose, see § 1, ch. 144, SLA 1984 in the Temporary and Special Acts.

Sec. 47.23.226. Action to collect child support. To commence an action to collect the payment due, the custodian of a child, or the agency on behalf of that person, shall file with the court (1) a petition requesting establishment of a judgment; (2) an affidavit that states that one or more payments of child support are 30 or more days past due and that specifies the amounts past due and the dates they became past due; and (3) notice of the obligor's right to respond. Service on the obligor shall be in the manner provided by the rule of civil procedure for service of summons in a civil action. The child's custodian, or the agency on behalf of the custodian, shall file with the court proof of service of the petition, affidavit, and notice. The obligor shall respond no later than 15 days after service by filing an affidavit with the court. If the obligor's affidavit states that the obligor has paid any of the amounts claimed to be delinquent, describes in detail the method of payment or offers any other defense to the petition, then the obligor is entitled to a hearing. After the hearing, if any, the court shall enter a judgment for the amount of money owed. If the obligor does not file an affidavit under this section, the court shall enter a default judgment against the obligor. (§ 9 ch 144 SLA 1984)

Cross references. — For legislative findings and purpose, see § 1, ch. 144, SLA 1984 in the Temporary and Special Acts.

Sec. 47.23.227. Nature of remedies. AS 47.23.225 and 47.23.226 provide remedies in addition to and not as a substitute for any other remedies available to the parties. (§ 9 ch 144 SLA 1984)

Cross references. — For legislative findings and purpose, see § 1, ch. 144, SLA 1984 in the Temporary and Special Acts.

(6) all other documents in the case.

(d) Upon order of the superior court, appeals may be taken on the original record or parts of it. The record may be typewritten or duplicated by any standard process. Analogous rules of court governing appeals in civil matters shall be followed when this chapter is silent, and when not in conflict with this chapter.

(e) The superior court may enjoin agency action in excess of constitutional or statutory authority at any stage of an agency proceeding. If agency action is unlawfully or unreasonably withheld, the superior court may compel the agency to initiate action. (§ 29 ch 126 SLA 1977)

Sec. 47.23.220. Administrative establishment of support obligations; procedure on review. (a) An appeal shall be heard by the superior court sitting without a jury.

(b) Inquiry in an appeal extends to the following questions: (1) whether the agency has proceeded without or in excess of jurisdiction; (2) whether there was a fair hearing; and (3) whether there was a prejudicial abuse of discretion. Abuse of discretion is established if the agency has not proceeded in the manner required by law, the order or decision is not supported by the findings, or the findings are not supported by the evidence.

(c) The court may exercise its independent judgment on the evidence. If it is claimed that the findings are not supported by the evidence, abuse of discretion is established if the court determines that the findings are not supported by (1) the weight of the evidence, or (2) substantial evidence in the light of the whole record.

(d) The court may augment the agency record in whole or in part, or hold a hearing de novo. If the court finds that there is relevant evidence which, in the exercise of reasonable diligence, could not have been produced or which was improperly excluded at the hearing, the court may

(1) enter judgment as provided in (e) of this section and remand the case to be reconsidered in the light of that evidence; or

(2) admit the evidence at the appellate hearing without remanding the case.

(e) The court shall enter judgment setting aside, modifying, remanding, or affirming the decision, without limiting or controlling in any way the discretion legally vested in the agency.

(f) The court in which proceedings under this section are started may stay the operation of the decision until

(1) the court enters judgment;

(2) a notice of further appeal from the judgment is filed; or

(3) the time for filing the notice of appeal expires.

(g) A stay may not be imposed or continued if the court is satisfied that it is against the public interest.

§ 47.23.240

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§ 47.23.250 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.23.250

Sec. 47.23.250. Order to withhold and deliver. (a) At the expiration of 30 days from the date of service of notice under AS 47.23.150, or from the date of service of a notice and finding of financial responsibility under AS 47.23.160, the agency may issue to any person, political subdivision, or department of the state an order to withhold and deliver property.

(b) All real or personal property belonging to the obligor is subject to an order to withhold and deliver, including, but not limited to, earnings which are due, owing, or belonging to the debtor.

(c) The agency may issue an order to withhold and deliver when it has reason to believe that there is in the possession of a person, political subdivision, or department of the state property which is due, owing, or belonging to the obligor.

(d) The order to withhold and deliver shall be served upon the person, political subdivision, or department of the state possessing the property in the manner provided for service of liens under AS 47.23.240. The order shall state the amount of the obligor's liability and shall state in summary the terms of AS 47.23.260 and 47.23.270.

(e) Any person, political subdivision, or department of the state served with an order to withhold and deliver is required to make true answers to inquiries contained in the order under oath and in writing within 30 days of service of the order and is further required to answer all inquiries subsequently put.

(f) If any person, political subdivision, or department of the state upon whom service of an order to withhold and deliver has been made possesses property due, owing, or belonging to the obligor, that person, subdivision, or department shall withhold the property immediately upon receipt of the order and shall deliver the property to the agency upon demand after the expiration of the 30-day period from the date of service of the order. The agency shall hold property delivered under this subsection in trust for application against the liability of the obligor under AS 47.23.130 or for return, without interest, depending on final determination of liability or nonliability under this chapter. The agency may accept a good and sufficient bond conditioned upon final determination of liability in lieu of requiring delivering of property under this subsection.

(g) Delivery to the agency of the money or other property due, owing, or belonging to the obligor shall satisfy the requirement of the order to withhold and deliver. Delivery of money due and owing to the obligor under any contract of employment, express or implied, or held by any person, political subdivision, or department of the state, and subject to withdrawal by the obligor, shall be delivered by remittance payable to the order of the agency.

(h) The agency shall defend and hold harmless for such actions people withholding or delivering money or property to the agency in accordance with this section.

Sec. 47.23.228. Court costs. The court may order an obligor to pay all court costs involved in a proceeding resulting in a court order described in AS 47.23.225, and in a proceeding under AS 47.23.226. (§ 9 ch 144 SLA 1984)

Cross references. — For legislative findings and purpose, see § 1, ch. 144, SLA 1984 in the Temporary and Special Acts.

Sec. 47.23.230. Assertion of lien. (a) At the expiration of 30 days from either (1) the date of service of notice under AS 47.23.150, or (2) the date of service of a notice and finding of financial responsibility under AS 47.23.160, the agency may assert a lien upon the real or personal property of the obligor, in the amount of the obligor's liability.

(b) No lien filed under this section has any effect against earnings, or bank deposits or balances, unless it states the amount of the obligor's liability under this chapter and unless the lien is served in accordance with AS 47.23.240.

(c) The lien shall attach to all real and personal property of the obligor and be effective on the date of filing of the lien with the recorder of the recording district in which the property attached is located. A lien against earnings shall attach and be effective upon filing with the recorder of the recording district in which the employer does business or maintains an office or agent for the purpose of doing business.

(d) Whenever a lien has been filed under this section and there is in the possession of any person, political subdivision, or department of the state having actual notice of the lien any property which may be subject to the lien, that property may not be paid over, released, sold, transferred, encumbered or conveyed unless

(1) a written release or waiver signed by a representative of the agency has been delivered to the person, political subdivision, or department of the state; or

(2) a decision has been made in a hearing held under AS 47.23.170 or by a superior court ordering release of the lien on the grounds that no debt exists or that the debt has been satisfied. (§ 29 ch 126 SLA 1977)

Sec. 47.23.240. Service of lien. (a) The agency may at any time after filing of a lien filed under AS 47.23.230 serve a copy of the lien upon any person, political subdivision, or department of the state possessing earnings, or deposits or balances held in any bank account of any nature which are due, owing, or belonging to the obligor.

(b) A lien filed under AS 47.23.230 shall be served upon a person, political subdivision, or department of the state personally or by registered, certified, or insured mail, return receipt requested. (§ 29 ch 126 SLA 1977)

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§ 47.23.260

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AS 09.38" for "The
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execution by judgment
09.35.080(b)(1)" in sub-

amendment, in subsec-
tion "obligor's net
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When. (a) A per-
son shall withhold the
amount of each succeeding
payment stated in the

The Department of
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made. Disbursements to
the obligor are a disbursement is
made. (§ 9 ch 96 SLA

The agency shall
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The assignment order con-
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comply with an
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it or refuses to
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47.23.265. The real prop-
erty for the benefit of
the obligor shall surrender upon

§ 47.23.265 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.23.273

demand property attached; (5) fails or refuses to honor an assignment
of wages or an income assignment order under AS 09.65.132 presented
by the agency, the person, political subdivision, or department of the
state is liable to the agency in an amount equal to 100 percent of the
amount constituting the basis of the lien, order to withhold and deliver,
attachment, or assignment of wages or income, together with costs,
interest, and reasonable attorney fees. (§ 29 ch 126 SLA 1977; am § 10
ch 96 SLA 1981)

Effect of amendments. — The 1981 following "honor an assignment of wages"
amendment added "or an income and added "or income" preceding "together
assignment order under AS 09.65.132" with costs."

Sec. 47.23.265. Service; notification of change of address. (a)
Except as otherwise provided under this chapter, when a notice, paper,
or other document is required by this chapter to be given or served upon
a person by the agency, the notice, paper, or other document may be
sent by registered or certified mail to the last known address of that
person. Service by mail under this chapter is effected when the notice,
paper, or other document is properly addressed, registered or certified,
and mailed.

(b) A person required by court order to make child support payments
through the agency shall keep the agency informed of the person's
current address. (§ 11 ch 144 SLA 1984)

Cross references. — For legislative 1984 in the Temporary and Special Acts.
findings and purpose, see § 1, ch. 144, SLA

Sec. 47.23.270. Judicial relief from administrative execution.
Any person against whose property a lien has been filed under AS
47.23.230 or an order to withhold and deliver served in accordance with
AS 47.23.250 may apply for relief to the superior court. (§ 29 ch 126
SLA 1977)

**Sec. 47.23.273. Reporting of payment information concerning
delinquent obligors.** (a) The agency may provide to credit bureaus or
lending institutions of any kind information about delinquent child
support owed by obligors. The information so provided must consist
solely of the payment history of the obligor for a period not to exceed
10 years before the date the information is provided.

(b) Upon an obligor's payment of delinquent child support, the
agency shall immediately notify all credit bureaus and lending institu-
tions that were furnished information about the obligor under (a) of
this section that the obligor is no longer delinquent. (§ 12 ch 144 SLA
1984)

(i) Exemptions under AS 09.38 do not apply to proceedings to enforce the payment of child support under AS 47.23.230 — 47.23.270; however, 50 percent of the obligor's net disposable earnings is exempt from execution under AS 47.23.230 — 47.23.270. In this subsection, "net disposable earnings" has the meaning given in 15 U.S.C. 1672. (§ 29 ch 126 SLA 1977; am § 8 ch 96 SLA 1981; am § 134 ch 6 SLA 1984; am § 10 ch 144 SLA 1984)

Cross references. — For legislative findings and purpose in connection with the 1984 amendment of this section, see § 1, ch. 144, SLA 1984 in the Temporary and Special Acts.

Effect of amendments. — The 1981 amendment, in subsection (i), added "however, 50 percent of the gross wages of the obligor or \$100 a week, whichever is less, is exempt from execution under AS 47.23.230 — 47.23.270" at the end of the present first sentence.

The first 1984 amendment substituted

"Exemptions under AS 09.38" for "The exemptions from execution by judgment debtors under AS 09.35.080(a) and the restrictions from execution by judgment debtors under AS 09.35.080(b)(1)" in subsection (i).

The second 1984 amendment, in subsection (i), substituted "obligor's net disposable earnings" for "gross wages of the obligor of \$100 a week, whichever is less" in the first sentence and added the second sentence.

Sec. 47.23.253. Earnings subject to an order or lien. (a) A person, political subdivision, or department of the state shall withhold the earnings of the obligor subject to an order or lien at each succeeding interval of payment until the entire amount of the debt stated in the order to withhold and deliver has been withheld.

(b) An order to withhold and deliver issued to the Department of Revenue remains in effect throughout the calendar year in which it is served. That order applies to any tax refund or other disbursements to which the obligor is entitled even if the tax refund or disbursement is issued more than 30 days after service of the order. (§ 9 ch 96 SLA 1981)

Sec. 47.23.255. Income assignment orders. (a) The agency shall pay the obligee all money recovered by the agency under an income assignment order except for costs that are recovered from the obligor.

(b) Notwithstanding AS 47.23.250, an income assignment order contained in a decision of the agency that has not been set aside by the superior court under AS 47.23.220 shall be enforced under the procedure established in AS 09.65.132. (§ 9 ch 96 SLA 1981)

Sec. 47.23.260. Civil liability upon failure to comply with an order or lien. If any person, political subdivision, or department of the state (1) fails to make answer to an order to withhold and deliver within the time prescribed in AS 47.23.250; (2) fails or refuses to deliver property in accordance with an order issued under AS 47.23.250; (3) pays over, releases, sells, transfers, or conveys real property subject to a lien filed under AS 47.23.230 to or for the benefit of the obligor or any other person; (4) fails or refuses to surrender upon

§ 47.23.900

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§ 47.24.010 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.24.010

Effect of amendments. — The 1984 amendment repealed paragraph (8), which defined "disposable earnings."

Chapter 24. Protection of the Elderly.

Section

- 10. Reports of harm
- 20. Action on reports
- 30. Protective services
- 40. Review and referral
- 50. Confidentiality of reports

Section

- 60. Authority of the department
- 70. Regulations
- 75. Quarterly report
- 100. Definitions

Cross references. — For statement of legislative purpose in enacting AS 47.24, see § 1, ch. 36, SLA 1983, in the Temporary and Special Acts.

Collateral references. — 70 Am. Jur. 2d, Social Security and Medicare, § 1 et seq.

81 C.J.S., Social Security and Public Welfare, § 1 et seq.

Licensing and regulation of nursing or rest homes, 97 ALR2d 1167.

Sec. 47.24.010. Reports of harm. (a) The following persons who, in the performance of their professional duties, have reasonable cause to believe that an elderly person has suffered harm shall, not later than 24 hours after first having cause for the belief, report the harm to the Department of Health and Social Services:

- (1) a physician or other licensed health care provider;
- (2) a mental health professional as defined in AS 47.30.915(11);
- (3) a pharmacist;
- (4) an administrator of a nursing home, residential care or health care facility;
- (5) a guardian or conservator;
- (6) a police officer;
- (7) a village public safety officer;
- (8) a village health aide;
- (9) a social worker;
- (10) a member of the clergy;
- (11) a staff employee of a project funded by the Older Alaskans Commission;
- (12) an employee of a homemaker program or home health aide program;
- (13) an emergency medical technician or a paramedic in the mobile intensive care program.

(b) A report of harm made under this section may include the name and address of the person reporting the harm and shall include

- (1) the name and address of the elderly person;

Cross references. — For legislative findings and purpose, see § 1, ch. 144, SLA 1984 in the Temporary and Special Acts.

Sec. 47.23.275. Location of children. Upon the written request of the obligor and notice to the obligee, the agency shall release information concerning the location of children to whom a duty of support is owed if the obligor has paid all support payments that are due and there is a visitation or joint custody agreement or order in effect. (§ 11 ch 96 SLA 1981)

Sec. 47.23.280. Severability: Alternative when method of notification held invalid. If any provision of this chapter or the application of it to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable. If any method of notification provided for in this chapter is held invalid, service as provided for by the laws of the state for service of process in a civil action shall be substituted for the method held invalid. (§ 29 ch 126 SLA 1977)

Sec. 47.23.900. Definitions. In this chapter

- (1) "agency" means the child support enforcement agency;
- (2) "department" means the Department of Revenue;
- (3) "duty of support" includes a duty of child support imposed or imposed by law, by a court order, decree or judgment, or by a finding or decision rendered under this chapter whether interlocutory or final, whether incidental to a proceeding for divorce, legal separation, separate maintenance, or otherwise, and includes the duty to pay arrearages of support past due and unpaid together with penalties and interest on arrearages imposed under AS 47.23.020(a)(2)(C);
- (4) "earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus, or other similar description and includes the gain derived from the investment of capital, from labor, or from a combination of investment and labor;
- (5) "obligee" means a person to whom a duty of support is owed;
- (6) "obligor" means a person owing a duty of support;
- (7) "support order" means any judgment, decree, or order of child support in favor of an obligee whether temporary or final, or subject to modification, revocation, or remission, regardless of the kind of action or proceeding in which it is entered. (§ 1 ch 251 SLA 1976; am §§ 27, 28 ch 126 SLA 1977; am § 4 ch 96 SLA 1981; am § 9 ch 118 SLA 1982; am § 133 ch 6 SLA 1984)

Revisor's notes. — Formerly AS 47.23.110. Renumbered in 1984. Reorganized in 1984 to alphabetize the terms defined.

Editor's notes. — For legislative findings, see § 1, ch. 189, SLA 1972, in the 1972 Temporary and Special Acts.

Sec. 47.50.010. Office of Child Advocacy. There is created in the Office of the Governor the Office of Child Advocacy to act as a coordinating body for services for children from prenatal to age 18. The Office of Child Advocacy is administered by a director appointed by the board of directors with the approval of the governor. Staff may be employed in accordance with appropriate budgets. (§ 2 ch 189 SLA 1972)

Sec. 47.50.020. Board of directors for the Office of Child Advocacy. There is created a board of directors for the Office of Child Advocacy. The board consists of the Alaska State Council on the Coordination of Community Child Care plus four members not more than 18 years of age appointed by the governor for a term of two years each, or until the youthful member attains the age of 19 years. (§ 2 ch 189 SLA 1972)

Sec. 47.50.030. Compensation and expenses. Members of the board of directors for the Office of Child Advocacy receive no salary but are entitled to per diem and travel expenses authorized by law for other boards and commissions. (§ 2 ch 189 SLA 1972)

Revisor's notes. — Formerly AS 47.50.040. Renumbered in 1972.

Sec. 47.50.040. Powers and duties of board and director. (a) The board of directors for the Office of Child Advocacy shall determine policy, establish program priorities and serve as a child advocacy agency in the state. The board shall

(1) coordinate public and private programs and priorities which affect children and child development;

(2) develop guidelines to improve children and child development services throughout the state, including the development of program standards, training for paraprofessionals and professional personnel and monitoring and evaluation procedures;

(3) assist local communities in the initiation of child development programs including the provision of information about pertinent legislation and funding and consultant resources;

(4) identify, coordinate and develop a comprehensive plan for the use of public and private resources, including the services of volunteers;

(5) provide leadership in recommending legislative change which affects the provision of children and child development services, and review existing state policies as they relate to, and affect the legal status and well-being of children;

§ 47.45.120

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§ 47.45.130 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.45.170

Sec. 47.45.130. Death or cessation of residency. The commis-
sioner of administration shall establish procedures to stop a bonus
when a recipient under this chapter no longer qualifies. When a recip-
ient dies or discontinues residency in the state the recipient's
qualification for a bonus shall stop at the time of the recipient's last
approved monthly application. (§ 1 ch 205 SLA 1972; r § 11 ch 38 SLA
1984)

Sec. 47.45.140. Penalty for false statements. A person who
wilfully or knowingly makes a false statement, or falsifies or permits
to be falsified any record required by this chapter, is guilty of a misde-
meanor and, upon conviction, is punishable by a fine of not more than
\$500, or by imprisonment for not more than six months, or by both,
forfeits all rights under this chapter, and shall make adequate restitu-
tion for any bonuses illegally received. (§ 1 ch 205 SLA 1972; r § 11 ch
38 SLA 1984)

Sec. 47.45.150. Definitions. In this chapter

(1) "bonus" means a monthly Alaska longevity bonus payment made
to a person or the person's beneficiary who qualifies under this chapter;

(2) "resident" or "resident of the state" means an individual who is
physically present in the state with the intent to remain in the state
indefinitely and to make a home in the state; a person demonstrates the
requisite intent by maintaining a principal place of abode in the state
for one year and by providing other proof of intent the commissioner
may require by regulation, including proof that the person is not
claiming residency outside the state or obtaining benefits under a
claim of residency outside the state. (§ 1 ch 205 SLA 1972; am § 5 ch
38 SLA 1984; r § 11 ch 38 SLA 1984)

Effect of amendments. — The 1984 present paragraph (2) for former para-
amendment substituted "the person's" for graph (2), which defined "domicile."
"his" in paragraph (1) and substituted

Sec. 47.45.160. Applicability of Administrative Procedure Act.
The Administrative Procedure Act (AS 44.62) does not apply to this
chapter. (§ 1 ch 205 SLA 1972; r § 11 ch 38 SLA 1984)

Sec. 47.45.170. Purpose. [Repealed, § 6 ch 38 SLA 1984.]

Chapter 50. Office of Child Advocacy.

Section	Section
10. Office of Child Advocacy	40. Powers and duties of board and direc- tor
20. Board of directors for the Office of Child Advocacy	50. Departments to assist Office of Child Advocacy
30. Compensation and expenses	

Chapter 08. Catastrophic Illness Assistance.

Section

50. Services excluded from coverage

Sec. 47.08.050. Services excluded from coverage. Annually, the committee shall determine in light of appropriated funds and expected need the medical expenses reimbursable under this chapter, except that the following are not reimbursable:

(1) dentistry and optometry unless prescribed by a licensed dentist or physician as medically necessary as the result of the injury or illness;

(2) elective medical or surgical procedures;

(3) drugs and medications not prescribed by a licensed physician;

(4) services received as a result of a pregnancy or birth without unusual complications;

(5) private psychological or psychiatric treatment or private alcoholism treatment, unless not available from public agencies or programs;

(6) chiropractic services and services provided by a person who practices naturopathy;

(7) services not of a medical nature;

(8) medical services currently provided to persons in the custody of the Department of Corrections;

(9) costs incurred before July 1976. (§ 1 ch 107 SLA 1978; am. E.O. No. 55, § 41 (1984); am § 7 ch 56 SLA 1986)

Effect of amendments. — The 1986 amendment, effective May 30, 1986, at the end of paragraph (6) added "and services provided by a person who practices naturopathy."

Chapter 10. Delinquent Minors and Children in Need of Aid.

Article

1. Children's Proceedings (§§ 47.10.010, 47.10.120, 47.10.140, 47.10.141, 47.10.142)

3. Care of Children (§ 47.10.230)

4. General Provisions (§ 47.10.290)

Article 1. Children's Proceedings.

Section

10. Jurisdiction

120. Support of minor

140. Temporary detention and detention hearing

Section

141. Runaway and missing minors

142. Emergency custody and temporary placement hearing

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§ 47.50.050 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.60.030

(6) develop innovative approaches for involving parent-consumers on both the state and local level in program planning and policy making.

(b) The director shall carry out the policies and programs set out by the board of directors. (§ 2 ch 189 SLA 1972)

Revisor's notes. — Formerly AS 47.50.030. Renumbered in 1972.

Sec. 47.50.050. Departments to assist Office of Child Advocacy. The Department of Health and Social Services, the Department of Education, the Department of Labor and all other departments and agencies of the state which have programs or services pertaining to children shall cooperate with the Office of Child Advocacy and shall furnish technical assistance and personnel, if available, upon request. (§ 2 ch 189 SLA 1972)

Chapter 60. Multi-Purpose Senior Centers.

Section	Section
10. Legislative findings	50. Acceptance and use of assistance, cooperation and contributions
20. Authorization of nonprofit corporations for establishment of multi-purpose senior centers	60. Lease of property from state
30. Purposes of multi-purpose senior centers	70. Municipal contributions
40. Powers of corporations	80. Exemption from taxation
	90. Federal regulation

Sec. 47.60.010. Legislative findings. The legislature finds that there is a need for multi-purpose senior centers in certain areas of the state to provide certain services for elderly persons, that this need can be at least partially met utilizing nonprofit corporations which would undertake the establishment of multi-purpose senior center projects, and that the establishment of these projects constitutes a public purpose worthy of the cooperation of the state. (§ 1 ch 87 SLA 1974)

Sec. 47.60.020. Authorization of nonprofit corporations for establishment of multi-purpose senior centers. Private, nonprofit corporations, incorporated under state law, may undertake or may be incorporated for the purpose of undertaking the development and operation of multi-purpose senior centers. (§ 1 ch 87 SLA 1974)

Sec. 47.60.030. Purposes of multi-purpose senior centers. A multi-purpose senior center is a facility where persons 60 years of age or older are provided with services and activities suited to their particular needs. The services and activities may include, but are not limited to, health examinations, legal assistance, recreation programs, general social activities, telephone reassurance programs, nutrition classes, meals at minimum cost, counseling, protective services, programs for shut-ins, and education programs. (§ 1 ch 87 SLA 1974)

(c) In a controversy concerning custody of a minor, the court may appoint a guardian of the person and property of a minor and may order support from either or both parents. Custody of a minor may be given to the Department of Health and Social Services, and payment of support money to the department may be ordered. (§ 4 art I ch 145 SLA 1957; am § 1 ch 76 SLA 1961; am §§ 1, 2 ch 110 SLA 1967; am § 1 ch 64 SLA 1969; am § 6 ch 104 SLA 1971; am §§ 7, 8 ch 63 SLA 1977; am § 1 ch 104 SLA 1982; am § 5 ch 39 SLA 1985)

Effect of amendments. — The 1985 amendment in subsection (a) in paragraph (2) in subparagraph (B) inserted "in need of treatment for," substituted "parent, guardian, or custodian has knowingly

failed" for "parents are unwilling," and deleted "medical" preceding "treatment," and in subparagraph (D) inserted "or being in imminent and substantial danger of being."

NOTES TO DECISIONS

"Judicial proceeding related to a report made under this chapter". — The phrase "judicial proceeding related to a report made under this chapter" in AS 47.17.060 only refers to child protection proceedings under AS 47.10.010. *State v. Wetherhorn*, Ct. App. Op. No. 375 (File No. 7768), 683 P.2d 269 (1984).

Applied in *K.T.E. v. State*, Sup. Ct. Op. No. 2877 (File No. S-50), 689 P.2d 472

(1984); *D.A.W. v. State*, Sup. Ct. Op. No. 2935 (File No. S-169), 699 P.2d 340 (1985).

Stated in *D.E.D. v. State*, Sup. Ct. Op. No. 2970 (File No. S-553), 704 P.2d 774 (1985).

Cited in *In re J.R.S.*, Sup. Ct. Op. No. 2869 (File Nos. 7421, 7422), 690 P.2d 10 (1984); *In re J.R.B.*, Sup. Ct. Op. No. 3029 (File No. S-907), 715 P.2d 1170 (1986).

Sec. 47.10.020. Investigation and petition.

NOTES TO DECISIONS

Cited in *Gerlach v. State*, Ct. App. Op. No. 468 (File No. A-501), 699 P.2d 358 (1985).

Sec. 47.10.060. Waiver of jurisdiction.

NOTES TO DECISIONS

Finding of unamenability to treatment not error. — Superior court did not abuse its discretion in finding that defendant was not amenable to treatment as a minor. *C.G.C. v. State*, Ct. App. Op. No. 493 (File No. A-328), 702 P.2d 648 (1985).

Quoted in *W.M.F. v. Johnstone*, Ct. App. Op. No. 571 (File No. A-1243), 711 P.2d 1187 (1986).

Sec. 47.10.070. Hearings.

NOTES TO DECISIONS

"Compatible." — In the absence of contrary authority, it is appropriate to accord the word "compatible" its usual

meaning. *W.M.F. v. Johnstone*, Ct. App. Op. No. 571 (File No. A-1243), 711 P.2d 1187 (1986).

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§ 47.10.010 WELFARE, SOCIAL SERVICES & INSTITUTIONS § 47.10.010

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Sec. 47.10.010. Jurisdiction. (a) Proceedings relating to a minor under 18 years of age residing or found in the state are governed by this chapter, except as otherwise provided in this chapter, when the court finds the minor

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(1) to be a delinquent minor as a result of violating a criminal law of the state or a municipality of the state; or

(2) to be a child in need of aid as a result of

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(A) the child being habitually absent from home or refusing to accept available care, or having no parent, guardian, custodian or relative caring or willing to provide care, including physical abandonment by

(i) both parents,

(ii) the surviving parent, or

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(iii) one parent if the other parent's rights and responsibilities have been terminated under AS 47.10.080 or voluntarily relinquished;

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(B) the child being in need of medical treatment to cure, alleviate, or prevent substantial physical harm, or in need of treatment for mental harm as evidenced by failure to thrive, severe anxiety, depression, withdrawal, or untoward aggressive behavior or hostility toward others, and the child's parent, guardian, or custodian has knowingly failed to provide the treatment;

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(C) the child having suffered substantial physical harm or if there is an imminent and substantial risk that the child will suffer such harm as a result of the actions done by or conditions created by the child's parent, guardian or custodian or the failure of the parent, guardian or custodian adequately to supervise the child;

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(D) the child having been, or being in imminent and substantial danger of being, sexually abused either by the child's parent, guardian or custodian, or as a result of conditions created by the child's parent, guardian or custodian, or by the failure of the parent, guardian or custodian adequately to supervise the child;

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(E) the child committing delinquent acts as a result of pressure, guidance, or approval from the child's parents, guardian or custodian;

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(F) the child having suffered substantial physical abuse or neglect as a result of conditions created by the child's parent, guardian or custodian.

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(b) When a minor is accused of violating a traffic statute or regulation, a traffic ordinance or regulation of an incorporated municipality, a fish and game statute or regulation under AS 16 or a parks and recreational facilities statute or regulation under AS 41.21, excepting a statute the violation of which is a felony, the procedure prescribed in AS 47.10.020 — 47.10.090 may not be followed, except that a parent, guardian or legal custodian shall be present at all proceedings. The minor accused of a traffic offense, a fish and game statute or regulation violation under AS 16 or parks and recreational facilities violation under AS 41.21 shall be charged, prosecuted, and sentenced in the district court in the same manner as an adult.

Sec. 47.10.082. Best interests of the child.

NOTES TO DECISIONS

Applied in D.A.W. v. State, Sup. Ct. Op. No. 2935 (File No. S-169), 699 P.2d 340 (1985).

Cited in K.T.E. v. State, Sup. Ct. Op. No. 2877 (File No. S-50), 689 P.2d 472 (1984).

Sec. 47.10.084. Legal custody, guardianship, and residual parental rights and responsibilities.

NOTES TO DECISIONS

The phrase "reasonable visitation" in subsection (c) does not imply an absolute right to visitation; this section should be read in conjunction with the rest of the chapter to allow parental visits to be barred when the visits are not in the best interests of the child. K.T.E. v. State, Sup. Ct. Op. No. 2877 (File No. S-50), 689 P.2d 472 (1984).

The following procedures should be followed when visitation rights are denied prior to the termination of parental rights: first, the Department of Health and Social Services, Division of Family and Youth Services should have primary authority to set visitation based on the best interests of the child, since the division is in the best position to make this

decision in the first instance; and secondly, either the guardian ad litem or the parents should be entitled to request an expedited evidentiary hearing of a denial of visitation, which would consist of an independent determination by the superior court that clear and convincing evidence showed that the child's best interests were served by disallowing parental visitations. K.T.E. v. State, Sup. Ct. Op. No. 2877 (File No. S-50), 689 P.2d 472 (1984).

Applied in In re B.L.J., Sup. Ct. Op. No. 3039 (File No. S-648), P.2d (1986).

Cited in Gerlach v. State, Ct. App. Op. No. 468 (File No. A-501), 699 P.2d 358 (1985).

Sec. 47.10.120. Support of minor. (a) When a child in need of aid or a delinquent minor is committed under this chapter, the court shall, after giving the parent or legal guardian a reasonable opportunity to be heard, adjudge that the parent or guardian pay to the department in a manner that the court directs a sum that is based on the fee schedule adopted under AS 44.29.022 to cover in full or in part the maintenance and care of the child or minor.

(b) If a parent wilfully fails or refuses to pay the sum fixed, the parent may be proceeded against as provided by law in cases of family desertion and nonsupport.

(c) The sum collected from a parent under this section shall be directly credited to the general fund of the state.

(d) The commissioner of administration shall separately account for support fees collected under this section that the Department of Health and Social Services deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the department to carry out the purposes of this section. (§ 13 art I ch 145 SLA 1957; am § 1 ch 31 SLA 1959; am § 1 ch 141 SLA 1959; am § 23 ch 63 SLA 1977; am § 88, 89 ch 138 SLA 1986)

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§ 47.10.080 WELFARE, SOCIAL SERVICES & INSTITUTIONS § 47.10.080

Sec. 47.10.080. Judgments and orders.

NOTES TO DECISIONS

I. GENERAL CONSIDERATION.

Cited in *In re J.R.S.*, Sup. Ct. Op. No. 2869 (File Nos. 7421, 7422), 690 P.2d 10 (1984); *Coney v. State*, Ct. App. Op. No. 471 (File Nos. 7456, 7471), 699 P.2d 899 (1985).

II. DELINQUENT MINOR.

Standards for use in choosing alternatives under subsection (b). — See *R.P. v. State*, Ct. App. Op. No. 620 (File No. A-1100), 718 P.2d 168 (1986).

Findings insufficient to sustain order institutionalizing juvenile. — See *R.P. v. State*, Ct. App. Op. No. 620 (File No. A-1100), 718 P.2d 168 (1986).

III. CHILD IN NEED OF AID.

Section not in conflict with Indian Child Welfare Act. — The application of the clear and convincing standard to the finding that a child is in need of aid as a result of parental conduct and that the paternal conduct is likely to continue does not conflict with section 1912(f) of the Indian Child Welfare Act (ICWA). Section 1912(f) looks to likely future harm to the child, requiring only a finding beyond a reasonable doubt of likely harm to the child with continued custody by the parent or Indian custodian. In contrast, this section is concerned with the present condition of the child and the likely future conduct of the parent and requires a finding by clear and convincing evidence that the child is in need of aid as a result of parental conduct and that the parental conduct that placed the child in need of aid is likely to continue. The Alaska statute requires findings additional to that required by the ICWA, thus providing a level of protection to the parental rights beyond that provided by the ICWA, and is not preempted by the ICWA. In *re J.R.B.*, Sup. Ct. Op. No. 3029 (File No. S-907), 715 P.2d 1170 (1986).

Authority to direct placement of minor. — Once a court declares a minor a

child in need of aid and commits the minor to the Department of Health and Social Services under subsection (c)(1), the department has the authority to direct the placement of the minor. The court can review the department's decision to see if it constitutes an abuse of discretion, but it cannot make a specific placement order once legal custody has been granted to the department. In *re B.L.J.*, Sup. Ct. Op. No. 3039 (File No. S-648), P.2d (1986).

The Department of Health and Social Services is not required to file an additional petition for adjudication in order to change the physical placement of minors in its legal custody. In *re B.L.J.*, Sup. Ct. Op. No. 3039 (File No. S-648), P.2d (1986).

Court authority to set conditions on parent for placement of child in parental home. — Court possessed authority to require parent to complete alcohol abuse program and maintain sobriety as a precondition to placement of the child in the parental home by the department under (c)(1) of this section. *D.A.W. v. State*, Sup. Ct. Op. No. 2935 (File No. S-169), 699 P.2d 340 (1985).

Burden of proof under subsection (c)(3). — Although subsection (c)(3) does not place the burden of proving by clear and convincing evidence that there is a child in need of aid under AS 47.10.010(a)(2) as a result of parental conduct and that the parental conduct is likely to continue on either party, the Supreme Court of Alaska has assigned the burden of proof to the Department of Health and Social Services. *Division of Family and Youth Services. K.T.E. v. State*, Sup. Ct. Op. No. 2877 (File No. S-50), 689 P.2d 472 (1984).

Superior court's decision to terminate mother's parental rights on the basis of her abandonment of her child was supported by substantial evidence. — See *D.E.D. v. State*, Sup. Ct. Op. No. 2970 (File No. S-553), 704 P.2d 774 (1985).

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

(b) A peace officer shall take into protective custody a minor described in (a) of this section if the minor is not otherwise subject to arrest or detention. The peace officer shall honor the minor's preference to either (1) return the minor to the legal custodian or (2) take the minor to an office specified by the Department of Health and Social Services or a facility or contract agency of the department. If an office specified by the department or a facility or contract agency of the department does not exist in the community, the officer shall take the minor to another suitable location and promptly notify the department. A minor under protective custody may not be housed in a jail or other detention facility. Immediately upon taking a minor into protective custody the officer shall advise the minor orally and in writing of the right to social services under AS 47.10.142(b), and, if known, the officer shall advise the legal custodian that the minor has been taken into protective custody. (§ 2 ch 42 SLA 1985)

Sec. 47.10.142. Emergency custody and temporary placement hearing. (a) The Department of Health and Social Services may take emergency custody of a minor upon discovering any of the following circumstances:

- (1) the minor has been abandoned;
- (2) the minor has been grossly neglected by the minor's parents or guardian as "neglect" is defined in AS 47.17.070, and the department determines that immediate removal from the minor's surroundings is necessary to protect the minor's life or provide immediate necessary medical attention;
- (3) the minor has been subjected to child abuse or neglect by a person responsible for the minor's welfare, as "child abuse or neglect" is defined in AS 47.17.070, and the department determines that immediate removal from the minor's surroundings is necessary to protect the minor's life or that immediate medical attention is necessary; or

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§ 47.10.140 WELFARE, SOCIAL SERVICES & INSTITUTIONS § 47.10.140

Effect of amendments. — The 1986 rewrote subsection (a) and added subsection (d).
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Sec. 47.10.140. Temporary detention and detention hearing.

(a) A peace officer may arrest a minor who violates a law or ordinance in the officer's presence, or whom the officer reasonably believes is a fugitive from justice. A peace officer may continue a lawful arrest made by a citizen. The officer may have the minor detained in a juvenile detention facility if in the officer's opinion it is necessary to do so to protect the minor or the community.

(b) A peace officer who has a minor detained under (a) of this section shall immediately, and in no event more than 12 hours later, notify the court, the minor's parents or guardian, and the Department of Health and Social Services of the officer's action. The department may file with the court a petition alleging delinquency before the detention hearing.

(c) The court shall immediately, and in no event more than 48 hours later, hold a hearing at which the minor and the minor's parents or guardian if they can be found shall be present. The court shall determine whether probable cause exists for believing the minor to be delinquent. The court shall inform the minor of the reasons alleged to constitute probable cause and the reasons alleged to authorize the minor's detention. The minor is entitled to counsel and to confrontation of adverse witnesses.

(d) If the court finds that probable cause exists, it shall determine whether the minor should be detained pending the hearing on the petition or released. It may either order the minor held in detention or released to the custody of a suitable person pending the hearing on the petition. If the court finds no probable cause, it shall order the minor released and close the case.

(e) Except for temporary detention pending a detention hearing, a minor may be detained only by court order.

(f) [Repealed, § 3 ch 42 SLA 1985.]
(g) [Repealed, § 3 ch 42 SLA 1985.](§ 15 art I ch 145 SLA 1957; am § 3 ch 118 SLA 1962; am § 2 ch 100 SLA 1971; am § 6 ch 104 SLA 1971; am §§ 1, 2 ch 128 SLA 1972; am §§ 1, 3 ch 42 SLA 1985)

Effect of amendments. — The 1985 amendment rewrote subsection (e) and repealed subsections (f) and (g).

Effect of amendments. — The 1985 amendment rewrote subsections (a) and (c).

NOTES TO DECISIONS

Quoted in *D.E.D. v. State*, Sup. Ct. Op. No. 2970 (File No. S-553), 704 P.2d 774 (1985). Cited in *Gerlach v. State*, Ct. App. Op. No. 468 (File No. A-501), 699 P.2d 358 (1985).

Article 3. Care of Children.

Section

230. Powers and duties of department over care of child

Sec. 47.10.230. Powers and duties of department over care of child. (a) Subject to (e) and (f) of this section, the Department of Health and Social Services shall arrange for the care of every child committed to its custody by placing the child in a foster home or in the care of an agency or institution providing care for children inside or outside the state. The department may place a child in a suitable family home, with or without compensation, and may place a child released to it, in writing verified by the parent, or guardian or other person having legal custody, for adoptive purposes, in a home for adoption in accordance with existing law.

(b) The department may pay the costs of maintenance which are necessary to assure adequate care of the child, and may accept funds from the federal government which are granted to assist in carrying out the purposes of this chapter, or which are paid under contract entered into with a federal department or agency. A child under the care of the department may not be placed in a family home or institution that does not maintain adequate standards of care.

(c) The department may receive, care for, and make appropriate placement of minors accepted for care for a period of up to six months on the basis of an individual voluntary written agreement between the minor's parent, legal guardian, or other person having legal custody and the department. The agreement must include provisions for payment of fees under AS 44.29.022 to the department for the minor's care and treatment. The agreement entered into may not prohibit a minor's parent, legal guardian, or other person who had legal custody from regaining care of the minor at any time.

(d) In addition to funds paid for the maintenance of foster children under (b) of this section, the department shall pay the costs of caring for physically or mentally handicapped foster children, including the additional costs of medical care, habilitative and rehabilitative treatment, services and equipment, special clothing, and the indirect costs of medical care, including child care, transportation expenses, and

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(4) the minor has been sexually abused under circumstances listed in AS 47.10.010(a)(2)(D).

(b) A minor who has left home and is evading the person having legal custody of the minor 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 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.

(c) When a child is taken into custody under (a) or (b) of this section, the department shall immediately, and in no event more than 12 hours later unless prevented by lack of communication facilities, notify the parents or the person or persons having custody of the child. If the department determines that continued custody is necessary to protect the child, the department shall notify the court of the emergency custody by filing, within 12 hours after custody was assumed, a petition alleging that the child is a child in need of aid. If the department releases the child within 12 hours after taking the child into custody and does not file a child in need of aid petition the department shall, within 12 hours after releasing the child, file with the court a report explaining why the child was taken into custody.

(d) The court shall immediately, and in no event more than 48 hours after being notified unless prevented by lack of transportation, hold a hearing at which the minor, if the minor's health permits, and the minor's parents or guardian, if they can be found, shall be permitted to be present. The court shall determine whether probable cause exists for believing the minor to be a child in need of aid, as defined in AS 47.10.290. The court shall inform the minor, and the minor's parents or guardian if they can be found, of the reasons given as constituting probable cause and the reasons given as authorizing the minor's temporary placement.

(e) If the court finds that probable cause exists it shall order the minor committed to the department for temporary placement, or order the minor returned to the custody of the minor's parents or guardian subject to the department's supervision of the minor's care and treatment. If the court finds no probable cause it shall order the minor returned to the custody of the minor's parents or guardian. (§ 3 ch 100 SLA 1971; am § 6 ch 104 SLA 1971; am § 24 ch 63 SLA 1977; am § 2 ch 104 SLA 1982; am §§ 6, 7 ch 39 SLA 1985)

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respite care. In this subsection "respite care" means child care not to exceed 12 hours in any 30-day period; it also means child care for a period not to exceed seven days in a year for the purpose of providing emergency protection for the child when the foster parent is away from the home because of an emergency and no other care is available for the child or when the foster parent is on vacation and the child, because of age or infirmity, cannot be placed in any other type of temporary care facility.

(e) A child may not be placed in a foster home or in the care of an agency or institution providing care for children if a blood relative exists who requests custody of the child. However, the department may retain custody of the child and provide for its placement in the same manner as for other children if it makes a determination, supported by clear and convincing evidence, that the custody of the child by the blood relative will result in physical or emotional damage. In making that determination, poverty, including inadequate or crowded housing, on the part of the blood relative, is not considered prima facie evidence that physical or emotional damage to the child will occur. This determination may be appealed to the superior court to hear the matter de novo.

(f) If a blood relative of the child specified under (e) of this section exists and agrees that the child should be placed elsewhere, before placement elsewhere the department shall fully communicate the nature of the placement proceedings to the relative. Communication under this subsection shall be made in the relative's native language, if necessary. Nothing in this subsection or in (e) of this section applies to child placement for adoptive purposes.

(g) The department may enter into agreements with Alaska Native villages or Native organizations under 25 U.S.C. 1919 (Indian Child Welfare Act of 1978) respecting the care and custody of Native children and jurisdiction of Native child custody proceedings. (§ 1 art III ch 145 SLA 1957; am § 5 ch 100 SLA 1971; am § 6 ch 104 SLA 1971; am § 1 ch 76 SLA 1976; am §§ 36, 37 ch 126 SLA 1977; am § 132 ch 6 SLA 1984; am § 1 ch 127 SLA 1986; am § 90 ch 138 SLA 1986)

Effect of amendments. — The first 1986 amendment added subsection (g). The second 1986 amendment, effective July 1, 1986, in subsection (c), substituted "must include provisions for payment of fees under AS 44.29.022" for "may include provisions for payment, in whole or in part" in the second sentence and substituted "may not prohibit" for "shall not operate to prohibit" in the third sentence.

NOTES TO DECISIONS

Preferences in adoptive placement. — Subsection (e) does not entitle natural relatives to a preference in the adoptive placement of children. In re W.E.G. & J.R.G., Sup. Ct. Op. No. 2998 (File Nos. S-777, S-778, S-803), 710 P.2d 410 (1985). Quoted in In re J.R.S., Sup. Ct. Op. No. 2869 (File Nos. 7421, 7422), 690 P.2d 10 (1984); D.E.D. v. State, Sup. Ct. Op. No. 2970 (File No. S-553), 704 P.2d 774 (1985).

Article 4. General Provisions.

Section
290. Definitions

Sec. 47.10.290. Definitions. In this chapter, unless the context otherwise requires,

- (1) "care" or "caring" under AS 47.10.010(a)(2)(A), 47.10.120(a) and 47.10.230(c), means to provide for the physical, emotional, mental, and social needs of the child;
- (2) "child in need of aid" means a minor found to be within the jurisdiction of the court under AS 47.10.010(a)(2);
- (3) "court" means the superior court of the state;
- (4) "delinquent minor" means a minor found to be within the jurisdiction of the court under AS 47.10.010(a)(1);
- (5) "department" means the Department of Health and Social Services.
- (6) "juvenile detention facility" means separate quarters within a city jail used for the detention of delinquent minors;
- (7) "juvenile detention home" or "detention home" is a separate establishment, exclusively devoted to the detention of minors on a short-term basis and not a part of an adult jail;
- (8) "minor" is a person under 18 years of age. (§ 1 art I ch 145 SLA 1957; am § 5 ch 110 SLA 1967; am §§ 5, 6 ch 27 SLA 1970; am §§ 27 — 28 ch 63 SLA 1977; am §§ 91, 92 ch 138 SLA 1986)

Revisor's notes. — Paragraph (5) was enacted as (a). Renumbered in 1986. Reorganized in 1984 and 1986 to alphabetize the terms defined. Effect of amendments. — The 1986 amendment, effective July 1, 1986, inserted "'care' or" and "47.10.120(a) and 47.10.230(c)" in paragraph (1) and added paragraph (5).

Chapter 17. Child Protection.

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| Section | Section |
| 20. Persons required to report | 68. Penalty for failure to report |
| 22. Training | 69. Protective injunctions |
| 23. Reports regarding child pornography | 70. Definitions |
| 24. Photographs and x-rays | |

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§ 47.17.010 WELFARE, SOCIAL SERVICES & INSTITUTIONS § 47.17.020

Sec. 47.17.010. Purpose.

NOTES TO DECISIONS

Cited in Gerlach v. State, Ct. App. Op. No. 468 (File No. A-501), 699 P.2d 358 (1985).

Sec. 47.17.020. Persons required to report. (a) The following persons who, in the performance of their occupational duties, have cause to believe that a child has suffered harm as a result of child abuse or neglect shall immediately report the harm to the nearest office of the department:

- (1) practitioners of the healing arts;
- (2) school teachers and school administrative staff members of public and private schools;
- (3) social workers;
- (4) peace officers, and officers of the Department of Corrections;
- (5) administrative officers of institutions;
- (6) child care providers;
- (7) paid employees of domestic violence and sexual assault programs, and crisis intervention and prevention programs as defined in AS 18.66.900.

(b) This section does not prohibit the named persons from reporting cases that have come to their attention in their nonoccupational capacities, nor does it prohibit any other person from reporting a child's harm that the person has cause to believe is a result of child abuse or neglect. These reports shall be made to the nearest office of the department.

(c) If the person making a report of harm under this section cannot reasonably contact the nearest office of the department and immediate action is necessary for the well-being of the child, the person shall make the report to a peace officer. The peace officer shall take immediate action to protect the child and shall, at the earliest opportunity, notify the nearest office of the department.

(d) This section does not require a religious healing practitioner to report as neglect of a child the failure to provide medical attention to the child if the child is provided treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by an accredited practitioner of the church or denomination.

(e) A person listed in (a) of this section, who in the performance of the person's occupational duties has cause to believe that a child has suffered harm as a result of abuse, shall promptly report the harm to the nearest law enforcement agency if the person making the report (1) has cause to believe that the harm was caused by a person who is not responsible for the child's welfare; or (2) is unable to determine (A)

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who caused the harm to the child; or (B) whether the person who is believed to have caused the harm has responsibility for the child's welfare. If a person making a report under this subsection cannot reasonably contact the nearest law enforcement agency, and immediate action appears necessary for the well-being of the child, the person shall make the report to the nearest office of the department. The department shall take immediate action to protect the child and shall, at the earliest opportunity, notify the nearest law enforcement agency. In this subsection, "abuse" means the physical injury, sexual abuse, sexual exploitation, or maltreatment of a child by any person under circumstances that indicate that the child's health or welfare is harmed or threatened. (§ 1 ch 100 SLA 1971; am §§ 4, 5 ch 104 SLA 1982; am E.O. No. 55, § 42 (1984); am §§ 8—10 ch 39 SLA 1985; am § 2 ch 114 SLA 1986)

Effect of amendments. — The 1985 amendment rewrote subsections (a) and (b) and added subsection (d). The 1986 amendment added subsection (e).

Sec. 47.17.022. Training. (a) A person employed by the state who is required under this chapter to report abuse or neglect of children shall receive training on the recognition and reporting of child abuse and neglect.

(b) Each department of the state that employs persons required to report abuse or neglect of children shall provide

(1) initial training required by this section to each new employee during the employee's first six months of employment, and to any existing employee who has not received equivalent training; and

(2) appropriate in-service training required by this section as determined by the department.

(c) Each department that must comply with (b) of this section shall develop a training curriculum that acquaints its employees with

(1) laws relating to child abuse and neglect;

(2) techniques for recognition and detection of child abuse and neglect;

(3) agencies and organizations within the state that offer aid or shelter to victims and the families of victims of child abuse or neglect; and

(4) procedures for required notification of suspected abuse or neglect.

(d) Each department that must comply with (b) of this section shall file a current copy of its training curriculum and materials, with the Council on Domestic Violence and Sexual Assault. A department may seek the technical assistance of the council or the Department of Health and Social Services in the development of its training program. (§ 1 ch 1 SLA 1986)

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§ 47.17.023 WELFARE, SOCIAL SERVICES & INSTITUTIONS § 47.17.064

Sec. 47.17.023. Reports regarding child pornography. A person who, in the course of processing or producing visual or printed matter, either privately or commercially, has reason to believe that the matter visually depicts a child engaged in conduct described in AS 11.41.455(a) shall promptly report this to the nearest law enforcement agency, and provide the law enforcement agency with all information known about the nature and origin of the matter. (§ 11 ch 39 SLA 1985)

Sec. 47.17.030. Action on reports; termination of parental rights.

NOTES TO DECISIONS

Cited in Gerlach v. State, Ct. App. Op. No. 468 (File No. A-501), 699 P.2d 358 (1985).

Sec. 47.17.040. Central registry; confidentiality.

NOTES TO DECISIONS

Cited in Gerlach v. State, Ct. App. Op. No. 468 (File No. A-501), 699 P.2d 358 (1985).

Sec. 47.17.060. Evidence not privileged.

"Judicial proceeding". — The phrase "judicial proceeding related to a report made under this chapter" in this section only refers to child protection proceedings under AS 47.10.010. State v. Wetherhorn, Ct. App. Op. No. 375 (File No. 7768), 683 P.2d 269 (1984).

Sec. 47.17.064. Photographs and x-rays. (a) The department or a practitioner of the healing arts may, without the permission of the parents, guardian, or custodian, take the following actions with regard to a child believed to have suffered physical harm as a result of child abuse or neglect:

(1) take or have taken photographs of the areas of trauma visible on the child; and

(2) if medically indicated, have a radiological examination of the child performed by a person who is licensed to administer a radiological examination.

(b) The department or a practitioner of the healing arts shall notify the parents, guardian, or custodian of a child as soon as possible after taking action under (a) of this section with regard to the child. (§ 7 ch 104 SLA 1982; am § 12 ch 39 SLA 1985)

Effect of amendments. — The 1985 amendment rewrote this section.

Sec. 47.17.068. Penalty for failure to report. A person who knowingly fails or refuses to report as required under AS 47.17.020 or 47.17.023 is guilty of a class B misdemeanor. (§ 7 ch 104 SLA 1982; am § 13 ch 39 SLA 1985)

Effect of amendments. — The 1985 amendment rewrote this section.

Sec. 47.17.069. Protective injunctions. (a) A court may enjoin or limit a person from contact with a child if the attorney general establishes by a preponderance of the evidence that the person

- (1) has sexually abused a child;
- (2) has physically abused a child; or
- (3) has engaged in conduct that constitutes a clear and present danger to the mental, emotional, or physical welfare of a child.

(b) This section does not limit the authority of the attorney general or the court to act to protect a child. (§ 14 ch 39 SLA 1985)

Sec. 47.17.070. Definitions. In this chapter

- (1) "child" means a person under 18 years of age;
- (2) "child abuse or neglect" means the physical injury or neglect, sexual abuse, sexual exploitation, or maltreatment of a child under the age of 18 by a person who is responsible for the child's welfare under circumstances which indicate that the child's health or welfare is harmed or threatened thereby;
- (3) "child care provider" means an adult individual, or an employee of an organization, who provides care and supervision to a child for compensation;
- (4) "department" means the Department of Health and Social Services;
- (5) "institution" means a private or public hospital or other facility providing medical diagnosis, treatment, or care;
- (6) "neglect" means the failure to provide necessary food, care, clothing, shelter, or medical attention for a child;
- (7) "organization" means a group or entity that provides care and supervision for compensation to a child not related to the caregiver, and includes a child care facility, pre-elementary school, head start center, child foster home, residential child care facility, recreation program, children's camp, and children's club;
- (8) "person responsible for the child's welfare" means the child's parent, guardian, foster parent, a person responsible for the child's care at the time of the alleged child abuse or neglect, or a person responsible for the child's welfare in a public or private residential agency or institution;

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§ 47.28.020 WELFARE, SOCIAL SERVICES & INSTITUTIONS § 47.23.020

(9) "practitioner of the healing arts" includes chiropractors, dental hygienists, dentists, health aides, nurses, nurse practitioners, optometrists, osteopaths, naturopaths, physical therapists, physicians, physician's assistants, psychiatrists, psychologists, psychological associates, audiologists licensed under AS 08.11, hearing aid dealers licensed under AS 08.55, religious healing practitioners, and surgeons;

(10) "sexual exploitation" includes

(A) allowing, permitting, or encouraging a child to engage in prostitution prohibited by AS 11.66.100 — 11.66.150, by a person responsible for the child's welfare;

(B) allowing, permitting, encouraging, or engaging in activity prohibited by AS 11.41.455(a), by a person responsible for the child's welfare. (§ 1 ch 100 SLA 1971; am § 6 ch 104 SLA 1971; am § 3 ch 222 SLA 1973; am §§ 56, 57 ch 94 SLA 1980; am §§ 8, 9 ch 104 SLA 1982; am §§ 15, 16 ch 39 SLA 1985; am § 8 ch 56 SLA 1986; am § 3 ch 114 SLA 1986; am § 14 ch 131 SLA 1986)

Revisor's notes. — Reorganized in 1985 to alphabetize the defined terms.

Effect of amendments. — The 1985 amendment rewrote paragraph (9) and added paragraphs (3), (7), and (8).

The first 1986 amendment, effective May 30, 1986, in paragraph (9) inserted "naturopaths."

The second 1986 amendment rewrote paragraph (10).

The third 1986 amendment inserted "audiologists licensed under AS 08.11, hearing aid dealers licensed under AS 08.55," near the end of paragraph (9).

Chapter 23. Child Support Enforcement Agency.

Section	Section
20. Duties and responsibilities of the agency	170. Administrative establishment of support obligations; hearing
22. Enforcement requests from other states	225. Support payment obligations as judgments
25. Rates of interest	226. Collection of support
45. Determination of support obligation	250. Order to withhold and deliver
60. Order of support	255. Income withholding orders
62. Income withholding order for support	260. Civil liability upon failure to comply with an order or lien
75. Employment information	265. Service; notification of change of address
125. Accounting and disposition of federal receipts and agency collections	273. Reporting of payment information concerning delinquent obligors
140. Power of agency to administratively establish and enforce support obligation; procedures to be utilized	278. Payments not disbursed
150. Required notice in administrative enforcement of support orders	900. Definitions

Sec. 47.23.020. Duties and responsibilities of the agency. (a) The agency shall

(1) seek enforcement of child support orders of the superior courts of the state in other jurisdictions and shall obtain, enforce, and administer the orders in this state:

(2) adopt regulations to carry out the purposes of this chapter, including regulations that establish

(A) schedules for determining the amount an obligor is liable to contribute toward the support of an obligee under this chapter and under 42 U.S.C. 651 — 665 (Title IV-D, Social Security Act);

(B) procedures for hearings conducted under AS 47.23.170; and

(C) subject to AS 47.23.025 and to federal law, a uniform rate of interest on arrearages of support that shall be charged the obligor upon notice if child support payments are 10 or more days overdue or if payment is made by a check backed by insufficient funds;

(3) administer and enforce the Uniform Reciprocal Enforcement of Support Act (AS 25.25);

(4) establish, enforce, and administer child support obligations administratively in accordance with this chapter;

(5) administer the state plan required under 42 U.S.C. 651 — 665 (Title IV-D, Social Security Act) as amended;

(6) disburse support payments collected by the agency to the obligee, together with interest charged under (2)(C) of this subsection;

(7) establish and enforce through the superior courts of the state child support orders from other jurisdictions pertaining to obligors within the state;

(8) enforce and administer spousal support orders if a spousal support obligation has been established with respect to the spouse and if the support obligation established with respect to the child of that spouse is also being administered; and

(9) obtain a medical support order as part of a child support order if health care coverage is available to the obligor at a reasonable cost.

(b) In determining the amount of money an obligor must pay to satisfy the obligor's immediate duty of support, the agency shall consider all payments made by the obligor directly to the obligee or to the obligee's custodian. (§ 1 ch 251 SLA 1976; am § 17 ch 126 SLA 1977; am §§ 3 — 5 ch 118 SLA 1982; am § 4 ch 40 SLA 1985; am § 1 ch 72 SLA 1986)

Effect of amendments. — The 1985 amendment in subsection (a) in paragraph (1) substituted "seek enforcement of" for "obtain, enforce, and administer" and added "in other jurisdictions and shall obtain, enforce, and administer the orders in this state"; in paragraph (2) in the introductory language substituted "that" for "which" and made a minor punctuation change and in subparagraph (C) deleted "schedule of penalties and a" following "uniform"; rewrote paragraph (7); added

paragraphs (8) and (9); and made a related stylistic change.

The 1986 amendment, effective June 5, 1986, in paragraph (6) of subsection (a) deleted "child" preceding "support payments" and inserted a comma following "obligee."

Legislative history reports. — For House letter of intent relating to the 1985 amendment to this section, see 1985 House Journal page 740.

§ 47.23.022 WELFARE, SOCIAL SERVICES & INSTITUTIONS § 47.23.045

NOTES TO DECISIONS

Cited in *Saask v. Vandell*, Sup. Ct. Op. No. 2951 (File No. S-403), 702 P.2d 1327 (1985).

Sec. 47.23.022. Enforcement requests from other states. (a) The agency may act, under the laws of this state, upon requests from similar state agencies in other state that operate child support enforcement programs under 42 U.S.C. 651 — 665 (Title IV-D Social Security Act) to establish and enforce against obligors within this state support obligations determined in other states.

(b) Requests from child support enforcement agencies in other states shall be made by application containing the information that this state's agency requires and including written authorization from the requesting state agency and the obligee for this state's agency to initiate action necessary to establish, enforce, and collect the support obligation on their behalf. (§ 5 ch 40 SLA 1985)

Sec. 47.23.025. Rates of interest. The rate of interest imposed under AS 47.23.020(a)(2)(C) shall equal the rate imposed under AS 43.05.225 or a lesser rate that is the maximum rate of interest permitted to be imposed under federal law. (§ 6 ch 118 SLA 1982; am § 6 ch 40 SLA 1985)

Effect of amendments. — The 1985 amendment deleted "penalty and" in the catchline and the former first sentence of the section, which read: "A penalty imposed under AS 47.23.020(a)(2)(C) may not be at a rate that exceeds the rate of interest imposed on delinquent taxes under AS 43.05.225."

Sec. 47.23.045. Determination of support obligation. The agency may appear in an action seeking an award of support on behalf of a child owed a duty of support, or to enforce a spousal support order if a spousal support obligation has been established and if a support obligation, established with respect to a child of that spouse, is also being administered, and may also appear in an action seeking modification of a support order, decree or judgment already entered. Action under this section may be undertaken upon application of an obligee, or at the agency's own discretion if the obligor is liable to the state under AS 47.23.120(a) or (b). (§ 19 ch 126 SLA 1977; am § 7 ch 40 SLA 1985)

Effect of amendments. — The 1985 amendment in the first sentence substituted "on" for "in" and inserted the language beginning "or to enforce a spousal support order" and ending "also being administered."

Sec. 47.23.060. Order of support. (a) An order of support establishes a relationship by which the custodian of the child is the administrator for the purposes of administering child support on behalf of the child. The court shall carefully consider the need for support, the ability of both parents to meet such support obligations, the extent to which the parents supported the child before divorce, and the economic ability of the parents to pay after separation and divorce. The court shall also consider the effect on the support obligation of a change in custodian. The need of the child for support shall be considered regardless of the sex of the parent awarded custody of the child.

(b) *[Repealed, § 21 ch 126 SLA 1977.]*

(c) In a court proceeding where the support of a minor child is at issue, the court may order either or both parents to pay the amount necessary for support, maintenance, nurture, and education of the child. The court shall issue a medical support order as part of a child support order if health care coverage is available to the obligor at a reasonable cost. Upon a showing of good cause the court may order the parents required to pay support to give reasonable security for payments. An order for prospective child support may be modified or revoked as the court considers necessary. (§ 1 ch 251 SLA 1976; am § 21 ch 126 SLA 1977; am § 8 ch 40 SLA 1985)

Effect of amendments. — The 1985 second sentence and made a minor punctuation change.

Sec. 47.23.062. Income withholding order for support. (a) A judgment, court order, or order of the child support enforcement agency under this chapter providing for support must contain an income withholding order. An income withholding order under this section may not be enforced unless the obligor had notice of the order when it was made or an application for the order was served on the obligor in the manner provided for service of a summons under Rule 4, Alaska Rules of Civil Procedure.

(b) An income withholding order must direct the obligor, the obligor's employer, future employer, and any person, political subdivision, or department of the state to withhold money due or to be due the obligor and pay the money to the agency, in an amount determined under (i) of this section.

(c) If support payments are in arrears in an amount at least equal to support payable for one month, the agency, on behalf of an obligee or person or public agency designated to receive support payments, shall request an income withholding order against the obligor to take effect by filing a sworn statement with the court that alleges that the obligor is in arrears in an amount at least equal to the support payable for one month.

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§ 47.23.062 WELFARE, SOCIAL SERVICES & INSTITUTIONS § 47.23.062

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(d) If an application is filed with the clerk of court, notice shall be served upon the obligor by the agency in the manner provided by Rule 5, Alaska Rules of Civil Procedure or any other method permitted by law. The notice shall inform the obligor that the income withholding order will take effect 15 days after the date on which the notice is served unless the obligor requests a hearing within the 15 days after the notice is served. If the obligor requests a hearing, an income withholding order may not take effect until the conclusion of the hearing. The court shall hold a hearing requested under this section within 15 days after the date the obligor requests the hearing, to determine if there are any mistakes of fact that make the withholding order improper, if the amount to be withheld is incorrect, or if there are any other legal defenses. The court shall inform the obligor, either at the hearing or within 15 days after the hearing, whether or not the withholding will occur and of the date on which it is to commence. It is not a defense under this section that less than one full month's payment is due if at least one full month's payment was due on the date notice was served under this section.

(e) The obligee or person or public agency that requested the income withholding order shall immediately send a copy of the income withholding order, a copy of AS 47.23.260 and this section, and an explanation of the effect of the statutes by certified mail to persons who may owe money to an obligor. An income withholding order made under this section is binding upon a person, employer, political subdivision, or department of the state immediately upon receipt of a copy of the income withholding order. An employer shall begin withholding the specified amount from the employee's wages 14 days after the mailing date on the notice of withholding or on the first day of the next pay period, if earlier. The amount withheld shall be sent to the agency.

(f) An employer may not discharge, discipline, or refuse to employ an obligor on the basis of an income withholding order issued under this section. If an employer discharges, disciplines, or refuses to employ an obligor because of an income withholding obligation, the court, after notice and hearing, may order reinstatement or restitution to the obligor, or both. A person who violates this subsection or a regulation adopted to implement it, is liable for a civil penalty of not more than \$1,000.

(g) An income withholding order under this section has priority over all other attachments, executions, garnishments, or other legal process brought under state law against the same money unless otherwise ordered by the court. An income withholding order is not limited to the wages of an obligor but may include all money owed to the obligor not otherwise exempt by law. Exemptions under AS 09.38 do not apply to income withholdings under this section.

(h) The court may order payment of all court costs that resulted from an income withholding proceeding under this section.

(i) An employer shall, to the extent permitted under 15 U.S.C. 1673(b), withhold the current support obligation from an obligor's wages. An employer shall withhold additional income, to the extent permitted under 15 U.S.C. 1673(b), from an obligor's wages for any support arrearage.

(j) An employer may combine into a single payment to the agency amounts withheld from more than one obligor if the employer specifies the portion of the payment attributable to each obligor.

(k) At the time an obligor terminates employment with an employer then in receipt of an unsatisfied income withholding order regarding the obligor, the employer shall immediately inform the agency of the obligor's name and last known address and the name and address of all other known employers of the obligor.

(l) A petition by the obligor to the court to terminate or reduce the withholding of income may be granted upon good cause shown. Payment of arrears alone does not constitute good cause. (§ 1 ch 96 SLA 1981; am §§ 16, 17 ch 59 SLA 1982; am § 1 ch 118 SLA 1982; am § 39 ch 6 SLA 1984; am § 2 ch 144 SLA 1984; am §§ 1, 2 ch 40 SLA 1985; am §§ 2 — 5 ch 72 SLA 1986)

Revisor's notes. — Formerly AS 09.65.132. Renumbered in 1985.

Effect of amendments. — The first 1984 amendment substituted "Exemptions under AS 09.38" for "The exemptions from execution by judgment debtors under AS 09.35.080(a) and the restrictions from execution by judgment debtors under AS 09.35.080(b)(1)" in the last sentence in subsection (g).

The second 1984 amendment in subsection (g), substituted "obligor's net disposable earnings" for "gross wages of the obligor or \$100 a week, whichever is less" in the present next-to-last sentence and added the last sentence.

The 1985 amendment rewrote subsections (a) through (h) and added subsections (i) through (l).

The 1986 amendment, effective June 5, 1986, in subsection (a) in the first sentence deleted "the" preceding "support" and deleted "of a minor child" following "support"; in subsection (b) substituted "(i)" for "(h)" near the end of the subsection; in subsection (g) in the last sentence substituted "assignments" for "withholdings"; and in subsection (l) added the second sentence.

Legislative history reports. — For House letter of intent relating to the 1985 amendment to this section, see 1985 House Journal page 740.

Legislative history reports. — For House letter of intent relating to the 1985 amendment to this section, see 1985 House Journal page 740.

NOTES TO DECISIONS

Cited in *Rubalcava v. Hall*, Sup. Ct. Op. No. 2755 (File No. 6910), 674 P.2d 767 (1983).

§ 47.23.075 WELFARE, SOCIAL SERVICES & INSTITUTIONS § 47.23.140

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Sec. 47.23.075. Employment information. (a) An employer of an obligor or a labor union of which an obligor is a member shall provide to the agency information requested regarding the obligor's employment, wages or salary, and location.

(b) An employer of an obligor or a labor union of which an obligor is a member that knowingly violates this section is liable for a civil penalty of not more than \$1,000. (§ 9 ch 40 SLA 1985)

Sec. 47.23.125. Accounting and disposition of federal receipts and agency collections. (a) Federal incentive payments received by the state under 42 U.S.C. 658 shall be deposited in the general fund and the commissioner of administration shall separately account for the payments. The annual estimated balance in the account may be used by the legislature to make appropriations to the Department of Revenue to carry out the purposes of AS 47.23.020.

(b) The commissioner of administration shall separately account for the state share of payments made by obligors under AS 47.23.120 that the agency collects and deposits in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations to the Department of Health and Social Services to carry out the purposes of AS 47.10.230 — 47.10.260 and AS 47.25.10 — 47.25.420. (§ 93 ch 138 SLA 1986)

Effective dates. — Section 104, ch. 138, SLA 1986, makes this section effective July 1, 1986.

Sec. 47.23.140. Power of agency to administratively establish and enforce support obligation; procedures to be utilized. (a) If no support order has been entered, the agency may establish a duty of support utilizing the procedures prescribed in AS 47.23.160 — 47.23.220 and may enforce a duty of support utilizing the procedure prescribed in AS 47.23.230 — 47.23.270. Action under this subsection may be undertaken upon application of an obligee, or at the agency's own discretion if the obligor is liable to the state under AS 47.23.120(a) or (b).

(b) If a support order has been entered, the agency may enforce the support order utilizing the procedures prescribed in AS 47.23.150 and 47.23.230 — 47.23.270.

(c) A decision of the agency determining a duty of support shall include an income assignment order as provided under AS 47.23.062. (§ 29 ch 126 SLA 1977; am § 6 ch 96 SLA 1981)

Editor's notes. — This section is set out above to change the internal reference in subsection (c).

Sec. 47.23.150. Required notice in administrative enforcement of support orders. (a) Action to enforce a support order administratively under AS 47.23.230 — 47.23.270 is initiated by the agency serving a notice on the obligor of the obligor's liability under the support order.

(b) Notice served under (a) of this section shall state the amount of the obligor's liability under the support order and that the property of the obligor is subject to execution in that amount in accordance with the procedures prescribed in AS 47.23.230 — 47.23.270 at the expiration of 30 days from the date of service of the notice. (§ 29 ch 126 SLA 1977; am § 10 ch 40 SLA 1985)

Effect of amendments. — The 1985 sentence of subsection (a), concerning amendment deleted the former second sentence of notice.

Sec. 47.23.170. Administrative establishment of support obligations; hearing. (a) A person served with a notice and finding of financial responsibility is entitled to a hearing if a request in writing for a hearing is served on the agency by registered mail, return receipt requested, within 30 days of the date of service of the notice of financial responsibility.

(b) If a request under (a) of this section is made, the execution under AS 47.23.230 — 47.23.270 shall be stayed pending the decision on the hearing, or the decision of a court, if appealed. If no request for a hearing is made, the finding of responsibility is final at the expiration of the 30-day period.

(c) If a hearing is requested, it shall be held within 30 days of the date of service of the request for hearing on the agency.

(d) The hearing officer shall determine the amount of periodic payments necessary to satisfy the past, present, and future liability of the alleged obligor under AS 47.23.130, if any, and under any duty of support imposable under the law. The amount of periodic payments determined under this subsection is not limited by the amount of any public assistance payment made to or for the benefit of the child.

(e) The hearing officer shall consider the following in making a determination under (d) of this section:

(1) the needs of the alleged obligee, disregarding the income or assets of the custodian of the alleged obligee;

(2) the amount of the alleged obligor's liability to the state under AS 47.23.120 if any;

(3) the intent of the legislature that children be supported as much as possible by their natural parents;

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§ 47.23.225 WELFARE, SOCIAL SERVICES & INSTITUTIONS § 47.23.226

(4) the ability of the alleged obligor to pay.

(f) If the alleged obligor requesting the hearing fails to appear at the hearing, the hearing officer shall enter a decision declaring the property of the alleged obligor subject to execution in accordance with AS 47.23.230 — 47.23.270 in the amounts stated in the notice and finding of financial responsibility. (§ 29 ch 126 SLA 1977; am § 7 ch 96 SLA 1981; am § 6 ch 72 SLA 1986)

Effect of amendments. — The 1986 amendment, effective June 5, 1986, substituted "47.23.120" for "47.23.125" in paragraph (2) of subsection (e).

Sec. 47.23.225. Support payment obligations as judgments. A support order ordering a noncustodial parent obligor to make periodic support payments to the custodian of a child is a judgment that becomes vested when each payment becomes due and unpaid. The custodian of the child, or the agency on behalf of that person, may take legal action under AS 47.23.226 to establish a judgment for support payments ordered by a court of this state that are delinquent. (§ 9 ch 144 SLA 1984; am § 7 ch 72 SLA 1986)

Effect of amendments. — The 1986 amendment, effective June 5, 1986, in the first sentence substituted "support" for "court" preceding "order" and deleted "child" following "periodic" and in the second sentence deleted "child" preceding "support payments."

Sec. 47.23.226. Collection of support. To collect the payment due, the custodian of a child, or the agency on behalf of that person, shall file with the court (1) a motion requesting establishment of a judgment; (2) an affidavit that states that one or more payments of support are 30 or more days past due and that specifies the amounts past due and the dates they became past due; and (3) notice of the obligor's right to respond. Service on the obligor must be in the manner provided in AS 47.23.265. The child's custodian, or the agency on behalf of the custodian, shall file with the court proof of service of the petition, affidavit, and notice. The obligor shall respond no later than 15 days after service by filing an affidavit with the court. If the obligor's affidavit states that the obligor has paid any of the amounts claimed to be delinquent, describes in detail the method of payment or offers any other defense to the petition, then the obligor is entitled to a hearing. After the hearing, if any, the court shall enter a judgment for the amount of money owed. If the obligor does not file an affidavit under this section, the court shall enter a default judgment against the obligor. (§ 9 ch 144 SLA 1984; am § 11 ch 40 SLA 1985; am § 8 ch 72 SLA 1986)

Effect of amendments. — The 1985 amendment substituted "Collection of" for "Action to collect" in the catchline, in the first sentence deleted "commence an action to" preceding "collect the payment" and substituted "motion" for "petition," and in the second sentence substituted "in AS 47.23.265" for "by the rule of civil pro-

cedure for service of summons in a civil action."

The 1986 amendment, effective June 5, 1986, deleted "child" preceding "support" in the catchline, in the first sentence deleted "child" following "payments of" and in the second sentence substituted "must" for "shall."

Sec. 47.23.250. Order to withhold and deliver. (a) At the expiration of 30 days from the date of service of notice under AS 47.23.150, or from the date of service of a notice and finding of financial responsibility under AS 47.23.160, the agency may issue to any person, political subdivision, or department of the state an order to withhold and deliver property.

(b) All real or personal property belonging to the obligor is subject to an order to withhold and deliver, including, but not limited to, earnings which are due, owing, or belonging to the debtor.

(c) The agency may issue an order to withhold and deliver when it has reason to believe that there is in the possession of a person, political subdivision, or department of the state property which is due, owing, or belonging to the obligor.

(d) The order to withhold and deliver shall be served upon the person, political subdivision, or department of the state possessing the property in the manner provided for service of liens under AS 47.23.240. The order shall state the amount of the obligor's liability and shall state in summary the terms of AS 47.23.260 and 47.23.270.

(e) Any person, political subdivision, or department of the state served with an order to withhold and deliver is required to make true answers to inquiries contained in the order under oath and in writing within 30 days of service of the order and is further required to answer all inquiries subsequently put.

(f) If any person, political subdivision, or department of the state upon whom service of an order to withhold and deliver has been made possesses property due, owing, or belonging to the obligor, that person, subdivision, or department shall withhold the property immediately upon receipt of the order and shall deliver the property to the agency upon demand after the expiration of the 30-day period from the date of service of the order. The agency shall hold property delivered under this subsection in trust for application against the liability of the obligor under AS 47.23.130 or for return, without interest, depending on final determination of liability or nonliability under this chapter. The agency may accept a good and sufficient bond conditioned upon final determination of liability in lieu of requiring delivering of property under this subsection.

(g) Delivery to the agency of the money or other property due, owing, or belonging to the obligor shall satisfy the requirement of the

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§ 47.23.255 WELFARE, SOCIAL SERVICES & INSTITUTIONS § 47.23.260

order to withhold and deliver. Delivery of money due and owing to the obligor under any contract of employment, express or implied, or held by any person, political subdivision, or department of the state, and subject to withdrawal by the obligor, shall be delivered by remittance payable to the order of the agency.

(h) The agency shall defend and hold harmless for such actions people withholding or delivering money or property to the agency in accordance with this section.

(i) Exemptions under AS 09.38 do not apply to proceedings to enforce the payment of child support under AS 47.23.230 — 47.23.270; however, net disposable earnings are exempt from execution as provided in 15 U.S.C. 1673(b). In this subsection, "net disposable earnings" has the meaning given in 15 U.S.C. 1672. (§ 29 ch 126 SLA 1977; am § 8 ch 96 SLA 1981; am § 134 ch 6 SLA 1984; am § 10 ch 144 SLA 1984; am § 12 ch 40 SLA 1985)

Effect of amendments. — The 1985 amendment in subsection (i) in the first sentence deleted "50 percent of the obligor's" preceding "net disposable" and substituted "are" for "is" preceding "exempt" and "as provided in 15 U.S.C. 1673(b)" for "under AS 47.23.230 — 47.23.270."

Sec. 47.23.255. Income withholding orders. (a) The agency shall pay to the obligee all money recovered by the agency from the obligor under an income withholding order except for court costs and money assigned to the agency under AS 47.23.120 — 47.23.130.

(b) Notwithstanding AS 47.23.250, an income withholding order contained in a decision of the agency that has not been set aside by the superior court under AS 47.23.220 shall be enforced under the procedure established in AS 47.23.062. (§ 9 ch 96 SLA 1981; am § 13 ch 40 SLA 1985)

Effect of amendments. — The 1985 amendment substituted "withholding" for "assignment" in the catchline, in subsection (a) inserted "to" preceding "the obligee," "from the obligor," and "court" preceding "costs," and substituted "withhold- ing" for "assignment" and "and money assigned to the agency under AS 47.23.120 — 47.23.130" for "that are recovered from the obligor," and substituted "withhold- ing" for "assignment" in subsection (b).

Sec. 47.23.260. Civil liability upon failure to comply with an order or lien. If any person, political subdivision, or department of the state (1) fails to make an answer to an order to withhold and deliver within the time prescribed in AS 47.23.250; (2) fails or refuses to deliver property in accordance with an order issued under AS 47.23.250; (3) pays over, releases, sells, transfers, or conveys real property subject to a lien filed under AS 47.23.230 to or for the benefit of the obligor or any other person; (4) fails or refuses to surrender upon demand property attached; (5) fails or refuses to honor an assignment

of wages or an income withholding order under AS 47.23.062 presented by the agency, the person, political subdivision, or department of the state is liable to the agency in an amount equal to 100 percent of the amount constituting the basis of the lien, order to withhold and deliver, attachment, or withholding of wages or income, together with costs, interest, and reasonable attorney fees. (§ 29 ch 126 SLA 1977; am § 10 ch 96 SLA 1981; am § 14 ch 40 SLA 1985)

Effect of amendments. — The 1985 amendment inserted "an" preceding "answer to an order" and substituted "withholding" for "assignment" in two places.

Sec. 47.23.265. Service; notification of change of address. (a) Except as otherwise provided under this chapter, when a notice, paper, or other document is required by this chapter to be given or served upon a person by the agency, the notice, paper, or other document may be served as required by Rule 5, Alaska Rules of Civil Procedure or any other method permitted by law.

(b) A person required by court order to make support payments through the agency shall keep the agency informed of the person's current address. (§ 11 ch 144 SLA 1984; am § 15 ch 40 SLA 1985; am § 9 ch 72 SLA 1986)

Effect of amendments. — The 1985 amendment in subsection (a) substituted "served as required by Rule 5, Alaska Rules of Civil Procedure or any other method permitted by law" for "sent by registered or certified mail to the last known address of that person" and deleted the former second sentence concerning service by mail.

The 1986 amendment, effective June 5, 1986, deleted "child" preceding "support payments" in subsection (b).

Sec. 47.23.273. Reporting of payment information concerning delinquent obligors. (a) The agency may provide to credit bureaus or lending institutions of any kind information about delinquent support owed by obligors. The information provided must consist solely of the payment history of the obligor for a period not to exceed 10 years before the date the information is provided.

(b) Upon a obligor's payment of delinquent support, the agency shall immediately notify all credit bureaus and lending institutions that were furnished information about the obligor under (a) of this section that the obligor is no longer delinquent. (§ 12 ch 144 SLA 1984; am § 10 ch 72 SLA 1986)

Effect of amendments. — The 1986 amendment, effective June 5, 1986, in subsection (a) in the first sentence deleted "child" following "delinquent" and in the second sentence deleted "so" following "information" and in subsection (b) deleted "child" following "delinquent."

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§ 47.23.278 WELFARE, SOCIAL SERVICES & INSTITUTIONS § 47.23.900

Sec. 47.23.278. Payments not disbursed. Support payments collected and held by the agency for seven years without disbursement shall be returned to the obligor. (§ 16 ch 40 SLA 1985)

Sec. 47.23.900. Definitions. In this chapter

- (1) "agency" means the child support enforcement agency;
- (2) "department" means the Department of Revenue;
- (3) "duty of support" includes a duty of support imposed or imposed by law, by a court order, decree or judgment, or by a finding or decision rendered under this chapter whether interlocutory or final, whether incidental to a proceeding for divorce, legal separation, separate maintenance, or otherwise, and includes the duty to pay arrearages of support past due and unpaid together with penalties and interest on arrearages imposed under AS 47.23.020(a)(2)(C);
- (4) "earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus, or other similar description and includes the gain derived from the investment of capital, from labor, or from a combination of investment and labor;
- (5) "obligee" means a person to whom a duty of support is owed;
- (6) "obligor" means a person owing a duty of support;
- (7) "support order" means any judgment, decree, or order of support in favor of an obligee whether temporary or final, or subject to modification, revocation, or remission, regardless of the kind of action or proceeding in which it is entered. (§ 1 ch 251 SLA 1976; am §§ 27, 28 ch 126 SLA 1977; am § 4 ch 96 SLA 1981; am § 9 ch 118 SLA 1982; am § 133 ch 6 SLA 1984; am §§ 11, 12 ch 72 SLA 1986)

Effect of amendments. — The 1986 "support imposed" and in paragraph (7) amendment, effective June 5, 1986, in deleted "child" following "order of." paragraph (3) deleted "child" preceding

Chapter 25. Destitute and Needy Persons.

- Article**
- 1. Pioneers' Home (§ 47.25.030)
 - 2. General Relief Assistance (§§ 47.25.130, 47.25.195, 47.25.205, 47.25.230, 47.25.250)
 - 3. Aid to Families with Dependent Children Act (§ 47.25.345)

Article 1. Pioneers' Home.

- Section**
- 30. Admission on payment

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

Bill Version: SCR 2
Publish Date: _____

REQUEST: _____
Revision Date: _____
Title: Estabilshing a Children's Law
Task Force
Sponsor: Senator Uehling
Requestor: Senate HESS

Agency Affected: Legislative Affairs Agency
BRU: Legislative Council
Leadership
Components: Session Expenses
Legislative Leadership

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL	-0-	23.7	11.9	-0-	-0-	-0-
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	23.7	11.9	-0-	-0-	-0-

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

GENERAL FUND	-0-	23.7	11.9	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

No additional funding is requested for a staff person being hired by the task force. Funding will be provided by existing funding under Session Expense and Legislative Leadership. However, travel funds for public

Prepared by: Pamela A. Stoops, Manager *Pamela A. Stoops* Phone: 465-3850
Division: Administrative Services Date: 3/2/87
Approved by: Warren W. Endicott, Executive Director *Warren W. Endicott* Date: 3/2/87
Agency: Legislative Affairs Agency

Distribution (by preparer):

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SCR 2

members and other legislative task force members is requested - \$23.7.

4 trips @ 352 x 10 members	=	14,080
3 days per diem (\$80) x		
4 trips x 10 members	=	<u>9,600</u>
		23,680

The expiration date of the task force is in the middle of FY 89 on January 10, 1989. One half of the travel funding is requested for FY 89.

It is assumed that contractual services, supplies and equipment funding for the task force will also be provided by existing funding within Session Expenses and Legislative Leadership components.

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version: SCR 2

Publish Date: _____

Revision Date: _____

Agency Affected: Administration

Title: "An Act establishing a children's law task force..."

BRU: Office of Public Advocacy

Sponsor: Uehling, Faiks, et.al.

Components: _____

Requestor: Senate Judiciary

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Brant McGee, Public Advocate

Phone: 274-1684

Division: Office of Public Advocacy

Date: 2/22/87

Approved by Commissioner: Garrey Peska

Date: 2/27/87

Agency: Department of Administration

Distribution (by preparer):

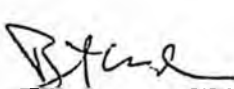
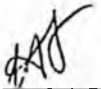
- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

POSITION PAPER
Senate Concurrent Resolution No. 2
"An Act Establishing a
Children's Law Task Force"

This concurrent resolution would mandate the creation of a Children's Law Task Force composed of agency representatives as well as public members to study current Alaska Statutes and agency operations in order to make reform recommendations.

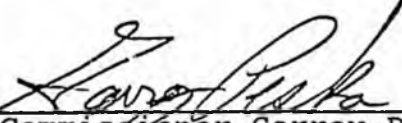
The resolution would have no immediate impact on Office of Public Advocacy or its programs.

The Office of Public Advocacy supports House Concurrent Resolution No. 4 because it would create a needed forum in which a comprehensive study of laws affecting children and agencies' implementation of such laws could be conducted.

Brant McGee, Public Advocate
Office of Public Advocacy

2/22/87
Date



Commissioner Garrey Peska
Department of Administration

2/27/87
Date

BILL NO: SCR 2

DATE: Feb 17, 1987

TITLE: "Establishing a Children's
Law Task Force."

CONTACT: Maj. Walter J. Gilmour
Acting Director

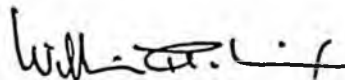
DEPARTMENT OF
PUBLIC SAFETY

This legislation would form a task force that would be charged with reviewing the numerous existing statutes and regulations pertaining to children within the state and issues concerning these children. From this task force, there would result effective and more cohesive state programs, thus better assisting the children in reaching the goals of being safe, healthy and positive members of our society.

The task force created by this piece of legislation would, after review, provide a written report of its findings along with recommendations and proposals such as program and legislation changes that would assist in reaching the above state goals.

There is no specific mention of members of law enforcement being part of the task force. Based on the role of law enforcement in dealing with children in multiple state programs, it is recommended that a proposed amendment include positions on the task force for the Alaska State Troopers and other law enforcement members in the state.

The Division of Alaska State Troopers is neutral on this legislation.



WILLIAM R. NIX
Acting Commissioner

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: SCR 2
Publish Date: _____

REQUEST
Revision Date: _____
Title: "Establishing a Children's Law
Task Force."
Sponsor: Rep. Uehling
Requestor: Senate HFSS

Agency Affected: Public Safety
BRU: Alaska State Troopers
Components: Detachments & CiB

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
OPERATING						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
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)

GENERAL FUNDS	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

JAC
3/2/87 Prepared by: Francis C. Allan
Division: Alaska State Troopers

Phone: 269-5691
Date: 2/17/87

Approved by Commissioner: William R. Nix *[Signature]*
Agency: Public Safety
Distribution (by preparer):

Date: 3/2/87

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

POSITION PAPER

SENATE CONCURRENT RESOLUTION NO. 2

For a Resolution establishing a Children's Law Task Force.

This Resolution would establish a task force to study Alaska statutes and regulations relating to children and the problems of implementing those statutes and regulations. The task force is charged with making recommendations to the Legislature on any changes to the statutes appropriate and necessary to improving the condition of children in the State.

The Department supports the concept of establishing a task force to study the circumstances of Alaska's children. Periodic review and evaluation of statutes, regulations and programs implementing the laws are useful in assessing the effectiveness of policy directions and administrative efforts. A similar task force was an effective mechanism in accomplishing the major revision of Alaska's Children's Code which occurred in 1977.

However, comprehensive and practical evaluations of statutory and administrative effectiveness must include a review of the needs or issues being addressed and of the adequacy of resources devoted to implementing the policies embodied in the laws. For this reason, the Department recommends that the task force also be explicitly charged with assessing the needs of children in the State, the adequacy of current resources available to carry out existing law, and the level of resources necessary to effectively implement any recommended statutory or regulatory changes. With the inclusion of such language, the Department would fully support the resolution.

RECOMMENDED:

Yvonne M. Chase
Yvonne M. Chase, Director
Division of Family
and Youth Services

DATE:

February 27, 1987

APPROVED:

Blanchi Bennett
Myra M. Munson, Commissioner
Department of Health
and Social Services

DATE:

March 2, 1987

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____
 Revision Date: _____
 Title: A Resolution Establishing a
Children's Law Task Force.
 Sponsor: Uehling, et al.
 Requestor: _____

Bill Version: SCR No. 2
 Publish Date: _____

Agency Affected: Health & Social Services
 BRU: Social Services
Youth Services
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Legislative staff have indicated that travel funds will be provided by the Legislature for task force participants as necessary.

Prepared by: Yvonne M. Chase, Director *YMC* Phone: 465-3170
 Division: Division of Family and Youth Services Date: 2/27/87
 Approved by Commissioner: Mura M. Munson, Commissioner *MM* Date: 3/2/87
 Agency: Department of Health and Social Services

Distribution (by preparer):

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