

SB

79

POSITION PAPER
CSSB 79 (HESS)

APR 21 1987

This bill mandates the efforts of law enforcement agencies in locating runaway minors. The revised subsection (c) now also mandates the detention of the minor if the minor is a runaway in violation of a valid court order under subsection (f) and is posing a clear and present danger to the minor's own welfare.

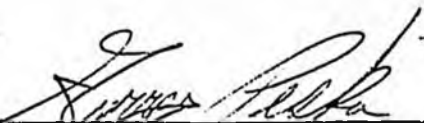
The revised subsection (c) is a great improvement over previous language requiring a thirty-day detention of a second-time runaway. However, the current bill could result in the detention of first-time runaways because a standard order would be issued pursuant to subsection (f) listing the consequences of violation. Thus, a finding of violation of a court order would be easily made if the minor left the placement. Many, if not most, cases would involve a finding of "clear and present danger" because most children would present a danger to themselves if not living in a safe environment.

If the primary purpose of the bill is to provide for the detention of chronic runaways, then language requiring a finding under subsection (c) that the child had exhibited previous runaway behavior would assure that detention would be used only for repeat runaways.

The Office of Public Advocacy would support CSSB 79 (HESS) if the statute expressly targeted the limited population of chronic runaways.

Brant McGee, Director
Office of Public Advocacy

Date



Commissioner Garrey Peska
Department of Administration

4/17/87
Date

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____ Bill Version: CS SB 79
 _____ Publish Date: _____

Revision Date: _____ Agency Affected: Alaska Court System
 Title: An act relating to runaway and BRU: Trial Courts
 missing minors
 Sponsor: Rodey, Faiks, Fischer, ... Components:
 Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
Personal Services
Travel
Contractual
Supplies
Equipment
Land & Structures
Grants & Claims
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL
REVENUE

FUNDING: (Thousands of Dollars)

General Funds	0.0	0.0	0.0	0.0	0.0	0.0
Federal Funds	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Other	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

Full-time	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Part-time	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Temporary	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: Karla Forsythe, General Counsel Phone: 264-8228
 Division: Alaska Court System Date: 4-9-87

Approved by: *Arthur H. Snowden, II* Administrative Director Date: 4-9-87
 Agency: Alaska Court System

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management & Budget
 Impacted Agency(ies)
 Senate Secretary

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version : CS SB No. 79
Publish Date : _____

Revision Date: _____
Title: An Act relating to runaway
and missing minors.
Sponsor: Rodey, et al.
Requestor: _____

Agency Affected: Health and Social Services
BRU: Youth Services

Components : _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	-0-	230.6	230.6	230.6	230.6	230.6
TRAVEL		0.5	0.5	0.5	0.6	0.6
CONTRACTUAL		18.0	19.1	20.2	21.4	22.7
SUPPLIES		12.9	13.7	14.5	15.4	16.3
EQUIPMENT		7.8	8.3	8.8	9.3	9.9
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	269.8	272.2	274.6	277.3	280.1

CAPITAL	-0-	760.0	-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		1029.8	272.2	274.6	277.3	280.1
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	1029.8	272.2	274.6	277.3	280.1

POSITIONS:

FULL-TIME	-0-	5.0	5.0	5.0	5.0	5.0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

See Attached

Prepared by: Yvonne M. Chase, Director
Division: Division of Family and Youth Services

Phone: 465-3170
Date: 4/15/87

Approved by Commissioner: Myra M. Munson, Commissioner
Agency: Department of Health and Social Services

Date: 4/15/87

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. SB 79

In an average year, approximately 500 runaways in Anchorage, and an additional 500 runaways statewide are handled by the Division of Family and Youth Services. In addition, statewide averages indicate that approximately 900 runaways are taken into emergency custody annually. Approximately 2/3 of emergency runaways are female and 1/3 are male.

Preliminary analysis also indicates that approximately 180 (or 20%) of the runaway population placed in temporary custody by the Division of Family and Youth Services subsequently run from their temporary placement location. Of this 180, 90 generally occur in Anchorage (60 female, 30 male), and the other 90 occur statewide (again, 60 female and 30 male). Assuming all 180 runaways are eventually taken into emergency custody by police and detained for an average of 10 days, the following scenario can be constructed:

1. McLaughlin Youth Center (MYC) - 600 detention days for girls; 300 detention days for boys.
2. Fairbanks Youth Facility (FYF) - 100 detention days (includes both girls and boys).
3. Juneau Youth Facility - 45 detention days (includes both girls and boys).

ANALYSIS

Given these estimates, additional detention beds would be required as follows:

McLaughlin -

female: $60 \times 10 \text{ days} = 600 \text{ person days} - 365 = 1.6 \text{ average daily population}$
male: $30 \times 10 \text{ days} = 300 \text{ person days} - 365 = .82 \text{ average daily population}$

Fairbanks Youth Facility -

$11 \text{ runaways total} \times 10 \text{ days} = 110 \text{ person days} - 365 = .30 \text{ average daily population}$

Other (Juneau Youth Facility, Nome, Bethel) -

one bed each to accommodate anticipated increase in average daily population.

CAPITAL COSTS - Given the above, a total increase of 7 new detention beds will be required. Average cost of construction per bed is \$100,000 in Anchorage, Fairbanks and Juneau, and \$130,000 per bed in Nome and Bethel. Total CIP cost - \$760,000.

OPERATING COSTS - The Division of Family and Youth Services would realize an increased demand on PFT staff to accommodate the increase in client population. Minimal impact would be an increase in one shift and would translate into four additional Youth Counselor I positions, and one additional Youth Counselor III position. Total position costs is reflected in the personal services line item (\$230.6).

Related travel, contractual, and commodities are prorated on a percentage basis of total increase in staff.

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version: CSSB 79
Publish Date: _____

Revision Date: _____

Agency Affected: Department of Law
BRU: Legal Services

Title: "An Act relating to runaway and missing minors."

Sponsor: Sen. Rodev, Faikes et al.

Components: Operations

Requestor: H&SS Committee

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		*	*	*	*	*

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		*	*	*	*	*
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		*	*	*	*	*
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Please see attached analysis.

Prepared by: Thomas A. Judson, Deputy Director

Phone: 465-3672

Division: Administrative Services

Date: April 8, 1987

Approved by Commissioner: Grace Berg Schaible, Atty. Gen.

Date: April 8, 1987

Agency: Department of Law

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. CSSB 79

An attorney will need to consult with, and represent in court, the Department of Health and Social Services in its efforts to obtain detention and civil contempt orders. The bill is also likely to result in the need for additional consultation and representation as the department will be required to assume custody of minors whose parents, based on the statutory right conferred upon them in section 1 of the bill, do not consent to the return of a minor to the home.

It is not possible to predict the level of additional activity that this will generate, but there will be some. The Department of Law is facing severe budget reductions in the coming fiscal year. To the extent that this bill results in a substantial body of new legal work, it will be necessary to seek a supplemental appropriation beginning in FY 88.



3100 Mountain View Drive
Anchorage, Alaska 99501

BEGINNING SOLUTION TO JUVENILE CRIME

I know that the laws that we have on the books concerning juveniles were made to hopefully help kids. Years ago I would have supported these same issues. We have tried the understanding, gentle philosophy of helping kids. We have quite enforcing our trauncey laws, we have protected our youth by not allowing fingerprint records to be kept. Due to the child abuse situation we have tried to protect these youth by deinstitutionalization. In escense we have allowed them to make all of their own decisions, protecting them from any consequences. The average age of runaways is 14 1/2. Alaska has the highest number for a state its size.

An example of how these laws are working on the streets. Before Winona murdered my parents, she had talked of murder. Cordell and her both knew kids that had murdered. They also believed from their experiences in McLaughlin that the worst that would happen to them is they would be out at nineteen or twenty-one at the latest.

The messages these kids are getting is murder isn't that bad.

Winona was fourteen, and had been on the run for sometime. Her mother contacted Marge Hall, of Alaska Juvenile Crime Commission, for help to get her off the streets before something serious happened. She had been picked up seven times by McLaughlin, kept over night and returned to the streets.

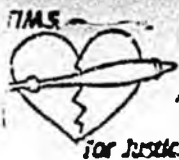
Our laws protect these children to their own demise and our demise until innocent persons are hit, than we try to do something. Then it is too late!

After our tragedy, the police spent about five days fingerprinting the house. The whole family was fingerprinted. They have the most sophisticated fingerprinting detection equipment. They then informed us that if the person was under 18 there would be no record of their fingerprints. It cost our insurance company \$7,000 to clean up the mess. I later learned from Chief Otte that 80% of the Anchorage burglaries are committed by yruth under 18.

Do you realize how much money we would save in the long run once we changed the present message we give to our youth.

They now know that if they run away NO ONE CAN STOP THEM.

If they rob someone there is no serious consequences. So why not have fun at the public's expence. Our laws are literally training our future seasoned criminals.



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They all know their juvenile protection rights. Listening to the juvenile trial was a real eye opener. The D.A. asks the question of the juvenile do you know your rights and they answer "yes". The worst thing you can do to help a child is to tell them their rights, which often alienate the family. Some families deserve to be alienated, yet we cannot undermine the core of society.

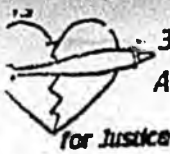
Their names are not allowed to be published so here again is protection for them.

Many homes have deteriorated, parenting skills are non-existent. Children want someone who cares enough to stop them from their own demise. That is why children have parents. Our society permits violence in movies, videos, and phonography is equally available. A child with out a good secure home, who spends his free time feeding on television which portrays sex, murder, add the videos, and phonography so readily available. Then we top it off with no public safety laws. We try to protect these youth, while they are raping our women and children, murdering, and stealing us blind. What a young uncontrolled mind feeds on will eventually be acted out. Our laws are encouraging such behaviour. We are not truly protecting these kids.

"A little leaven leaveth the whole lump." Many of these children have learned there is no consequences therefore they pass the word and some "straight" kids are being sucked in mostly due to drugs. There are many stories of parents whose family has been destroyed once the child learned of his "rights" and discovered how easy it is to run.

If we love our kids and truly want to rehabilitate them start with the early burglars, rapists etc. If we can keep their fingerprints we can trace the repeated offenders. The police say it is the same kids that repeat the same crime over and over because they are almost immediately turned lose upon arrest. These repeated offenders are our criminals of tomorrow. If we can teach them respect for the law, early on, many would be stopped early.

My brother started his life of crime when he was about 14. Statistically the average age of runaways is 14 years old. This is when drugs, stealing, prostitution begins. How we handle these kids determines what they will continue to do. My brother would steal, the police showed up gave him a pep talk and off he would go and do it again. This happened and happened. He would appear before a judge and be reprimanded. His comments would always be how stupid the police were. I have seen him come to my house terrified because he had to go to court and he knew he deserved to get in trouble. He would paze the floor and wring his hands. Then he would go to the court room and come back laughing and surprised at the \$35.00 fine. When he was young and just starting into



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drugs one scare would have deterred him. We have taken all of the deterrants out of crime and wonder why we have the highest statistics for rape, murder, teenage homicides. It is time for us to re-evaluate the constitution and present philosophy.

Do we really care about our kids? Do we really want to help them? If we do then begin making them responsible for their actions when these actions first begin. Keep their fingerprints on file. If they commit burglaries, etc. let their names be printed. Contain them in a cell for a couple of days. These youths who come from unsupervised homes need a impactful form of punishment to deter them. They need to know that society demands that they do not hurt other people. We need to call wrong wrong and get that message to the streets. When consequences are enforced we will deter 50% of what is happening today. Some people can and will never be helped. When they start fitting into the "superfelon" category then contain them. This will protect the whole and also keep others from being influenced by bad choices.

My proposal to stop the runaway problem. As soon as a youth runs if there were a central clearing building where the police can take runaways. Upon receipt of these youth, the parents should be called and have one counselor available on call to immediately go to the family. Then begin the determination of abuse. The chronic runaway needs to be referred to foster or group home where the child will get guidelines and learn some job skill. I know we are trying to do this to some extent. Because our constitution does not allow us to keep a juvenile against their will, we must close our eyes while we condone their activities. Let us stop crime where it begins and see our statistics change.

The statisticians excuse for our high juvenile statistics is due to the native population. Let us start facing the problem and return to a balance of what worked in the past.

If our nation gets back to institutionalizing runaways. It may not be popular, but letting them on the streets is twice as bad for the citizens and for the youth. We are seeing what is happening with this attitude it is time to change. This law is the reason we are seeing a rise in juvenile violence. Let Alaska be one of the first states to change our juvenile statistics. Let us truly protect our kids and start putting a stop to the juvenile drug problem. Do you care. I do enough to give my life and inheritance to change the present attitudes.

Janice Lienhart

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Getting Away With Murder Why the Juvenile Justice System Needs an Overhaul

Alfred S. Regnery

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GETTING AWAY WITH MURDER

Why the Juvenile Justice System Needs an Overhaul

ALFRED S. REGNERY

Children commit nearly one-third of serious crime in America. Our system of rendering justice for their crimes, however, is antiquated and largely incapable of dealing with the offenses they commit. Disliked by the public, by those who work in it, and even by many offenders, the juvenile justice system, which is supposed to act only in the "best interests of the child," serves neither the child, his victim, nor society. Juvenile crime rates since the 1950s have tripled, yet the theories and policies we use to deal with such crime fail to hold offenders accountable and do not deter crime. At best, they are outwitted; at worst, they are a total failure, and may even abet the crimes they are supposed to prevent.

Some people still refuse to accept the fact that juveniles commit crimes. Prevailing social theory during much of the 20th century has been based on the belief that children under 18 do not have the mental capacity to distinguish between right and wrong, and thus should not be held accountable for their behavior, as are adults. Those who administer this social policy even use different language to enunciate the difference between children and adults. In the jargon of the juvenile court, children do not commit crimes, but "acts of delinquency." They are not found guilty by the court, but are "adjudicated delinquent." After adjudication, they are not punished, but are "treated." If secure confinement is necessary, it is not a jail or prison, but in a "detention center" or a "training school." When juveniles get out—usually not when they have completed a sentence, but when a social worker finds them "cured"—their records do not become part of the active police records, but are sealed to all the world.

Despite attempts by some to treat juvenile crimes as trivial indiscretions committed by misguided youth, the statistics suggest something different—a grave problem on a national scale. There are currently about 15 million Americans between 14 and 17, or about seven percent of the entire U.S. population; but about 30 percent of all people arrested for serious crimes are juveniles—a total of some 1.5 million arrests per year. (Police generally estimate that there are at least five offenses for each arrest.) The violence and intensity of these crimes is staggering. Of those arrests, 2,000 were for murder, 4,000 were for rape,

and 34,000 were for aggravated assault. Despite the beliefs of certain social theorists, juveniles do commit crimes at a rate significantly higher than the rest of the population. In fact, 16-year-old boys commit crimes at a higher rate than any other single age group. These are criminals who happen to be young, not children who happen to commit crimes.

Institutional Jargon

Traditional juvenile justice policy could be said to have been inspired by Jean-Jacques Rousseau, the French philosopher who argued some 200 years ago that human beings are incapable of evil unless they are corrupted by the institutions of bourgeois society. And if society is the problem, it can also be the solution: Rousseau believed that properly structured government could inculcate goodness and virtue in man. Many juvenile justice professionals take this seriously; they believe that no matter how heinous the crimes committed by young people, no matter what pathological symptoms they demonstrate, they do not pose a threat to society; they should not be locked up but simply "brought into line" with the mainstream of society—in other words, they should be educated in civic virtue.

In a paper issued by the Carter Administration Justice Department in 1979, for example, youth crime was attributed to the effect of "large impersonal institutions—schools, juvenile justice systems, employment channels, public and private human service agencies, and others—on the development of young people, especially low income and minority youth." The paper concluded that all too often the "policies and practices of these institutions tend to inhibit the satisfactory development of young people. Many of the youth then turn to patterns of delinquency and crime."

The main solution advocated was development programs which, in the words of another Carter Administration Justice Department report, would seek the "cultivation of the three human social responses: the sense of

ALFRED S. REGNERY is administrator of the Office of Juvenile Justice and Delinquency Prevention, the federal agency charged with reducing crime by juveniles.

confidence, the sense of belongingness, and the sense of usefulness." The report went on to suggest that youth should be offered "mechanisms which offer them the communication, coping, and decision-making skills they need to enter the mainstream of society; value clarification experience; opportunities for artistic self-expression; meaningful work experience; and involvement in community service and community decision making."

The violence and intensity of juvenile crimes is staggering: 2,000 arrests for murder, 4,000 for rape, and 34,000 for aggravated assault.

But these buzzwords (and they are little more than that) hardly come to terms with the reality of juvenile crime. A New York policeman recently profiled for me a typical candidate for juvenile arrest. Fourteen years old, the boy has already been arrested a dozen times. He dropped out of school years ago and cannot read or write; he has no job skills nor any hope of getting them. He is most likely black, possibly Hispanic, born to an unwed teenaged mother on welfare, living in public housing or a tenement, and has more than five siblings. A series of men have lived in his mother's house; the boy has not developed a rapport with any, and has tended to be regarded as a nuisance by the adults. He has been physically abused since early childhood, and he has spent a good deal of time living on the street. His only way of getting anything of value is either by theft or by going on welfare. This boy will survive, for most of his life, at the taxpayer's expense.

The bulk of our crime—probably 75 percent of all serious offenses—is committed by someone like our profiled youngster. Known as chronic offenders, these people comprise fewer than 10 percent of the population; in the case of juveniles, probably closer to seven percent. Yet because of the high rate at which they commit felonies, sometimes as many as 100 or more a year, they are responsible for a great proportion of robberies, burglaries, muggings and aggravated assaults, car thefts, rapes, and even a significant number of murders.

A University of Pennsylvania research project found that seven percent of the juvenile population committed over 70 percent of all the serious juvenile crime. The research also revealed that there was an 80 percent certainty that boys arrested more than five times would continue to be arrested, again and again, well into their adult years.

Profiles in Carnage

Such children present problems to the juvenile justice system which evade all philosophical notions about crime. They present a problem which neither the social theorists, nor the police and prosecutors who would like to lock them up, can hope to alleviate more than temporarily. Chronic offenders pose the greatest threat to society and

the greatest challenge to juvenile justice programs across the country.

Consider, for example, two typical juvenile cases, which appeared recently in Miami's juvenile courts. The first involves "Lester," a 15-year-old recently "adjudicated" by the court for burglary. Lester is black and has been arrested 12 times. His mother abandoned him at an early age, and he grew up in the streets of Miami, with occasional stops for a hot meal at a grandmother's house.

His record shows he has been placed in 20 shelter homes, and has run away from each of them. He commonly breaks into homes, steals cars, and hustles, then robs, homosexuals. He has rarely gone to school, is illiterate, and has been in and out of Florida's court system since he was 11. The first criminal charge was brought against him when he was 12. He was arrested for loitering, prowling, and finally burglary, for which he was sentenced to be "rehabilitated" in the state training school for six months. He was declared rehabilitated, but two weeks after returning to Miami, Lester was back in court for grand larceny.

Lester has been counselled, analyzed, rehabilitated, and trained. He has undergone therapy, and been placed in foster homes, state schools, socializing programs, and virtually every other sort of service available. None have made much difference. In 1981, his psychiatrist described Lester as an emotionally disturbed youngster who responded to his deficits by becoming distrustful, by decreasing verbal communication, and by increasing use of fantasy. The therapist concluded that all Lester was seeking was a warm and lasting relationship with an adult.

In 1982, a psychologist found him charming, affable, and fairly bright (he was found to have an IQ of 93) and just trying to survive. In 1983, a teacher at the state training school described him as disruptive and totally lacking in motivation.

The second Miami case involves a Hispanic male, 15 years old, recently convicted of armed robbery. Call him Marco. He has been arrested 12 times, is a member of a housing project gang, and is actively involved in drugs, burglary, and robbery. He has been described by his social workers as easygoing and with considerable potential, but is said to defy all efforts to socialization. He has also been analyzed as envisioning himself as a desperado, modeled after Al Pacino's role in *Scarface*. His father disappeared years ago, but his mother remarried, and his stepfather is presently serving a jail sentence in New Jersey for robbery. His mother is on welfare, and has seven children. Marco, who is slight for his age, cries whenever he is first locked up, but soon starts to thrive within the training school. As soon as he is released, he goes on a drug binge.

Marco has been in at least half a dozen programs, and in each case he promptly rises to a leadership position; as soon as he is released, he is back on drugs, and is shortly re-arrested for breaking into a house or stealing a car. His stepfather has consistently helped Marco in his criminal undertakings, but also beats Marco unmercifully when something goes wrong. After the last beating, Marco notified the F.B.I. of his stepfather's whereabouts, resulting in his arrest and conviction.

Sadly, the juvenile justice system has shown little ability either to help such youngsters or to protect society from

their crimes. In most of our major cities (where most serious juvenile crime exists), there is virtually no chance that juveniles who are first or second offenders will be punished. The lesson that the system provides to the offender is that he can continue to commit such acts because there is no penalty. The criminal's punishment is limited to listening to the psychobabble of social workers and therapists.

Folly of Rehabilitation

Rehabilitation has been the premise of the juvenile court system throughout the 20th century, but it has failed miserably. The late Robert Martinson reviewed the results of over 200 separate efforts to measure the effects of programs designed to rehabilitate convicted adult offenders. Martinson concluded, in what has become one of the most quoted phrases in modern criminology, that "with few and isolated exceptions, the rehabilitative efforts that have been reported so far had no appreciable effect on recidivism." Martinson did his review in the late 1960s; since that time, rehabilitation has sunk further in esteem, both in the eyes of the public and the professionals. The criminal justice system has all but given up on the concept. Virtually no successful juvenile programs—those that reduce recidivism to an appreciable degree—rely on rehabilitation.

Knowing what we do about the young people who finally wind up in correctional institutions, it is little wonder that we are unable to turn them back into good little boys (which they probably never were in the first place). As Harvard professor James Q. Wilson has said:

It requires not merely optimism but heroic assumptions about the nature of man to lead one to suppose that a person finally sentenced after (in most cases) many brushes with the law, and having devoted a good part of his youth and young adulthood to misbehavior of every sort, should, by either the solemnity of prison or the skillfulness of a counselor, come to see the error of his ways and to experience a transformation of his character. We have learned how difficult it is by governmental means to improve the educational attainments of children or to restore stability and affection to the family, and in these cases we are often working with willing subjects in moments of admitted need. Criminal rehabilitation requires producing equivalent changes in unwilling subjects under conditions of duress or indifference.

Some advocates of rehabilitation thought a better idea would be to build a society so devoid of evil that young people would not be inclined to do wrong. If crimes are committed because of societal forces beyond the control of the individual offender, the logic runs, then remove those forces and change society. What better way to do so than to use the power, and the money, of the federal government?

A report issued by the Justice Department in 1976 had several recommendations for such changes. It cited three approaches to understanding and tackling juvenile crime. First, the individual approach, which "focuses on the pathology of the individual . . . including the identification of the emotional, motivational, and attitudinal factors that could explain delinquency." The solutions recommended

were "psychotherapy, social casework, individual counseling, or behavior therapy as a means by which clients would be able to resolve their personality conflicts and assume a positive orientation towards society."

Second, the environmental approach "views situational conditions as the dominant factor in stimulating and per-

Described as easygoing by his social workers, "Marco" has been arrested 12 times, is a member of a housing project gang, and is actively involved in drugs, burglary, and robbery.

petuating delinquent activity." Solution? "Remodeling and reorganizing the community so that potential offenders can find positive alternatives to delinquent activity. Programs using this approach attempt to deal with significant social institutions like the school or family and illegitimate institutions like gangs, street corner groups, and pool halls."

Finally, there is the theoretical approach, which "considers most delinquency programs harmful as well as ineffective . . . fundamental to this approach is the observation that delinquents are frequently not different from non-delinquents. Virtually all youth in the community have at some time been guilty of delinquent misconduct. Singling out only some of those delinquents may contribute to their behavior, however." Recommendation: "Prevention activities must avoid the effects of labeling and should strive for a universality of application to all children." In other words, everyone is a delinquent.

Notably absent from all of this is the deterrent approach, which views punishing the criminal as the best way to prevent future violations, protect the community, and achieve justice. Such notions are anathema to the social theorists, much of whose work has been a vain search for the institution which excuses aberrant behavior by young people. Thus poverty, racism, sexism, frustration from any number of problems, failure to do well in school, learning disabilities, inability to accept love, child abuse and neglect, adverse peer pressure, and a desire to be different have been identified as causes for children going astray.

Obviously, some of these are contributory factors. But the criminal justice system, adult as well as juvenile, must realize that ultimately crime is a matter of choice. It is not always true that criminals make conscious calculations that the benefits of crime exceed the risks. Yet there is a calculus of risks and rewards in the criminal mind, evidenced by the fact that as society diminished the certainty and duration of punishment for crime in the last few decades, crime rates soared.

Value of Deterrence

What can be done to ameliorate the problem of juvenile crime? First, the deterrent approach should be the main focus of the justice system. This does not mean that we should not continue to look for rehabilitation programs that actually work, even if the record does not give us grounds for optimism. It does mean that rehabilitation should not be a substitute for justice.

For the past 85 years, the courts have been making decisions about juveniles based almost exclusively on "what is in the best interests of the child." Ironically, the remedies proposed have not measurably helped children's interests. Our juvenile courts should continue to act for the benefit of children, but they should also seek justice and consider the rights of the victims of crime.

The juvenile justice system should abandon its practice of sealing the records of young criminals when they become adults. The rationale for this practice was the idea that these youths should have "learned their lesson" by the time they turned 18, and should be permitted to begin their new life as adults without previous errors being held against them. The only problem is that the most fertile age for crime, statistics show, is between 16 and 24. Thus many juvenile criminals are just getting started on a career of crime. To seal their records is to conceal from the police and prosecutor their previous actions, and crime prevention becomes more difficult.

Nor is it obvious that sealing juvenile records helps the juveniles themselves. As Charles Murray points out in *Losing Ground*:

By promising to make the record secret, or even more dramatically, by actually destroying the physical record, the juvenile justice system led the youth to believe that no matter what he did as a juvenile, or how often, it would be as if it had never happened once he reached his 18th birthday. Tight restrictions on access to the juvenile arrest and court records radically limited liability for exactly that behavior—chronic, violent delinquency—that the population at large was bemoaning.

So not only do police find it tougher to identify crime subjects, but juveniles enter adulthood under the illusion that they can get away with criminal behavior—get away with murder, so to speak. To their shock, many of them discover that this is not the case after age 18.

Another step that juvenile justice professionals should consider is reducing the traditional distinction between juveniles and adults. Criminals should be treated as criminals. It is true that environmental factors may contribute to some juvenile crimes, but this is also true of adult crimes. Society may wish to be lenient with first offenders, particularly for lesser crimes, but there is no reason that society should be more lenient with a 16-year-old first offender than a 30-year-old first offender. Anyone familiar with the nature of juvenile crime will not make the argument that juvenile crimes differ in their magnitude or brutality than adult crimes; in many cases the reverse is true. So the

current approach, which makes a radical distinction between criminals under 18 and those over 18, is often counterproductive.

Local Initiatives

Various states are experimenting with innovative approaches to controlling juvenile crime. Many large cities, for example, are beginning to focus their resources on chronic offenders, who commit most violent crime. Techniques include improved record keeping, specialized crime analysis techniques, and "vertical prosecution"—where one prosecutor sticks with a case from arrest through sentencing.

The results are encouraging. In Cook County, Illinois, 400 juveniles with four arrests each for serious crimes were tried according to this approach in a 10 month period; 90 percent were convicted and sentenced. Assuming that the juveniles committed five crimes for each arrest, a conservative estimate, the 360 convicted youths had already committed 7,200 serious crimes. It's about time they were stopped.

Another promising state initiative is restitution, a program in which property offenders are required to reimburse their victims. This has the advantage of giving the community back some of the goods it loses through theft and vandalism, but it also helps reach accountability and responsibility to the offender. Prince Georges County, Maryland, collected over \$750,000 for victims of juvenile offenders in the past three years, at a cost to the county of about five cents on the dollar.

The juvenile system also needs to rely more on the private sector, as well as on volunteer citizens to assist young offenders, instead of placing total reliance on government and professionals. A number of privately owned and operated correctional programs now exist, for example, usually at substantially lower costs than public institutions; these programs are often more responsive to the needs of both the offender and society, and are much more innovative than public programs. The private sector is also increasing its presence in probation services, either by operating programs, or by actually running probation on a contract basis. These programs use parents and other volunteers to work with marginally delinquent youth. Yet officials within the system, and public employee unions, often do everything in their power to torpedo such services, usually out of fear that volunteers will displace their salaried positions.

Through the Office of Juvenile Justice and Delinquency Prevention, the federal government has been encouraging these initiatives. The primary responsibility to tackle the problems of juvenile crime rests with state and local governments, though the Justice Department will continue to encourage pilot programs across the country.

But we need the help of juvenile justice professionals, state legislatures, and the public to place justice, reason, and common sense above social experimentation. If we do, the victim, society, and even the offenders themselves will benefit. If we don't, there will be more of the same. ■

Crime is still outrageously high, but now we have the means to reduce it

THE PROVEN KEY TO CRIME CONTROL

BY EUGENE H. METHVIN

*Hi Janice,
Thought you
might find this
of interest
Terry*

NEW YORK CITY Deputy Police Inspector John J. Hill was fuming as he studied the map of his new command, a two-square-mile, 130,000-population precinct in Brook'yn. He saw hundreds of red pins, each one denoting a robbery.

In October 1981, Hill ordered 90th Precinct officers to collect photographs and records of everyone arrested in the previous two years for robbery, or any other serious felony, who was now back "on the street." To focus more effectively on these criminals, the officers divided their rogues' gallery into seven neighborhood albums and added indexes of physical char-

acteristics, aliases and residences.

Analyzing these data, officers realized they were arresting the same offenders repeatedly, usually in the same neighborhoods. Soon robbery victims, instead of waiting days to view thousands of photos at the central police headquarters, were whisked to the 90th Precinct to study a few dozen pictures. Almost overnight, the precinct's officers were making arrests in an astounding *half* of all reported robberies, $2\frac{1}{2}$ times the New York Police Department's average.

Within six months, the 90th Precinct's robberies dropped over 40 percent. The plunge has now continued for four straight years, from 2223 in 1981 to 1187 in 1985. Bur-

READER'S DIGEST

glarics and rapes have also declined sharply.

NATIONWIDE, America experienced an 11.5-percent drop in serious crime reported in the three years 1982-84—believed to be the largest decrease since FBI uniform crime reporting began more than 50 years ago. Several factors are involved in this decline. One is the Neighborhood Watch program in which citizens throughout the country are helping police fight crime. Another is that the crime-prone population of 15- to 19-year-olds has declined in the last decade. Most important, however, is our increasing attention to career criminals—identifying them as early as possible and locking them up. We have almost doubled our prison population in the last ten years.

But crime is still outrageously high. The rate per 100,000 people is nearly 50-percent greater than it was 20 years ago. Why? Because our legislators and law-enforcement officials have been slow to respond to new and proven methods of crime control. The nation has learned a number of strategic lessons about coping with lawlessness, and evidence suggests that we can achieve even greater reductions if we act vigorously.

Nasty, Brutal. Ten years ago, little was known about the rates at which individual criminals commit crimes. Since then, research has revealed that far more crime is committed by a smaller fraction of

offenders than anyone had suspected. This knowledge has helped police, prosecutors and judges sharpen methods for nailing these violent predators.

In 1978, University of Pennsylvania criminologist Marvin Wolfgang completed a first-of-a-kind study of virtually the entire population of 9945 males born in 1945 and raised in Philadelphia. Wolfgang's findings electrified the law-enforcement world: 627 of these young men, just under seven percent of the group, had collected at least five arrests before age 18, and they accounted for nearly two-thirds of all the violent crimes committed by the "Class of '45." Worse, these hard-core criminals admitted that, for each arrest, they got away with from 8 to 11 other serious crimes. Incredibly, even the 14 murderers among them averaged only four years behind bars.

When Wolfgang repeated the study on the 13,160 Philadelphia males born in 1958, the proportion of chronic offenders was virtually the same: 982 young men, 7.5 percent, collected five or more arrests before age 18. But there was a difference. The "Class of '58" was far more violent. Compared with the Class of '45, these youths had almost double the offense rate for rape and aggravated assault, triple for murder and a whopping five-fold for robbery. They are, says Wolfgang, "a very violent criminal population of a small number of nasty, brutal offenders. They begin

THE PROVEN KEY TO CRIME CONTROL

early in life and should be controlled equally early."

Superfelons. It would seem simple to say, "Lock 'em up," but the fact is the nation cannot afford to put them all away. If the Philadelphia ratios hold for the entire nation, we would have to keep 1.23 million young men in prison—more than double the present crowded population.

But research by the Rand Corporation indicates a way out of this dilemma, by providing a further breakdown of the crime-prone minority. Of 2100 prisoners questioned by Rand researchers, nearly all admitted to many more crimes than those for which they were convicted. But a tiny fraction of these career criminals proved to be extraordinarily high-rate offenders—superfelons. Half the burglars averaged fewer than six burglaries a year, while ten percent committed more than 230. Half the robbers committed five robberies a year, but ten percent averaged 87. Drug dealing was the most radically skewed: half the offenders averaged 100 deals a year; the upper tenth averaged 3251.

Thus, even chronic criminals are not a homogeneous lot; locking up one high-rate burglar for a year will prevent as many crimes as locking up 40 of the intermittent burglars.

Can we tell them apart? Experts say yes. The age at which offenders enter a life of crime and their use of drugs are two keys to identifying superfelons.

Males under age 18 commit perhaps as much as half of all serious crime in the United States. Arrest-record analyses and prisoner surveys demonstrate that high-rate predators begin by age 13 and hit their peak rates as robbers and burglars around 16. To Wolfgang, the factor that jumps out is the age at which these high-rate offenders commit their second serious offense. If they do it before 15, the probability is high they will commit dozens of offenses by age 30. He concludes: "After the third conviction, serious juvenile offenders should be considered adult criminals and treated accordingly."

Add Jan and Marcia Cnaiken, who researched criminal behavior for Rand, "Offenders who support \$50-a-day heroin addictions or who use both alcohol and barbiturates heavily are especially likely to be persistent, serious, high-rate criminals."

Criminologists from Temple and Maryland universities agree. They found that 243 Baltimore addicts committed about half a million crimes over 11 years, averaging 2058 apiece, 187 a year.

Using the inmate responses from the Rand survey, criminologist Peter W. Greenwood has refined the superfelon profile. He believes that a convicted robber or burglar should draw long-term imprisonment if he matches any four of these seven variables: 1. Convicted prior to age 16. 2. Committed to a juvenile facility. 3. Used heroin or barbiturates

READER'S DIGEST

within two years before the current arrest. 4. Used heroin or barbiturates as a juvenile. 5. Held a job less than one of the two years before his current arrest. 6. Had a prior robbery or burglary conviction. 7. Spent more than half the preceding two years in jail.

Greenwood tested the validity of his seven-point profile against the sentences judges had given the 78 convicted robbers and burglars among Rand interviewees in California. His scale miscast as high-rate offenders only four percent of the intermittent offenders (who averaged five robberies a year) and mislabeled as low-rate offenders only three percent of the superfelons (who averaged 87 robberies a year).

The judges, however, gave many more low-rate offenders long terms and superfelons short terms. Greenwood argues that his strategy of "selective incapacitation" would have allowed California in 1981 to keep 700 fewer convicted robbers behind bars, while reducing street crime by 27,150 robberies and saving \$10 million.

Encouraging Results. Impressed by the Rand and Wolfgang studies, many police departments and prosecutors are intensifying their efforts to arrest and convict young "heavies" who fit the violent-predator profile. Though some are resisting the idea, legislators in 20 states and the District of Columbia have made it easier to try young criminals as adults, subjecting them to tougher prosecution and longer incarceration.

The new emphasis is paying off. Consider these successes:

Washington State legislators, infuriated by cases such as the Seattle youngster released by juvenile judges 35 times after felony arrests, enacted a strict code in 1978. They ordered youngsters fingerprinted and photographed at each felony arrest, opened juvenile-arrest records to adult-court prosecutors and judges, and imposed stern sentences for repeaters. Before the 1978 reform, juveniles ran up an average of 7.5 felony arrests before incarceration. Now they go to prison after 3.5 arrests, and the number behind bars has doubled.

In 1981 the Justice Department's Office of Juvenile Justice and Delinquency Prevention (OJJDP) enlisted five police departments and 13 prosecutors in a campaign to identify and incarcerate high-rate juvenile offenders. Police interview school authorities and social workers, then consolidate police, court and probation records, and identify teen-agers who have multiple arrests but so far have managed to slip through the revolving-door juvenile-court and family-services systems. The preliminary results are encouraging.

The five police departments—ranging from Oxnard, Calif., (pop. 121,000) to Jacksonville, Fla., (pop. 578,000)—find they are repeatedly arresting a tiny minority of very active young criminals: only about 30 per 100,000 population. These individuals average just under 16

THE PROVEN KEY TO CRIME CONTROL

years old, generally have their first police contact at age 9, and rarely go three months without some collision with police. More than half commit violent crimes. A majority come from "crime families," in which parents and siblings have criminal records, and a large proportion are on drugs.

In Oxnard, for example, crime-analyst Lynne Thayer traced robberies, burglaries and assaults for three months on a map of a 35-block high-crime neighborhood, using orange dots to represent residences of five identified high-rate juvenile offenders. Toward the end of the period, four of the five repeaters were jailed; the fifth went to jail two months later. In the second three months, the neighborhood's robberies, burglaries and assaults plummeted from 69 to 27.

Prison Works. City College of New York sociologist Robert Martinson tracked 400,000 criminals who went through special rehabilitation programs over a 25-year period. His stunning finding: seven out of ten who are convicted and then imprisoned or put on proba-

tion will never be arrested again; but none of the rehabilitation programs themselves curbed recidivism.

A century ago, Americans sent virtually every felon to prison. Today, even with our increasing use of imprisonment, only nine out of a hundred who are caught and convicted land behind bars. Declared Martinson: "That's where we went wrong. We abandoned a largely successful system of certain punishment in favor of all kinds of happy experiments where we told ourselves we did not have to be so nasty as to punish anybody."

More and more, studies like Martinson's are showing that while prisons may not rehabilitate, they do work as a deterrent. They also reduce crime by keeping the worst criminals away from society.

Concludes Alfred Regnery, administrator of the OJJDP: "The criminologists have given us important knowledge about who commits crime. If police, prosecutors and judges put it to work, we can vastly improve the fairness and effectiveness of our criminal-justice system, ease prison crowding and enjoy safer streets and homes."

Study details violent crimes

5 out of 6 12-year-olds to be victims

WASHINGTON (AP) — Although the chances of being raped, robbed or assaulted diminish with age, five out of six of today's 12-year-olds still will be the victims of violent crimes during their lifetimes at present crime rates, the Justice Department says.

The study, based on figures compiled by the government's National Crime Survey from 1975 through 1984, said at age 12, 83 percent of all Americans are likely to be hit by violent crime or an attempt at violent crime in their lifetimes.

Half of them will be victimized more than once, the report, released Sunday, said.

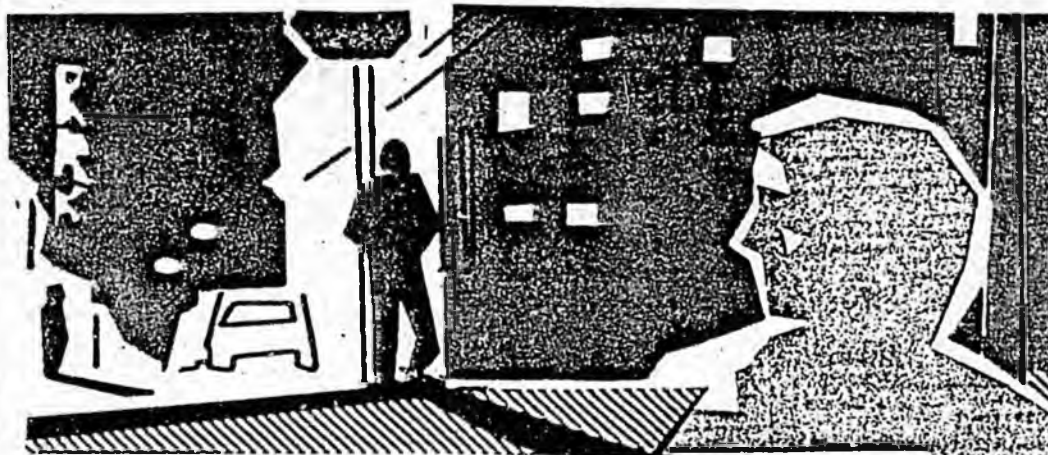
But with age, "the likelihood of becoming the victim of a violent crime in the remainder of one's lifetime declines," the report said.

The report said a victim's sex and race appear to have a greater effect on the likelihood of being robbed than on other crimes.

Nearly one out of 12 females will be the victim of an attempted or completed rape, the report said. For black females, the odds are 1 out of 9, according to the department's Bureau

Victims of Violent Crimes

Lifetime odds fall rapidly with age.



Chance of being a victim of at least one violent crime.



Source: Bureau of Justice Statistics, Dept. of Justice

AP/Nancy Carp

of Justice Statistics.

An estimated three in 10 people will be victims of a completed or attempted robbery during their lifetimes, with blacks almost twice as likely to be robbed as whites and males about 70 percent more likely to be robbed than females.

The report said 45 percent of black males will become victims of violent crime three or more times — almost double the possibility for black females (24 percent) and triple

the likelihood for white females (13 percent). Thirty-seven percent of white males are likely to be victimized three or more times.

The report said:

- 72 percent of the nation's 20-year-olds will be victimized by violent crimes or attempted crimes;
- 53 percent of the country's 30-year-olds;
- 36 percent of 40-year-olds;
- 22 percent of 50-year-olds;
- 14 percent of 60-year-olds;
- 8 percent of 70-year-olds.

It said 89 percent of 10 old boys will face one or more violent crimes or attempted crimes, and 73 percent girls. There were no figures available for children age 12.

The bureau publishes victimization rates based on a twice-a-year interview of 101,000 people in 49,000 households.

This report was drawn from approximately 2 million interviews conducted during 10 years ending in 1984.

Alaska leads nation in homicides by teens

By Wendy Mitman
Associated Press

CONCORD, N.H. — Alaska had the highest annual rate of homicides committed by teenagers, according to a study by a University of New Hampshire researcher.

Alaska's rate was 13.2 per 100,000 residents, almost three points higher than Washington, D.C. Lowest was Minnesota with 0.86 teen murders per 100,000. New Hampshire was ranked 49th with 1.7. The study covered the years 1980 through 1984.

Researcher Murray Straus said Thursday societies that condone violence foster violence in their teen-agers.

Straus chose 12 indicators to determine which states legitimize violence. They included determining the audience for violent, prime-time television shows; the readership of violent magazines; National Guard enrollment; and hunting licenses. Other factors included whether states allowed corporal and capital punishment.

States with the highest teen homicide rates were at the top end of the list of those that condoned violence, he said.

"Essentially we found that the more legitimate violence, the more criminal violence, including rape and murder," said Straus, director of the university's Family Research Laboratory.

Straus said National Guard enrollment is a valid factor because "some states put more money into it than others and it can't be because the Russians are invading Tennessee."

Straus presented his findings this week at a conference in New York.

The study revealed that teen homicide rates have declined significantly among blacks, less so among whites, Straus said. Using the federal Uniform Crime Reporting Office's Supplementary Homicide Report, Straus determined that state homicide rates among 15- to 19-year-olds parallel adult homicide rates nearly perfectly.

In an effort to determine how society has been influenced historically by violence, Straus also determined the number of lynchings per 1 million population be-

related. The more assaults, the more homicides.

"Instead of just punching someone, someone gets killed."

A major part of the problem, Straus said, is that many children learn in their homes that violence solves problems.

"Practically every in the United States has heard the 'Johnny, I've told you 10 times, routine. That model says that when nothing else works, it's morally right to be violent," Straus said. Another example, he said, is the husband who beats up the man in the bar who insults his wife.

"The way to deal with this is that in every sphere of life we have to make a commitment to not use physical force to resolve differences and conflicts."

Study predicts rise in youth violence in 1990s

By MALCOLM RITTER
The Associated Press

NEW YORK — Suicide and homicide rates among young people would remain stable into the mid-1990s, when they will start rising again, says a new study that ties such violence to pressures from growth in youth population. Preventive steps may help head off the predicted increase in violence among people aged 15 to 24 as that population swells from "the kids of Baby Boomers," the study co-author Dr. Paul Holinger said last week.

The study found historical evidence that larger the "15-24 age group is in terms of percentage of total population, the higher its suicide and homicide death rates. Year-by-year data from 1983 to 1992 were analyzed by Holinger, associate psychiatry professor at Rush-Presbyterian-St. Luke's Medical Center in Chicago, and Dr. Daniel Offer and Eric Ostrov of the Michael Reese Hospital and Medical Center in Chicago.

The population of 15- to 24-year-olds doubled between 1955 and 1980, when it reached about 42 million, Holinger said. Estimates show the population then declining to about 40 million in 1984, he said Tuesday.

The homicide rate in that group peaked in 1980, when it reached 15.5 per 100,000, he said. The population of 15- to 24-year-olds doubled between 1955 and 1980, when it reached about 42 million, Holinger said. Estimates show the population then declining to about 40 million in 1984, he said Tuesday.

See Back Page, YOUNG

A burgeoning population of young people may encourage the violence by increasing competition for college entrance and academic and athletic honors, increasing the

Monday, December 20, 1984

Juvenile criminals turn more violent

By MICHAEL SNIFFEN
The Associated Press

WASHINGTON — Since World War II, the small fraction of juveniles who commit more than half of juvenile crime has become much more violent, and has turned to crime at an earlier age and stayed with it longer, according to a study released by the Justice Department Wednesday.

A second major study released at a news conference by Alfred Regnery, the department's juvenile justice administrator, showed that these chronic juvenile offenders are more likely than not to become adult criminals.

Both studies, which were funded by federal grants, confirmed work done a decade ago which showed that fewer than eight percent of juveniles commit more than half of juvenile crime and 90 percent of serious juvenile crime.

Regnery said the work

shows that "by concentrating our resources on identifying, prosecuting and sanctioning these serious, chronic offenders, we may have some impact on the amount of juvenile crime in the nation." Regnery's office has established pilot programs for this purpose in five police departments and 13 prosecutors' offices around the country.

One study was conducted by the Center for Studies in Criminology and Law at the University of Pennsylvania under the direction of Marvin Wolfgang, one of the nation's foremost criminologists. It compared the criminal activities of 13,000 boys born in Philadelphia in 1958 to its earlier findings about the activities of 10,000 boys born there in 1945.

The other study was conducted by the Federation for Community Planning of Cleveland under the direction of Donna Hamparian. That

study expanded the federation's earlier research on violent juvenile offenders born in Columbus, Ohio, between 1956 and 1960 into their mid-20's.

Wolfgang said the juveniles in both groups had about the same prevalence of crime; 35 percent of those born in 1945 had at least one contact with the police as juveniles, compared to 33 percent of the group born in 1958.

But he said the total rate of criminal activity had risen dramatically. The 1945 group had 1,027 crimes per 1,000 boys while the 1958 group had 1,159 per 1,000.

And the rate of violent crime soared among the second group. Wolfgang said the 1958 group was three times more likely to commit a homicide than the 1945 group; twice as likely to commit an aggravated assault; and nearly twice as likely to commit a rape.

In the more recent group, the age of first arrest dropped to 14 from 15 in the earlier group. And among the violent juveniles in the later group, the age of first arrest was 13.

The earlier group reached its peak delinquency at age 16, but the more recent juvenile offenders were still active into their late teens.

"The majority of violent juvenile offenders become adult offenders," said Hamparian, who focused on 1,222 juveniles arrested at least once for a violent crime in Columbus. She said 59 percent of those she studied were arrested at least once for an adult offense after age 18.

Wolfgang offered the exodus of middle-class people out of the city in the 1960s and 1970s as one explanation why chronic juvenile offenders were becoming more violent and serious criminals.

The Diamond Gravel

round
aws

Sunny today; high 42; wind becoming southeast 15 mph by evening. Increasing clouds tonight; low near 30. Chance of rain Tuesday; high 41.

High Sunday46
 Low Sunday morning30
 Barometer29.82
 Humidity76%
 Normal high Oct. 1342
 Normal low Oct. 1330
 Record high Oct. 13 (1969)61
 Record low Oct. 13 (1924)7

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Alaska farmers, too

By CHRIS GEIGER
Daily News reporter

Despite their subarctic isolation, some Alaska farmers seem to be cultivating the same crop of debts as their counterparts thousands of miles to the south.

Some of the local problems stem from the same economic pressures faced by farmers nationwide, Alaska farmers say. Some result from inexperience and overborrowing in the state's fledgling industry. And some of this year's

bumper crop of farm foreclosures are really just foreclosures on land speculators, according to state agricultural officials.

The state has foreclosed on significantly more farm loans from the Agriculture Revolving Loan Fund this year, according to Dean Brown, deputy director of the state Division of Agriculture. The increase represents a "major effort to clean up the loan

See Back Page, FARMERS

Police say they yet to tie the together.

"At this point I don't know enough," said Lt. Jim Jansen. "Sure, it's a possibility there could be other

Robert Pfeil in his daughter's pact sedan when he home from work on evening, headed for Jewel Lake Road along the intersection of the intersection of the street toward homes that surround bell Lake.

Pfeil stopped at intersection with Drive, Jansen's suspect sedan pulled left side, and shot

"There were said Rolland Dolives about a block intersection. "I like they were handgun of some

"There were then three more said another n asked not to be r

Slugs from a weapon pierced door and struck left shoulder area, Jansen would not say size gun was used how many times was hit.

See Back Page

Burglary up 10%

Anchorage crime rate rises by 6.5%

Jumps in arson, robberies, burglaries paved way to higher numbers

By LARRY CAMPBELL
Daily News reporter

Crime in Anchorage increased by 6.5 percent during the first six months of this year — more than twice the national average — with arsonists and thieves leading the criminal onslaught, according to figures released by the FBI.

The number of crimes of all types reported to Anchorage law enforcement agencies totaled 7,267 from January to June, compared with 6,822 for the same period last year, according to the statistics released by the federal agency last

week. The FBI said that crimes reported nationwide rose by 3 percent for the same period.

At the head of the list locally was arson with a 23 percent increase this year over last. Robberies and burglaries both increased by 10 percent, while lesser thefts rose by 9 percent.

The only property-type crime to slacken was auto theft, which declined by nearly 7 percent.

While more property was being stolen or destroyed, violent crimes against

individuals decreased, with the exception of robberies, according to the figures. There were 13 percent fewer rapes reported this year than last, and 12.8 percent fewer aggravated assaults.

The decrease is a significant variance from national figures, which show all violent crimes had increased by about 4 percent.

The FBI compiles annual and semi-annual figures from statistics gathered from local law enforcement agencies, such as the Anchorage Police Department and the Alaska State Troopers.

Monday, October 14, 1985

ck Page. CRIMINALS

Penn study says system is lenient with chronic juvenile delinquents

STUDY, from 1-A
leasing them repeatedly.

Among the findings:

- While only 7 percent of those followed were chronically delinquent, that minority committed 75 percent of all serious crimes committed by Philadelphia juveniles in their age group.

- In half of the cases of the chronic offenders, the criminal justice failed to provide any incarceration, counseling, probation or imposition of community service.

- It is not uncommon for a youngster to have a serious run-in with the police — about one out of three children who grew up in the late 1960s and mid-1970s were arrested or had a "major encounter" with police by the age of 18. But that rate showed no increase from the pattern found in an earlier study that tracked a smaller sample of children who came of age in the late 1950s and early 1960s.

- Males were more than 2½ times more likely than females to become delinquents, the study found. Among chronic offenders with five or more arrests, there was no difference between white and black teenagers in the percentage of those who become such offenders, Tracy said, "although a higher percentage of non-whites are arrested for crimes."

- If a youth has three offenses by age 14, there is about a 90 percent chance that he or she will become an adult criminal.

"We know who he is by the time he is 13 or 14. And we aren't doing this kid any favor by letting him accumulate all this crime and by being lenient on him in juvenile courts — Family Court in the case of Philadelphia," said Tracy. "My idea is, let's do something about him early and not wait until he's an adult, or he's going to spend a lot of years in prison."

In following the 27,160 children, the researchers reviewed each youth's court, school, police and so-

cial-agency records for each year from age 10 to 17 for each youngster. The work was supported by a \$1.5 million grant from the National Institute for Juvenile Justice and Delinquency Prevention. The third researcher was Penn criminologist Robert M. Figlio.

Philadelphia was chosen for the study because of the similar but smaller study conducted here earlier, also directed by Wolfgang, that traced the criminal history of about 10,000 males born in 1945. The recent study included both males and females.

Tracy, a former Penn criminology professor who recently moved to Northeastern University in Boston, said a key advance made in the new study was the identification of a core group of troublesome youngsters.

"Although it had long been suspected that a small group of habitual, serious offenders had skewed rates of offending, it was not known exactly how small this group actually was or how great a share of offending could be attributed to it," he said.

Robbery, aggravated assault and rape cropped up much more often in statistics for those born in 1958 than they did in the earlier group, he said.

"We think that the group who grew up in the late '60s and '70s had so much more violence at least partly because of their involvement with drugs," Wolfgang said.

"In the first study, the drug culture had not yet come to Philadelphia in the juvenile population. In the first study, out of 10,000 offenses committed, there was just a single drug arrest. In the second study, there were about 1,000 drug offenses out of about 13,000 offenses, and we have not yet examined the data for drug-related crime, such as robbery to maintain a drug habit."

Wolfgang said that about 35 percent of 10,000 boys born in 1945 had at least one arrest or major encounter with police by the age of 18, and that the number was 34 percent

in the second study.

"And the percentage of those with five or more arrests by the age of 18 were also similar — six percent in the first group, seven percent in the second," Wolfgang said.

"But the major finding was that those few, that small percentage, are committing the vast number of serious and violent offenses, including homicide, rape, robbery. In the first group, that small percentage was committing about two-thirds of the serious offenses, and that percentage went up to nearly 75 percent in the second group."

The youngsters who grew up during the first study period did so during "a very pleasant time," Tracy said. The more recent group, he said, came of age in "a society with more influences. The Vietnam War was escalating, Kent State was about to happen, drugs had become routine in American culture."

Both Wolfgang and Tracy praised District Attorney Edward G. Rendell's work in attempting to prosecute chronic juvenile offenders before they commit dozens of crimes.

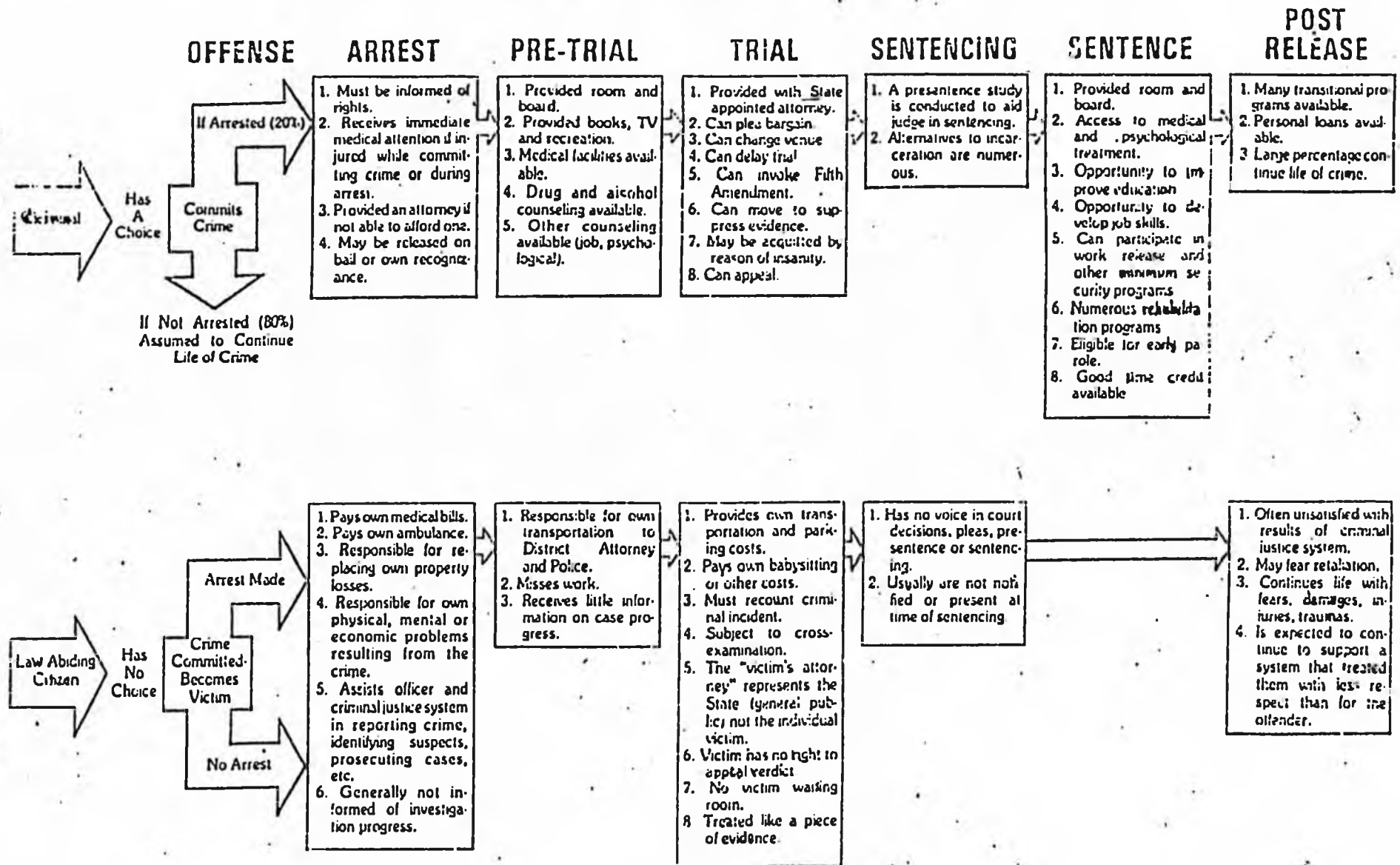
"The point is, if you let a kid do what he does with impunity, then he's going to continue to do it," said Tracy. "So my argument is that we ought to start getting tough with delinquents early."

Tracy said the researchers planned to track the same group of people into their adulthood by interviewing 2,000 of the youths in the study.

"We also want to help the justice system," Tracy said. "That kind of offender I cited, for example, when he finally gets into adult court, the court thinks he's a one-time offender, and we know he's probably committed no less than 54 crimes."

"A court, if it has the juvenile-offender records in serious cases, should treat a 54-crime offender very differently than it treats a one-time offender."

THE CRIMINAL INJUSTICE SYSTEM



"When you are dealing with children you just can't let them do whatever they want to do if that is ultimately going to hurt [them]. If [a] kid is going to run away again and again and get into a... mess in the Times Square area, or some other area where he

New York City

Jenny sat in the squad room of the New York Police Department (NYPD) one evening. Earlier in the day she had been arrested for "loitering for the purpose of prostitution." Although the arresting officer thought she was an adult, Jenny was 14.

Jenny ran away from her home near Minneapolis and had been on and off the street for 2 years prior to her arrest. Whenever she decided to return home, she lived with her mother. Whenever she decided to go back to the street, she lived with her pimp.

Jenny's pimp provided her with the bare necessities to keep her alive and working—food, shelter, clothing and a false identity. In return, Jenny thought of the pimp as her boyfriend. To please him, Jenny relinquished all control over her life and became a prostitute.

When arrested, Jenny did not use her false identification. For some unknown and fortunate reason, she told the arresting officer her real name, age and address. This information placed her in the NYPD Runaway Unit, but it did not necessarily ensure her safety.

In compliance with the Federal deinstitutionalization mandate, New York State law forbids authorities from holding runaways in secure facilities for more than a few hours. If attempts to reunite a runaway with his parents or guardian fail, the police have only one option: the child must be placed in a voluntary shelter.

When Jenny was sent to the Runaway Unit, Detective Warren McGinniss was assigned to her case. From his experience with runaways, McGinniss knew that it was risky to assume Jenny

would voluntarily remain in a nonsecure facility overnight. He called her mother and a social service office in her hometown. Jenny was subsequently booked on a flight home that evening, courtesy of a ticket prepaid by a Minneapolis child welfare agency.



will be exploited and hurt and maybe killed, I think society has a responsibility to restrain that child even if he hasn't committed a crime."

Irving Cohen, Department of Juvenile Probation

An hour before Jenny's flight was scheduled to leave, McGinniss discovered that her ticket had not been paid. He tried to reach the welfare agency, but it had closed for the day. He called Jenny's mother, but she lacked the funds to pay for the flight. It was beginning to look as if McGinniss would have to take Jenny to a nonsecure facility and hope for the best. Jenny might have decided to stay in a voluntary shelter. Her pimp might have been willing to forget her and the \$400 she earned for him every night. The pimp might not have tracked her to the shelter, though once he had followed her all the way to Minneapolis to get her back. Perhaps this time he would leave her alone.

Jenny's case was a relatively easy one for McGinniss, at least from a short-term perspective. She could have withheld her identity. She could have waited until she was dropped off at a shelter and then returned to the street. But because Jenny wanted to go home, she made things "easy" for McGinniss. Thus, after the problem with her ticket had been resolved, Jenny was returned to Minneapolis that night.

In the long term, however, Jenny could not be considered an easy case. She was a chronic runner. Her wish to return home did not mean she would want to stay once she got there. She knew she was free to do as she chose. Of particular concern to McGinniss was something Jenny said before she left New York. Even though she was anxious to get home, she refused to give up the "relationship" she had with her pimp—a man who had brutally beaten her only a few hours before.

According to McGinniss, the job of getting runaways off the street has been made "almost impossible" by current law. Some of the runaways with whom



he maintained regular contact have been at large for several years. Even though he may know where they are and the dangers they face, he is virtually powerless. He may be able to take them off the street for a few hours, but he is unable to stop them when they decide to return.

McGinniss has known Linda since she first ran away from her home in Massachusetts at the age of 13. At 17, she was a seasoned prostitute. During her 4 years on the street, she was picked up several times and either sent home or placed in a variety of nonsecure facilities. She ran away each time. McGinniss described Linda as a child "as beautiful as a movie star" with "the mind and maturity of a 5-year-old." The system "had nothing to offer" Linda. "She could make as much on the street in one night as she could in a week in any normal job she

was qualified for," McGinniss said. Even though her pimp only gave her subsistence money, her fantasy of great wealth was more alluring to her than the prospect of a stable home. Since the choice was Linda's, she is still on the street. Soon she will graduate to the jurisdiction of the adult criminal justice system.

Joanne's story illustrates what happens all too often to veterans of the street like Linda. The Runaway Unit first came in contact with Joanne when she was 11 years old. Her family lived in New York, but only permitted the child to come home for visits. During the next 7 years of her life, Joanne ran away from a variety of court-ordered, though voluntary, placements. Today Joanne is a legal adult, a heroin addict with a felony conviction, and a fugitive from the law.

Conclusion

An overwhelming majority of the authorities interviewed agree that deinstitutionalization has had an adverse effect on the runaway problem.

- Sergeant Richard Ruñino, who operates a nationally recognized missing persons bureau in Bergen County, New Jersey, agrees that many runaways, even "easy" cases, are being lost due to deinstitutionalization.
- Irving Cohen, a senior official in the New York City Department of Juvenile Probation, indicates that there is general frustration over deinstitutionalization's revolving door, which encourages authorities to ignore any responsibility towards runaways.
- Father Bruce Ritter, the founder of Covenant House in New York, believes that deinstitutionalization is a "great concept if it is a complete concept. . . . Sometimes kids are so out of control and incapable of making an informed, mature decision in their best interest that adults have to make that decision for them. It is criminal not to."

Deinstitutionalization has emancipated children, essentially allowing them to live wherever and however they choose. It has prevented authorities from effectively controlling and protecting runaways. Deinstitutionalization has too often meant, not transferring youth from reform schools to caring environments, but releasing them to the exploitation of the streets.

Moreover, youth may be spared a criminal record for the act of running away, but life on the street often leads to the same end. Many runaways are arrested and ultimately enter the judicial system, no longer as status offenders, but as criminal offenders—facing charges for crimes committed in order to survive. In other words, deinstitutionalization may only be postponing the in-

evitable for many of these youth. By intervening at an earlier point, the law enforcement system could help prevent these children from subsequent criminality.

According to many of the authorities interviewed, a runaway is occasionally charged with a more serious offense in order to do the child the favor of taking him off the street. The use of such discretion by law enforcement personnel may be well-motivated, yet it fosters the very situation the Juvenile Justice and Delinquency Prevention Act was designed to correct.

By no means do all runaway and homeless children need to be confined. But some do, if only for their own protection. Unfortunately, the Federal deinstitutionalization mandate prevents the juvenile justice system from providing that which many runaways need most.

The funds OJJDP provides to States are insufficient to cover the full cost of deinstitutionalization. Thus, States are not carrying out this mandate because of Federal money, but because it is believed to be the right thing to do. Those States which have adopted the philosophy of the Act will continue to deinstitutionalize with or without Federal funding. There is no reason to assume that the States will retreat from this commitment in the absence of Federal inducement or regulation. Rather, the removal of blanket deinstitutionalization requirements will allow States the latitude to more effectively protect local runaways.

Footnotes

1. Based on estimates made by the U. S. Department of Health and Human Services, as quoted in "Runaways: The Average Age is 15 and Most Depend on Prostitution or Theft to Survive," Dotson Rader, *Parade*, February 1, 1982 (reprinted in hearing record, Senate Judiciary Committee, Subcommittee on Juvenile Justice, July 22, 1982, p. 71).
2. Hearing record cited above, p. 71.
3. Department of Health and Human Services, Office of Inspector General (HHS-OIG), "Runaway and Homeless Youth: National Program Inspection," October 1983, p. 5.
4. Dorothy Miller et al., *Runaways—Illegal Aliens in Their Own Land*, J. F. Bergin Publishers, Inc., New York, 1980.
5. HHS-OIG, p. 5.
6. Peter A. Redpath, "Help Me! My Child is Missing! A Missing Child Handbook and Child-Saver Guide for Parents and Children." Child-Savers, New York, 1984.
7. P.L. 93-415 as amended by P.L. 94-273, P.L. 94-503, P.L. 95-115, and P.L. 96-509.
8. HHS-OIG, p. 2.
9. Sheila Rule, "Many Runaways Found to Have Tried Suicide," *New York Times*, January 22, 1984.
10. Richard J. Phelps et al., "Wisconsin Juvenile Female Offender Study Project," Youth Policy and Law Center, Inc., Madison, Wis., 1982, p. 2.
11. Normal Elliot Kent, "No Place to Turn: A Study of Runaways in America," June 1, 1984, p. 6.
12. U.S. General Accounting Office, "Sexual Exploitation of Children: A Problem of Unknown Magnitude," April 20, 1982, p. 4.
13. "Helping Runaways Find a New Life," *Reno Gazette Journal*, Saturday, February 11, 1984, p. 2D.

PROPOSED SENATE JUDICIARY COMMITTEE SUBSTITUTE

FOR

CS FOR SENATE BILL NO. 79 (HESS)

* Section 1. AS 47.10.141 is amended to read:

Sec. 47.10.141. RUNAWAY AND MISSING MINORS. (a) Upon receiving a written or telephonic 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.

* Sec. 2. AS 47.10.141 is amended by adding a new subsection to read:

(c) A minor may be taken into protective custody by a peace officer and placed into temporary detention in a juvenile detention home if there has been an order issued by a court upon a finding of probable cause that the minor is a runaway in violation of a valid court order issued under AS 47.10.142(f) and is posing a clear and present danger to the minor's own welfare. A minor detained under this subsection shall be brought before a court within 48 hours after the detention for a hearing to determine whether the minor is in civil contempt of court under AS 09.50.010(5). This subsection does not apply to a minor taken into protective custody in a community that does not have a juvenile detention home.

* Sec. 3. AS 47.10.142 is amended by adding a new subsection to read:

(f) When, under (e) of this section, a minor is committed to the custody of the department for temporary placement or returned to the custody of the parent or guardian subject to the supervision of the department, the court may require the child to remain in the home of the parent or guardian or in the placement designated by the department and may order the parents and child to take part in a treatment program. If a court order is entered under this subsection, it shall clearly state the consequences of violating the order, including the possibility of detention of a minor under AS 47.10.141(c).