

HB

262



Alaska State Legislature

Session
State Capitol
Juneau, AK 99801
(907) 465-4949

Member

Randy Phillips
State Representative
House District 15

Interim
P.O. Box 142
Eagle River AK 99577
(907) 694-4949

House Finance Committee

Memorandum

TO: Representative Pat Carney, CoChair
Representative Georgianna Lincoln, CoChair
House, Health Education and Social Services Committee

FROM: Representative Randy Phillips ~~REP~~

DATE: April 27, 1992

RE: House Bill 262, "An Act relating to persons under 21 years of age."

According to the Alaska Department of Health and Social Services, over 3,500 youth runaway from home each year in Alaska. Many of these youths end up on the streets or in the homes of exploitive adults where they engage in prostitution, drug trafficking and property crimes to support themselves.

House Bill 262 was proposed as a means of addressing the growing problem of "runaway" children in Alaska, the inability of parents to deal with these children under existing laws and the inability of the state and local governments to protect these children. House Bill 262 changes several statutes relating to persons under the age of twentyone.

Section 1 changes the definition of contributing to the delinquency of a minor. Current statute provides that a person over the age of 19 may not aid, induce, cause or encourage a child under the age of 16 to be absent from the custody of a parent, guardian. HB262 would raise that age from 16-18.

Section 2 raises the age for purchase and possession of firearm from 16 to 21 years of age.

SPONSOR STATEMENT

Section 3 prohibits an unemancipated minor from working without the permission of the minor's legal custodian and from working after 10:00 pm on school nights.

Sections 4 and 5 provide limitations on parental financial liability for the acts of runaway minors.

Sections 6 and 7 direct the Department of Health and Social Services to conduct a statewide conference on runaway youth and to conduct a pilot project to identify, assist, and return runaway youths to their homes.

The concepts in this bill are supported by the Chiefs of Police in Anchorage and Palmer as well as the Mayor of Anchorage. As well as several thousand individuals who have signed petitions in support of the Parent and Child Protection Initiative, which is attached.

This bill is intended as a first step in a comprehensive look at statutes that apply to runaway children. Thank you for your support in addressing this important issue.

**Municipality
of
Anchorage**



OFFICE OF THE MAYOR

P.O. BOX 196650
ANCHORAGE, ALASKA 99519-6650
(907) 343-4431

TOM FINK,
MAYOR

December 6, 1990

Ms. Candace Hullett
P.O. Box 672064
Chugiak, AK 99567

Dear Ms. Hullett:

I am in receipt of your letter and package of November 13 in regard to runaway children. I am totally supportive of the thrust of your package.

We certainly do need changes in the law as well as changes in attitudes. Some of the state people are working on these problems. We have turned the world a little bit upside down so that when any child gets in trouble it's the parent's fault, yet we don't want to allow the parent the authority to discipline his or her child. Often the child abuse laws and child sexual abuse laws are tools improperly used to stop the parent from fulfilling his or her responsibilities. The pendulum has swung too far and needs to be brought back in the center.

I am very supportive of what you are attempting to do.

Sincerely,

Tom Fink

1 letters of support.

January 11, 1991

Representative Randy Phillips
State of Alaska
Juneau, Alaska

Dear Representative Phillips:

During this past year the undersigned have put together this broad and comprehensive legislative package in hopes of solving some very serious problems in our communities through out the State of Alaska. In brief the problems are: the lack of control of our children, the tremendous growth of "Parent Abuse" by children, and the alarming numbers of crimes committed by children and against children. As parents and future parents we must protect the most cherished part of our lives "Our Children".

This year the Anchorage Municipal Assembly has recognized that this problem requires very high priority. This package is supported and has been enthusiastically endorsed by local law enforcement people, Mayor Tom Finl, churches, family support groups and parents from all over the State of Alaska.

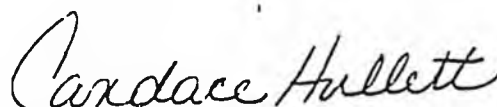
We would appreciate your support and would be delighted if you would sponsor this package.

On behalf of our children, we thank you.

Sincerely,



Fred Dyson
Anchorage Assemblyman
12239 Lugene Lane
Eagle River, Alaska 99577



Candace Hullett
P.O. Box 672064
Chugiak, Alaska 99567



Palmer Police Department

423 SOUTH VALLEY WAY
PALMER, ALASKA 99645



RONALD L. OTTE
CHIEF OF POLICE

PHONE: (907) 745-4811

December 27, 1990

Sandy Pevan
P.O. Box 871256
Wasilla, Alaska 99687

Dear Ms. Pevan:

As we discussed by phone, Palmer is a small community that does not generate a large number of calls in any category. When combined with the information from the rest of the Valley, however, you should get a good picture of the runaway problem in this area of the State.

During 1989 and 1990 there have been 42 reported runaways in Palmer. I am sure there are actually more that do not get reported for one reason or another. The runaway problem in the Valley is serious and appears to be getting worse.

I wish you luck in your efforts to effect a change in the way we all must deal with runaways. If I can be of further assistance please let me know.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Ronald L. Otte".

Ronald L. Otte
Chief of Police

RLO/lp



ANCHORAGE POLICE DEPARTMENT

4501 SOUTH BRAGAW STREET • ANCHORAGE, ALASKA 99507-1599
TELEPHONE (907) 786-8500



TOM FINK
MAYOR

December 12, 1990

Candace Hullett
P.O. Box 672064
Chugiak, Alaska 99567

Dear Ms Hullett:

Thank you for your letter of November 15, 1990, and for this opportunity to express my support for your cause.

There is a delicate relationship between the right of a child to grow and the authority of the parents to give direction to that growth. I agree with your premise that this relationship is currently out of balance - that we have unfairly given our children "rights", hence obligations, with which they may not be equipped to cope. There are additional considerations:

- > Parents can be held responsible for a failure over which they had no control,
- > The police, and others, try to operate in an environment of convoluted, and often contradictory, rules and procedures.

Given this, I would support any effort to return balance to this most important issue.

Sincerely,

Kevin M. O'Leary
Chief of Police

KMO:lz

RECEIVED
APR 20 P.M.

HEALTH ED. & SOCIAL SERVICES

Legislator: Georgianna Lincoln

4-24-91

I understand that some of the wording of this bill
HB #262 can be misinterpreted, our concerns are addressed in
this memorandum, dated 12-18-90. Subject: Laws Relating to Minors
(Work Order No. 7LS-1346A) TO: Representative Randy Phillips
FROM: Terri Lauterbach Legislative Counsel

Our intent with HB #262 is to address the problems of
nonabused runaways. Then to return these children back to their
families. It is not our intent to have these children
incarcerated as long as these children have not violated the
current laws; E.G. drugs, alcohol, robbery or murder.

The parents at this point are not allowed this
protection with our current "Non Law". The police and
D.Y.F.S can not currently address this problem. We as parents
understand the many problems that we face in our daily lives,
but with your help we can make a positive change and protect
our children that are in danger.

If I can help in anyway please contact me. Thank you for
your help in addressing this problem.

Sandy Pevan

Sandy Pevan

PO BOX 871256
Wasilla, Alaska 99687
Phone - 373-6198

HOUSE COMMITTEE REPORT

(7)

Date Referred: April 5, 1991

FURTHER REFERRALS:

Judiciary
Finance

Date of Committee Action: 5/5/92

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 262

HOUSE BILL NO. 262

MISC. LAWS RELATING TO MINORS

"An Act relating to persons under 21 years of age."

RECOMMENDATIONS:

be replaced with CS HB 262 (HES)

the same title

a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact _____

fiscal note(s) _____

zero fiscal note Labor LAW

zero fiscal note(s) _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
		Cheri Davis		<input checked="" type="checkbox"/>	
		Cheri Davis		<input checked="" type="checkbox"/>	
<i>Patricia Lee</i>	<input checked="" type="checkbox"/>	Cheri Davis		<input checked="" type="checkbox"/>	
<i>J. A. Gonzales</i>	<input checked="" type="checkbox"/>	Betty Davis		<input checked="" type="checkbox"/>	
<i>Mary Miller</i>	<input checked="" type="checkbox"/>				

Patricia Lee
- CHAIRMAN'S SIGNATURE

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO : HB 262

Revision Date: _____
Title: "An Act relating to persons under 21 years of age."
Sponsor: Representative R. Phillips
Requestor: House HES

Department Affected: Labor
BRU: Labor Standards & Safety
Component: Wage & Hour
COMPONENT SERIAL NO. 345

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND&STRUCTURES						
GRANTS,CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Randy Carr, Acting Director Phone: 264-2452
Division: Labor Standards & Safety Date: 4/27/92
Approved by Commissioner: C. W. Mahler
Agency: Department of Labor Date: 4/27/92

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Revision Date: _____
Title: "An Act relating to persons under 21 years of age."
Sponsor: Representative R. Phillips
Requestor: House HESS Committee

Department Affected: Department of Law
BRU: Prosecution
Component: All

COMPONENT SERIAL

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Expenditures/Revenues: (Thousands of Dollars)

85 through 91

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

This bill makes changes in laws concerning persons under 21 years of age, including making possession of a firearm more restrictive, that may cause more local law enforcement effort. However, these changes should not have a fiscal impact on the Department of Law.

Prepared by: Richard I. Peques, Director
Division: Administrative Services
Approved by Commissioner: Charles E. Cole, Attorney General
Agency: Department of Law

Phone: 465-3672
Date: April 27, 1992
Date: April 27, 1992

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

7-LS0346G
Lauterbach
4/27/92

CS FOR HOUSE BILL NO. 262 ()
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES R.PHILLIPS, M.A.Miller

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to persons under 21 years of age."

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

3 * Section 1. AS 11.51.130(a) is amended to read:

4 (a) A person commits the crime of contributing to the delinquency of a minor if, being
5 19 years of age or older, the person

6 (1) aids, induces, causes, or encourages a child under 18 years of age to do any
7 act prohibited by state law;

8 (2) [REPEALED

9 (3)] aids, induces, causes, or encourages a child under 18 years of age to enter
10 or remain in the same room in a building where the unlawful sale of a drug occurs; or

11 (3) [(4) REPEALED

12 (5)] aids, induces, causes, or encourages a child under 18 [16] years of age to be
13 absent from the custody of a parent, guardian, or custodian or to be repeatedly absent from
14 school, without just cause. unless the child's disabilities of minority have been removed for

1 general purposes under AS 09.55.590.

2 * Sec. 2. AS 11.61.220(a) is amended to read:

3 (a) A person commits the crime of misconduct involving weapons in the third degree if
4 the person

5 (1) knowingly possesses a deadly weapon, other than an ordinary pocket knife or
6 a defensive weapon, that is concealed on the person;

7 (2) knowingly possesses a loaded firearm on the person in any place where
8 intoxicating liquor is sold for consumption on the premises;

9 (3) being a person [AN UNEMANCIPATED MINOR] under 21 [16] years of
10 age, possesses a firearm without the written consent of a parent or guardian of the person
11 [MINOR];

12 (4) knowingly possesses a firearm

13 (A) within the grounds of or on a parking lot immediately adjacent to a
14 public or private preschool, elementary, junior high, or secondary school, without the
15 permission of the chief administrative officer of the school or district or the designee of
16 the chief administrative officer, except that a person 21 years of age or older may possess
17 an unloaded firearm in the trunk of a motor vehicle or encased in a closed container in
18 a motor vehicle; or

19 (B) within the grounds of or on a parking lot immediately adjacent to a
20 center, other than a private residence, licensed under AS 47.35.010 - 47.35.075 or
21 recognized by the federal government for the care of children; [OR]

22 (5) possesses or transports a switchblade or a gravity knife; or

23 (6) with criminal negligence sells or delivers or offers to sell or deliver a
24 firearm to a person under 21 years of age without the written consent of a parent or
25 guardian of the person.

26 * Sec. 3. AS 12.62.035(f)(1) is amended to read:

27 (1) "contributing to the delinquency of a minor" means a conviction for a
28 violation or attempted violations of AS 11.51.130(a) [AS 11.51.130(a)(1), (3), OR (5)]; former
29 AS 11.40.130; or the laws of another jurisdiction if the offense would have been a crime in this
30 state under AS 11.51.130(a) [AS 11.51.130(a)(1), (3), OR (5)] or former AS 11.40.130 if
31 committed in the state;

1 . * Sec. 4. AS 23.10.350 is amended by adding a new subsection to read:

2 (c) A minor for whom the disabilities of minority have not been removed for general
3 purposes under AS 09.55.590 may not be employed or allowed to work

4 (1) without the written permission of the minor's legal custodian; or

5 (2) after 10:00 p.m. on the night before school is in session unless the minor has
6 graduated from secondary school or its equivalent.

7 * Sec. 5. AS 34.50.020(a) is amended to read:

8 (a) Except as provided in (c) of this section. a [A] person, municipal corporation,
9 association, village, school district, or religious or charitable organization, incorporated or
10 unincorporated, may recover damages in a civil action in an amount not to exceed \$2,000 and
11 court costs, from either parent or both parents or the legal guardian or person having the legal
12 custody of an unemancipated minor under the age of 18 years, who maliciously or wilfully
13 destroys real or personal property belonging to the person, municipal corporation, association,
14 village, school district, or religious or charitable organization.

15 * Sec. 6. AS 34.50.020 is amended by adding new subsections to read:

16 (c) A parent, legal guardian, or person having the legal custody of an unemancipated
17 minor under the age of 18 years, is not liable under (a) of this section if

18 (1) the destructive acts of the minor occurred while the minor was evading the
19 custody and control of the parent, guardian, or person having legal custody of the minor; and

20 (2) the parent, legal guardian, or person having legal custody of the minor
21 demonstrates by clear and convincing evidence that specific reasonable efforts were made before
22 the destructive acts occurred to control the behavior of the minor.

23 (d) In this section, "unemancipated minor" means a minor for whom the disabilities of
24 minority have not been removed for general purposes under AS 09.55.590.

25 * Sec. 7. CONFERENCE ON RUNAWAY YOUTH. (a) Before November 1, 1992, the Department
26 of Health and Social Services shall conduct a public conference at which interested individuals and
27 groups can present and receive information and recommend changes, or comment on recommended
28 changes, in state policies, regulations, and laws relating to the prevention of runaway youth problems,
29 assistance for runaway youths, and reunification of families from which youths have run away.

30 (b) After the conference held under this section, the Department of Health and Social Services
31 shall develop legislative and regulatory proposals to respond to the problem of runaway youth in the

1 state. By January 30, 1993, the department shall submit its recommended legislative proposals to the
2 legislature.

3 * Sec. 8. PILOT PROJECT. (a) The Department of Health and Social Services shall conduct a pilot
4 project whose purpose is to identify, assist, and return to their homes runaway youths in the state.

5 (b) By January 30, 1994, the department shall report to the legislature about the effectiveness
6 of the pilot project and the department's recommendations for statewide application of the project's
7 programmatic components.

7-LS0346J ✓
Lauterbach
4/29/92

CS FOR HOUSE BILL NO. 262 ()
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES R.PHILLIPS, M.A.Miller

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to persons under 21 years of age; providing for designation of 'safe
2 homes' for runaway minors; and providing for an effective date."

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

4 * Section 1. LEGISLATIVE FINDINGS; INTENT. (a) The legislature finds that licensed programs
5 for runaway minors need not be the only sources of government-encouraged assistance for runaway
6 minors. There exist many concerned citizens in the state who, with appropriate oversight and certain
7 limitations of their liability, would volunteer to assist runaway minors in their private residences. It
8 would be in the public interest to encourage properly qualified private citizens to seek designation of
9 their homes as "safe homes" where runaway minors could seek temporary, short-term shelter and other
10 care.

11 (b) It is the intent of legislature that the Department of Health and Social Services, in
12 implementing secs. 16 - 19 of this Act, adopt regulations under which interested nonprofit corporations
13 could be approved by the department for the purpose of designating "safe homes." Oversight of the safe
14 homes by the nonprofit corporations and the state should involve less regulation than is required for

1 licensed programs for runaways under AS 47.10.310 while still requiring the homes to meet health and
2 safety standards designed to protect the runaway minor in the safe home.

3 * Sec. 2. AS 09.55.590(a) is amended to read:

4 (a) A minor who is a resident of this state and is at least 16 years of age, who is living
5 separate and apart from the parents or guardian of the minor, capable of self-support and of
6 managing one's own financial affairs, or the legal custodian of such a minor, may petition the
7 superior court to have the disabilities of minority removed for limited or general purposes.

8 * Sec. 3. AS 09.55.590(b) is amended to read:

9 (b) A minor or the legal custodian of a minor may institute a [THIS] petition under
10 this section in the name of the minor.

11 * Sec. 4. AS 09.55.590(c) is amended to read:

12 (c) The petition for removal of disabilities of minority must state [:]

13 (1) the name, age, and residence address of the minor [PETITIONER];

14 (2) the name and address of each living parent;

15 (3) the name and address of the guardian of the person and the guardian of the
16 estate, if any;

17 (4) the reasons why removal would be in the best interest of the minor [CHILD];

18 and

19 (5) the purposes for which removal is sought.

20 * Sec. 5. AS 09.55.590(d) is amended to read:

21 (d) The person who institutes a petition under this section [PETITIONER] must obtain
22 the consent of each living parent or guardian having control of the person or property of the
23 minor [PETITIONER]. If the person who is to consent to the petition is unavailable or the
24 whereabouts of that person are unknown, or if a parent or guardian unreasonably withholds
25 consent, the court, acting in the best interest of the minor [PETITIONER], may waive this
26 requirement of consent as to that parent or guardian.

27 * Sec. 6. AS 09.55.590(e) is amended to read:

28 (e) The court may appoint an attorney or a guardian ad litem to represent the interests
29 of the minor [PETITIONER] at the hearing. Appointment of an attorney or guardian ad litem
30 shall be made in accordance with AS 25.24.310.

31 * Sec. 7. AS 09.55.590(f) is amended to read:

1 (f) The court may remove the disabilities of minority as requested in the petition if found
2 to be in the best interest of the minor [PETITIONER], after a hearing. The removal may be for
3 general purposes or the limited purposes specified in the decree.

4 * Sec. 8. AS 11.51.130(a) is amended to read:

5 (a) A person commits the crime of contributing to the delinquency of a minor if, being
6 19 years of age or older, the person aids, induces, causes, or encourages a child

7 (1) [AIDS, INDUCES, CAUSES, OR ENCOURAGES A CHILD] under 18 years
8 of age to do any act prohibited by state law;

9 (2) [REPEALED]

10 (3) AIDS, INDUCES, CAUSES, OR ENCOURAGES A CHILD] under 18 years
11 of age to enter or remain in the same room in a building where the unlawful sale of a drug
12 occurs;

13 (3) [OR (4) REPEALED

14 (5) AIDS, INDUCES, CAUSES, OR ENCOURAGES A CHILD] under 16 years
15 of age to be [ABSENT FROM THE CUSTODY OF A PARENT, GUARDIAN, OR
16 CUSTODIAN OR TO BE] repeatedly absent from school, without just cause; or

17 (4) under 18 years of age to be absent from the custody of a parent,
18 guardian, or custodian without just cause, unless the child's disabilities of minority have
19 been removed for general purposes under AS 09.55.590 or the person has immunity under
20 AS 47.10.398(a).

21 * Sec. 9. AS 11.61.220(a) is amended to read:

22 (a) A person commits the crime of misconduct involving weapons in the third degree if
23 the person

24 (1) knowingly possesses a deadly weapon, other than an ordinary pocket knife or
25 a defensive weapon, that is concealed on the person;

26 (2) knowingly possesses a loaded firearm on the person in any place where
27 intoxicating liquor is sold for consumption on the premises;

28 (3) being a person [AN UNEMANCIPATED MINOR] under 21 [16] years of
29 age, possesses a firearm without the written consent of a parent or guardian of the person
30 [MINOR],

31 (4) knowingly possesses a firearm

1 (A) within the grounds of or on a parking lot immediately adjacent to a
2 public or private preschool, elementary, junior high, or secondary school, without the
3 permission of the chief administrative officer of the school or district or the designee of
4 the chief administrative officer, except that a person 21 years of age or older may possess
5 an unloaded firearm in the trunk of a motor vehicle or encased in a closed container in
6 a motor vehicle; or

7 (B) within the grounds of or on a parking lot immediately adjacent to a
8 center, other than a private residence, licensed under AS 47.35.010 - 47.35.075 or
9 recognized by the federal government for the care of children; [OR]

10 (5) possesses or transports a switchblade or a gravity knife; or

11 (6) with criminal negligence sells or delivers or offers to sell or deliver a
12 firearm to a person under 21 years of age without the written consent of a parent or
13 guardian of the person.

14 * Sec. 10. AS 12.62.035(f)(1) is amended to read:

15 (1) "contributing to the delinquency of a minor" means a conviction for a
16 violation or attempted violations of AS 11.51.130(a) [AS 11.51.130(a)(1), (3), OR (5)]; former
17 AS 11.40.130; or the laws of another jurisdiction if the offense would have been a crime in this
18 state under AS 11.51.130(a) [AS 11.51.130(a)(1), (3), OR (5)] or former AS 11.40.130 if
19 committed in the state;

20 * Sec. 11. AS 23.10.350 is amended by adding a new subsection to read:

21 (c) A minor for whom the disabilities of minority have not been removed for general
22 purposes under AS 09.55.590 may not be employed or allowed to work

23 (1) without the written permission of the minor's legal custodian; or

24 (2) after 10:00 p.m. on the night before school is in session unless the minor has
25 graduated from secondary school or its equivalent; however, a minor under 16 years of age may
26 not be employed to work after 9:00 o'clock in the evening, as provided in AS 23.10.340.

27 * Sec. 12. AS 34.50.020(b) is amended to read:

28 (b) A state agency or its agents, including a person working in or responsible for the
29 operation of a foster, receiving, or detention home, or children's institution, is not liable for the
30 acts of unemancipated minors in its charge or custody. A state agency or an agent of a state
31 agency, including a nonprofit corporation that designates safe homes under AS 47.10.392 -

1 47.10.399 and employees of or volunteers with that corporation. is not liable for the acts of
2 a minor sheltered in a safe home. as defined in AS 47.10.399.

3 * Sec. 13. AS 47.10 is amended by adding new sections to read:

4 ARTICLE 4A. SAFE HOMES FOR RUNAWAY MINORS.

5 Sec. 47.10.392. CERTIFICATE REQUIRED. A private residence may not be held out
6 publicly as a safe home for runaway minors unless the residence

7 (1) is designated a safe home by a nonprofit corporation that is licensed to make
8 the designation under AS 47.35.085; and

9 (2) has a valid permit from the department signifying that designation.

10 Sec. 47.10.394. OPERATION OF SAFE HOME. (a) A safe home may not shelter a
11 runaway minor for more than seven days unless the department determines that

12 (1) the minor is the subject of exceptional circumstances; or

13 (2) another appropriate setting is not available for the minor.

14 (b) The provider of a safe home shall promptly inform the department of a runaway
15 minor in the home who claims to be the victim of child abuse or neglect, as defined in
16 AS 47.17.290, or whom the provider has reasonable cause to suspect has been a victim of child
17 abuse or neglect.

18 (c) The provider of a safe home shall make good faith efforts to ensure that notice of the
19 minor's presence in a safe home is given to the minor's legal custodian as soon as possible after
20 the minor is admitted to the home. The notice need not specify the location of the safe home.
21 The provider may give the notice, or the provider may request the appropriate law enforcement
22 agency to give the notice. If requested by the provider, the law enforcement agency shall make
23 good faith efforts to give the notice required under this subsection.

24 Sec. 47.10.396. CONFIDENTIALITY. If the department requires record keeping by a
25 safe home or by a nonprofit corporation that is licensed to designate safe homes, records of the
26 home and the nonprofit corporation that identify a runaway minor who has been sheltered in a
27 safe home or has sought assistance from a safe home are confidential and are not subject to
28 inspection or copying under AS 09.25.110 - 09.25.120 unless

29 (1) after being informed of the minor's right to privacy, the minor consents in
30 writing to the disclosure of the records;

31 (2) the records are relevant to an investigation or proceeding involving child abuse

1 or neglect or a child in need of aid petition; or

2 (3) disclosure of the records is necessary to protect the life or health of the minor.

3 Sec. 47.10.398. IMMUNITY FROM LIABILITY. (a) A person in a safe home, or in
4 a home for which an application to be designated a safe home is being considered by a nonprofit
5 corporation licensed for that purpose by the department, that is operated in a manner that is
6 consistent with AS 47.10.392 - 47.10.399 and regulations adopted under those sections is not
7 criminally liable under AS 11.51.130(a)(4).

8 (b) Except as provided in (c) of this section, the provider of a safe home, or of a home
9 for which an application to be designated a safe home is being considered by a nonprofit
10 corporation approved for that purpose by the department, and the members of the provider's
11 household, other than a runaway minor, are not liable for civil damages as a result of an act or
12 omission

13 (1) in admitting or refusing to admit a runaway minor to the home; or

14 (2) by a runaway minor who is sheltered in the home.

15 (c) The provisions of (b) of this section do not preclude liability for civil damages as a
16 result of recklessness or intentional misconduct.

17 Sec. 47.10.399. DEFINITIONS. In AS 47.10.392 - 47.10.399,

18 (1) "runaway minor" has the meaning given in AS 47.10.390;

19 (2) "safe home" means a private residence whose legal occupant agrees to shelter,
20 without compensation, a runaway minor accepted into the residence by the legal occupant and
21 that

22 (A) is not simultaneously licensed under AS 47.10.310 as a program for
23 runaway minors;

24 (B) has been designated a safe home by a nonprofit corporation licensed
25 for that purpose under AS 47.35.085; and

26 (C) has a permit issued by the department under AS 47.35.085.

27 * Sec. 14. AS 47.10.141(b) is amended to read:

28 (b) A peace officer shall take into protective custody a minor described in (a) of this
29 section if the minor is not otherwise subject to arrest or detention. The peace officer shall honor
30 the minor's preference to (1) return the minor to the legal custodian if the legal custodian
31 consents to the return; (2) take the minor to a nearby location agreed to by the minor and the

1 legal custodian; or (3) take the minor to an office specified by the Department of Health and
2 Social Services, a program for runaway minors licensed by the department under AS 47.10.310,
3 a safe home that has a permit from the department under AS 47.35.085 that agrees to
4 shelter the minor, or a facility or contract agency of the department. If an office specified by
5 the department, a licensed program for runaway minors, a safe home that will accept the minor,
6 or a facility or contract agency of the department does not exist in the community, the officer
7 shall take the minor to another suitable location and promptly notify the department. A minor
8 under protective custody may not be housed in a jail or other detention facility. Immediately
9 upon taking a minor into protective custody, the officer shall advise the minor orally and in
10 writing of the right to social services under AS 47.10.142(b), and, if known, the officer shall
11 advise the legal custodian that the minor has been taken into protective custody and that
12 counseling services for the custodian and the minor's household are available under
13 AS 47.10.142(b).

14 * Sec. 15. AS 47.10.142(b) is amended to read:

15 (b) A minor who has left home and is evading the person having legal custody of the
16 minor may obtain the services of the department. The department shall assess the situation and
17 furnish the minor with the social services it considers appropriate to protect the well-being of the
18 minor and to preserve the minor's family life if preserving it is considered desirable under the
19 circumstances. The department shall also offer counseling services to the person having legal
20 custody of the minor and to the members of the minor's household if it determines that
21 counseling services would be appropriate in the situation. If, after assessing the situation,
22 considering the wishes of the minor, offering counseling services to the legal custodian and
23 the minor's household, and furnishing appropriate social services to the minor, the department
24 considers it necessary, the department may take emergency custody of the minor.

25 * Sec. 16. AS 47.35.020 is amended to read:

26 Sec. 47.35.020. LICENSE OR PERMIT REQUIRED FOR CERTAIN CARE
27 FACILITIES. A person may not, without a license or permit to do so,

28 (1) maintain or conduct, for more than 90 days, a boarding home, foster home,
29 group home, institution, or other place for the regular reception or care of children under 16 years
30 of age, or a foster home, group home, or institution for the care of dependent adults; [OR]

31 (2) engage in the business of receiving or caring for children under 14 years of

1 age, with or without compensation, in a nursery in which five or more children not related by
2 blood or marriage, or legal adoption, to the owner, operator, or manager of the business are
3 lodged; or

4 (3) hold out publicly that the person's residence is a safe home for runaway
5 minors.

6 * Sec. 17. AS 47.35 is amended by adding a new section to read:

7 Sec. 47.35.085. SAFE HOMES FOR RUNAWAY MINORS. (a) The department shall
8 adopt regulations under which a nonprofit corporation may apply for a license to designate and
9 supervise safe homes for runaway minors.

10 (b) The department shall also adopt regulations setting health and safety standards for
11 safe homes. The regulations adopted under this subsection must

12 (1) involve less regulation than is required for programs for runaways licensed
13 under AS 47.10.310 and foster homes licensed under this chapter;

14 (2) provide that they will be enforced by persons licensed under (a) of this section
15 except as provided in (d) of this section; and

16 (3) require that a nonprofit corporation licensed under (a) of this section inspect
17 the safe homes, perform criminal background checks of its residents, keep records, and meet
18 other requirements only to the extent that they are necessary to ensure the health and safety of
19 a runaway minor in the home.

20 (c) If a person licensed under (a) of this section certifies to the department that a home
21 meets the standards set under (b) of this section, the department shall issue the home a permit
22 authorizing it to be a safe home for runaway minors. The permit may not be transferred to a
23 different facility or owner.

24 (d) Upon notice from a person licensed under (a) of this section that a safe home is not
25 in compliance with AS 47.10.392 - 47.10.399 or the regulations of the department adopted under
26 (b) of this section, the department may revoke a permit issued under this subsection or modify
27 it to provisional status. The department shall give written notice of revocation or modification
28 under this subsection at least 30 days before the effective date of the action. However, if the
29 health or well-being of a child is in jeopardy, the revocation or modification action is effective
30 immediately upon the issuance of written notice by the department.

31 * Sec. 18. AS 47.35.100(a) is amended to read:

1 (a) Without a license issued by the department in accordance with its regulations a person
2 may not operate an agency providing any of the following services:

3 (1) the placement of children for foster home care;

4 (2) the placement of children for adoption; [OR]

5 (3) individual and family counseling; or

6 (4) designation and supervision of safe homes for runaway minors under

7 AS 47.35.085.

8 * Sec. 19. AS 47.35.900 is amended by adding new paragraphs to read:

9 (7) "runaway minor" has the meaning given in AS 47.10.390;

10 (8) "safe home for runaway minors" or "safe home" means a private residence
11 whose legal occupant agrees to shelter, without compensation, a runaway minor accepted into the
12 residence, subject to the limitations imposed under this chapter and AS 47.10.392 - 47.10.399.

13 * Sec. 20. This Act takes effect immediately under AS 01.10.070(c).

Children in Crisis

A REPORT ON RUNAWAY AND
HOMELESS YOUTH IN ALASKA

JANUARY 1992



State of Alaska
Department of Health and Social Services
Division of Family and Youth Services

Walter J. Hickel
Governor

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Executive Summary

The Division of Family & Youth Services (DFYS) convened a conference on November 7 & 8, 1991, in Palmer, to discuss with citizens and consultants the growing runaway and homeless youth crisis in the state. In addition, DFYS held similar community meetings on the Kenai Peninsula and on Kodiak Island as they were not represented at the Palmer conference. Over 100 professionals and citizens from across the state who attended the conferences concluded that runaway and homeless youth are a serious problem in all parts of the state. They estimated that:

- *** Over 3,500 Alaska youth run away from home each year;
- *** There are over 13,000 runaway incidents in the state each year; and
- *** Over 1,800 Alaskan adolescents are homeless annually.

Most of these youth have no access to safe shelter, family reunification assistance, or programs to help them become productive adults. Consequently, they:

- *** Run to city streets, out-of-state, friends' homes or exploitive adults;
- *** May find shelter in abandoned buildings, tents, or vehicles;
- *** Cycle in and out of unstable living situations creating a lifestyle of chaos, insecurity and unrealistic expectations; and
- *** May engage in prostitution, drug trafficking and property crimes to support themselves.

Conference participants concluded that additional services for runaway and homeless youth are needed in Alaska. Currently, DFYS programs are designed to meet the needs of either neglected and abused children, or delinquent youth. While some runaway and homeless youth fall into these two categories, most fall through a large gap in the social services system that fails to address their specific needs. Consequently, youth behaviors often escalate to the level of services they can access. In other words, youth must commit law violations or reach an observable level of abuse and neglect before the service system can respond.

Only Juneau, Anchorage and Fairbanks have programs designed specifically to meet the needs of Runaway and Homeless Youth. These programs are not adequate to meet the runaway and homeless need in the urban areas they serve. Aside from some local grass-roots efforts to house runaway and homeless youth, services in rural Alaska are seriously lacking.

Each region represented at the conferences identified several options for addressing the runaway and homeless youth problem in their areas.

- *** Participants from the Matanuska-Susitna Valley have already begun work on establishing a 6-to-12 bed Safe Home shelter and a Host Home Network.
- *** Anchorage representatives feel their area needs 40 more beds, perhaps half designated for younger teens (12-15) and half designated as supervised or unsupervised apartments. In addition, Anchorage seeks a 15 bed, short-term "cool down" shelter.
- *** Participants from Southeast Alaska and Kodiak feel the need for a greater continuum of care, involving many agencies. They also expressed a need for a juvenile detoxification center.
- *** All areas expressed some interest in establishing a 24-hour on-call crisis intervention service, and development of better runaway prevention and follow-up planning. All areas believe that in addition to federal and private funds, a third stream of funding is needed to address the problem.
- *** Consultants recommend development of a strong state multi-agency network with a designated lead agency.

Other cities and boroughs in Alaska need additional representation from their communities to complete planning in their geographic areas. Meetings or other information gathering efforts should be initiated in these geographic areas to complete the identification of strategies to address the problem. In addition, conferees should solicit input from former and current teen runaways and homeless youth to involve their insight into the problem.

Introduction

Background

Intra-family conflict and disagreements between parents and their children are a regular part of our society. Many families are torn apart by child abuse and neglect, substance abuse and domestic violence. Changing family structures place more stresses on parents and children. Fewer and fewer children seem to be raised in stable, supportive two-parent households.

A consequence of these pressures on families and children is the growing national problem of runaway and homeless youth who leave home due to family conflicts, violence and abuse. Based on the latest research, the National Network of Runaway and Youth Services estimates that each year 1 to 1.3 million youth run away from their homes. Another 300,000 young people are homeless annually.

The problem of runaway and homeless youth is a growing crisis in Alaska as well. As this Conference Report will detail, there are over 13,000 runaway incidents in the state each year and over 1,800 youth annually are homeless. Some areas of the state have services to assist these vulnerable young people. Many areas of the state have few or no services. And in no area of the state are services even close to responding adequately to the growing number of runaway and homeless youth.

Alarmed by the number of runaway and homeless youth in their area, citizens and professionals in the Matanuska-Susitna Valley began to organize a community-wide effort to respond to this problem. In 1991 they delivered petitions signed by over 2,500 Alaska residents to the Governor and the Legislature. These petitions requested that action be taken to assist local communities in addressing the problem of runaway and homeless youth.

In response to these petitions, Representative Randy Phillips introduced legislation (H.B. 262) that in part would make running away from home and curfew violations a crime punishable by a fine up to \$300 or up to 30 days in detention. Current Alaska statutes contain provisions allowing parents to file runaway reports on their children and permitting law enforcement officers to take runaway juveniles into custody for the purpose of assessment and referral to services. However, runaways can not be compelled to accept services or return home. Under current law, runaway juveniles in Alaska may not be placed in secure detention.

Alaska law has provisions for the licensing and operation of programs for runaway minors. Such programs do exist in the more urban areas of the state (Juneau, Anchorage, Fairbanks). These programs are funded primarily by federal grants. Other areas of the state must rely on Division of Family and Youth Services (DFYS) funded programs that are designed to serve abused and neglected children or criminal law violators.

Definitions

Alaska statute 47.10.390 defines a runaway minor as "a person under 18 years of age who:

- (A) is habitually absent from home;
- (B) refuses to accept available care;
- (C) has no parent, guardian, custodian, or relative able or willing to provide care; or
- (D) has been physically abandoned by
 - (i) both parents;
 - (ii) the surviving parent; or
 - (iii) one parent if the other parent's rights and responsibilities have been terminated or voluntarily relinquished."

For the purposes of these conferences, the following nationally recognized definitions for runaway and homeless youth were used:

Runaway: Youth who leave home and return at a later date. If the objective of services is to return the youth to a home environment or group care, then the youth is a runaway.

Homeless: Youth who leave home and do not return or who periodically return to destructive home environments. If the objective of service is preparation for independent living then the youth is homeless. Homeless youth do not have any apparent legal means of financial support.

The combined definitions for runaway and homeless youth used by the conferences are functionally equivalent to the legal definition for runaway youth contained in Alaska statutes.

Conference participants described Runaway and Homeless youth as having one or in most cases more of the following characteristics:

- *** Physically and sexually abused;
- *** Abuse alcohol and drugs;
- *** Abandoned or rejected by parents;

- *** Truant, failing in school and having difficulty staying in school;
- *** Unable to focus on future planning and independence;
- *** Diagnosable emotional and mental health problems; and
- *** Experience chronic health problems including sexually transmitted diseases, pregnancy and poor nutrition.

The Conferences

On November 7 and 8, 1991, the Division of Family and Youth Services convened a conference in Palmer to begin development of a statewide plan for runaway and homeless youth. With the assistance of Division staff and the Northwest Network of Runaway and Youth Services, over 100 professionals and citizens from around the state developed the framework for such a plan. Division of Family and Youth Services staff convened similar conferences on the Kenai Peninsula with 26 participants on December 10, 1991, and on Kodiak Island with 16 participants on December 12, 1991.

The conferences began with a discussion of the behaviors, characteristics and special problems of runaway and homeless youth. Participants then defined desirable outcomes for these youth. Finally, strategies to reach the desired outcomes were developed. When completed, these strategies will comprise a blueprint for how Alaska can address the problem of runaway and homeless youth.

Many aspects of the statewide plan were completed at the conferences. The strategy details for some areas of the state are yet to be finalized. The recommendations section at the end of this Conference Report suggest some ways to complete the plan.

Population Description and Desired Outcomes

Although participants split into working groups by geographic regions for the purpose of gathering information for this report, the population descriptions and desired outcomes developed by each group was virtually the same.

Runaway Youth

Each group was ask to provide a descriptive list that would address each of the topics below:

Primary reasons that youth runaway from home:

- * Physical and sexual abuse
- * Family conflict:
 - lack of communication
 - poor or inconsistent parental discipline
 - emotional abuse
 - consistent undermining of youths self-esteem
- * Poor supervision/absent parents
- * Parental drug/alcohol abuse
- * Youth drug/alcohol abuse
- * Low self-esteem/fear of failure or consequences
- * Peer influence
- * Adolescent rebellion; want to be on their own

Conference participants consistently reported that youth running away from home were choosing this course of action out of a sense of desperation and confusion. Whether real or perceived, most runaway youth leave home because they are running from something and not to something or for excitement and adventure.

While most of the reasons for runaway incidents identified by the conference participants centered around the dynamics of various family problems, there was a great deal of concern and empathy for the parents of runaway youth. These professionals perceived that the parents of many of these youth do have the desire to keep their families intact and their children at home.

Where youth run:

- * City streets, shelters, out-of-state
- * Friends' homes or apartments
- * Extended family members

- * Exploitative relationships
- * Strangers
- * Well-meaning adults
- * Abandoned buildings, tents, vehicles, boats, shipping vans
- * Hotels/motels (often with other youth)

Conference participants were especially concerned about youth who are "harbored" or find shelter with older adults or peers. In many instances these individuals provide food, shelter, illegal drugs and alcohol in exchange for sex, assistance selling drugs or involvement in other criminal activity.

In most communities safe shelter is available to youth only through programs funded by Division of Family and Youth Services (DFYS). The only way a youth can access shelter through DFYS is to meet specific criteria that would constitute a "filing" by DFYS for protective services or to commit a criminal offense. Many runaway youth do not meet the criteria for these placements, and therefore are not eligible for DFYS-funded shelter. Even without DFYS restrictions, there are not enough shelter beds to accommodate the number of runaway youth identified within these communities.

Behaviors and problems of runaway youth:

- * Illegal activity to meet survival needs
 - prostitution
 - selling drugs
 - property crimes (including theft from parents homes)
- * Depression/Suicidal ideation
- * 20% have diagnosable mental health conditions
- * Almost all use drugs and alcohol, large portion have drug and alcohol problems
- * High likelihood of school failure/truancy (although those enrolled in strong alternative school programs may continue to attend school)
- * Financial Problems/Panhandling
- * Most will have emotional or psychological problems
- * Poor anger control/assaultive behavior
- * Low self esteem
- * Promiscuity/Teen Pregnancy
- * High risk for sexually transmitted diseases
- * High risk victims of violence
- * At least 40% are abuse victims
- * Some may have Fetal Alcohol Syndrome (FAS), Fetal Alcohol Effect (FAE), and/or various diagnosable learning disabilities.

Estimated numbers of runaway youth:

Conference participants were asked to estimate the number of youth in their area on the run each day, the number that runaway each year and also the number of incidents of runaway per year.

ESTIMATE

<u>AREA</u>	<u>YOUTH PER DAY</u>	<u>INCIDENTS PER YEAR</u>	<u>YOUTH PER YEAR</u>
Matanuska -Susitna	3.2	1,200	600
Southeast Alaska	4.1	1,500	300
Greater Fairbanks	6.8	2,500	450
Bethel	1.0	450	150
Nome	.7	285	100
Barrow	.8	300	100
Anchorage	12.0	4,500	1,500
Kenai Peninsula	5.0	1,825	250
Kodiak	<u>3.0</u>	<u>1,095</u>	<u>60</u>
TOTALS	36.6	13,655	3,510

Other demographics:

AGE: Most areas reported the ages of runaway youth to be between 12-17 years of age. The average age was estimated to be 14.5 years, although the remote community of Bethel reported 13 years of age as did the community of Seward.

GENDER: Approximately the same number of males and females engage in runaway behavior in the Mat-Su, Kodiak and Anchorage areas. The areas of Juneau, Fairbanks, Bethel and Nome reported 55% were female and 45% were male. The Kenai Peninsula reported 66% female to 33% male while Barrow reported 70% female and 30% male.

RACE: The breakdown of runaways by race is as follows:

<u>AREA</u>	<u>CAUCASIAN</u>	<u>NATIVE</u>	<u>OTHER</u>
Matanuska -Susitna	80%	20%	0%
Anchorage	70%	20%	10%
Juneau	64%	33%	2%
Fairbanks	65%	20%	15%
Bethel	13%	95%	2%
Nome	10%	85%	5%
Barrow	4%	96%	1%
Kenai Peninsula	Not identified		
Kodiak	60%	30%	10%

Desired Outcomes:

To arrive at the following list of outcomes participants discussed how they would know that their responses to the problems of runaway youth had been successful; what would be different in their lives, their families and within their communities. Participants agreed communities should be more responsible for their youth and families by recognizing the problems of runaway youth and supporting programs that provide family-oriented activities and treatment/counseling services.

- * Safety and security (including safe housing)
- * Return home/stay home
- * Return to school; stay in school
- * Better family communication skills/Family in recovery
- * No substance abuse (youth and other family members)
- * Improved self-esteem
- * Cessation of abuse
- * Responsible sexual behavior (includes fewer teen pregnancies)
- * No criminal activity
- * Adequate food, clothing, medical & mental health care
- * Greater community responsibility for its youth

- * Kids discover someone cares
- * Supportive, loving, nurturing home environments
- * Positive peer culture influence rather than negative
- * Adequate life skills

Homeless Youth

Primary reasons youth leave home:

- * Sexual and physical abuse
- * Abandoned by parents
- * Family can no longer economically support their children
- * Thrown out/asked to leave
- * Alcohol and drug abuse (youth and/or parent)
- * Adolescent rebellion; want to be on their own
- * Emotional abandonment/belief no one cares about them
- * Family stress and emotional abuse
- * Domestic violence.
- * Youth refuses to follow the family rules & values
- * Teen pregnancy

Homeless youth believe, for various reasons, that they cannot return home even if they have intact families. Some are not allowed to return home because they have unresolved conflicts with their parents. Many homeless youth are "grown up" runaways with a history of multiple runaway incidents, and formal and informal out-of-home placements. Most have in effect "been on their own" for months or even years. They are alienated, not only from their families, but from their communities as well.

Where homeless youth live:

Homeless youth find shelter the same way that runaway kids find shelter. The difference is that they frequently move from one living situation to another because no immediate or extended family resource is available or appropriate.

The progression from runaway to homeless often begins by the runaway moving from friend to friend until they "wear out their welcome." The runaway may then graduate to abandoned housing, city streets and finally to exploitive adults as more and more shelter options disappear. Eventually, it becomes apparent to them that they are not able to return home. They may be placed in out-of-home care by state agencies, but simply return to unstable, unsuitable living situations when released from placement.

The phenomena of cycling in and out of living situations becomes an act of survival and one which consumes most of their energy leaving little time for the pursuit of employment, education or training.

Behaviors and problems of homeless youth:

Many of these youth have the same problems and behaviors as runaway youth. Homeless youth have in addition:

- * Emancipation issues
- * Inadequate living skills, vocational skills or have not completed their high school education.
- * Health care is only addressed on an emergency basis
 - they have chronic health problems
 - sexually transmitted diseases
 - lack of resources for dental care
- * Distrust of adults
- * Criminal activity:
 - property crimes
 - selling drugs
 - prostitution
- * Teen pregnancy/Teen parenting
- * Illiteracy
- * Severe emotional problems:
 - anger
 - depression
 - suicidal ideation
 - self-mutilation
 - very low self-esteem
- * Likely to have cyclical family histories of:
 - homelessness
 - poverty
- * Escalation of alcohol and drug abuse and a higher rate of addiction.
- * Street-wise
- * System-wise
- * History of out-of-home placements
- * Inability to engage in realistic life planning, short term perspective, unrealistic expectations, and difficulty in making long term commitments.

Physical and sexual abuse, drug and alcohol use and emotional problems can be severe and chronic for homeless youth. Some have become "street-wise" and are adept at living in marginal and dis-enfranchised urban populations. Many have established a "street family" of other youth and adults who inhabit the street scene. Many have become "system-wise" from their years of cycling in and out of foster care and informal placements and

understand how to manipulate the system minimally to meet their needs. They learn to avoid more punitive aspects of the social and criminal justice systems, although some may commit crimes to receive needed services.

Because they are so consumed with meeting their day to day basic needs of food, shelter, and clothing they often develop very unrealistic expectations of themselves and their communities. To the drug and/or alcohol-addicted youth, these basic needs are superseded in order to get the "next fix." They take a very short term perspective of their lives and are unable to engage in planning or making long term commitments in personal relationships and/or employment/educational endeavors.

Estimated numbers of homeless youth per year:

Matanuska-Susitna	300
Anchorage	1,000
Fairbanks	200
Barrow	10
Bethel	50
Nome	10
Kodiak	30
Kenai Peninsula	120
Southeast Alaska	100
TOTAL	1,820

Other demographics:

AGE: Approximately 90% of homeless youth are 16-21 years of age.

GENDER: Several areas reported that there were slightly more homeless males than females. Anchorage reported 70% males and 30% females. Homer and Kodiak, however reported 60% females to 40% males.

RACE: Approximately the same as for runaway youth, with Anchorage reporting a slightly higher percentage of native youth (25%) and other ethnic groups (15%) and a lower percentage of caucasian youth (60%).

Desired Outcomes:

- * Viable, safe housing
- * Improved life and employment skills
- * Job opportunities that pay a living wage
- * Completion of high school education
- * Reduction in criminal activity
- * Reduction in alcohol/drug abuse
- * Family reconciliation (probably without family reunification)
- * Increased self-esteem
- * Ability to plan for the future and make commitments
- * Become responsible community members

Again, the conference participants sought to determine how they would know they had been successful in responding to the needs of homeless youth. The most desirable outcomes revolved around the provision of safe housing, attaining job/vocational skills, completion of high school education and getting/keeping a job. The groups generally felt that if these things could be attained, homeless youth would be less likely to engage in criminal activity, alcohol and drug abuse, and self destructive behaviors.

The groups also expected that due to the support of services for homeless youth that they would feel better about themselves, and have greater opportunity for reconciling with their families even if they didn't return home. This would also result in more appropriate life planning and ultimately their becoming productive, responsible, contributing members of their communities.

Strategies

Ultimately, participants believed that services needed to focus on strengthening the family. Program approaches that lead to greater reliance on government services to provide ongoing safety, security, guidance and nurturance for children are far too expensive and likely to fail.

For runaway youth this means family reunification and resolution of problems and conflicts that precipitated the runaway incident. Whenever possible, families should be given the opportunity to learn skills that will prevent conflicts from escalating to runaway incidents.

For homeless youth the solutions are especially important to strengthen future families. Adolescent women who are homeless are very likely to become pregnant. Male homeless youth are not prepared to support a family and may have learned the patterns of domestic violence from their fathers. The only family they have known was most likely to have been unstable, abusive, violent and non-supportive. There is no reason to believe that these teenagers will be any different than their parents. Without intervention, the violence, abuse and dysfunction that they experienced in their families will be repeated in the families they create.

Currently only Juneau, Anchorage and Fairbanks receive state and federal funds for runaway and homeless youth programs. Private funding also supports Covenant House in Anchorage. Participants believed that additional services would be needed in all parts of the state to adequately meet the needs of runaway and homeless youth.

A summary of program models that have been effective in meeting the needs of runaway and homeless youth was presented at the conferences and is attached in the appendix. Strategies developed by conference participants for different regions of the state follow.

Matanuska-Susitna Valley

Because the conference was held in Palmer, the Matanuska-Susitna area was represented by a substantial cross-section of professionals and citizens. Consequently, this region's strategies are the most complete and have the broadest support from the region.

Safe Home Shelter

The primary focus of the plan for the Mat-Su area is development of a 6-to-12 bed safe house shelter for runaways. The purpose of this program is to provide shelter, safety and food for youth who have left home.

The program will include a full-time family counselor who will develop plans to return youth home, to a relative's home or to some other safe long-term housing. Family reunification assistance will begin within 24 hours after a youth is admitted to the shelter. The average length of stay in the home is expected to be 72 hours and the maximum stay will be 14 days.

Awake shelter staff will be available on a 24 hour basis to provide crisis intervention, assessment and screening for youth brought to the house. It was felt that dependent, abused or neglected youth or those with criminal law violations were inappropriate for the safe house as other DFWS-funded programs are available for these youth.

24 Hour On-Call

The Mat-Su area has an existing system of 24-hour on-call crisis capability. These systems are operated by law enforcement, DFYS, and Life Quest (a private community-based agency). Participants identified a need for greater communication and coordination among these agencies. The existing Children's Services Task Force will help clarify roles and responsibilities of agencies providing on-call crisis services. These agencies plus other agencies in the area (including schools) will be primary access points for the shelter. Runaway youth may also self-refer to the shelter.

Host Home Network

The second service priority for the Mat-su area is a host home network and family mediation services. Paid and volunteer families will be used to provide shelter for youth who can not be returned home within the 14-day maximum stay at the safe house. Family mediation services will supplement the work of the shelter's family counselor. Mediation will use trained volunteers to help resolve specific family conflicts and behavior problems. Funds will be needed for recruitment, training and support of host homes. Department of Health and Social Services can adopt standards for these homes. A part- or full-time staff person is needed to recruit, train and support family mediation volunteers.

After a system of services for runaways was operating, participants from the Mat-Su area believed that a group facility for homeless youth should be developed. This program should have a strong case management component.

Anchorage

The second largest representation at the Mat-su conference was from Anchorage. Anchorage participants determined that the greatest priority service needs for runaway and homeless youth were strengthening 24-hour access to services, more efficient use (and possible re-organization) of their youth services team, developing a "cool down" short term shelter for runaways and adding approximately 40 more beds for homeless youth.

Anchorage has several points of access that are available 24-hours a day for runaway and homeless youth. However, it is not clear to law enforcement and agencies providing these services who has what type of service and how much of it is available. The group agreed that one agency should be identified to coordinate a 24 hour access system and determine a protocol for agencies to follow for access into the service system for runaway and homeless youth.

To accomplish this the group will propose restructuring of their current youth services team model, the Child Advocacy Network (CAN), so it may take on the coordination of some important resources for runaway and homeless youth. Those are:

- * Update Agency Resource Manual for the area and the state.
- * Establishing a coordinated case management referral system for difficult runaway clients and their families.
- * Developing a written protocol/description of the service system and coordination of access to services for runaway youth.

The group thought that existing shelter at Covenant House and the Challenge program of Alaska Youth and Parent Foundation was not meeting the needs of some runaway youth (ie: some runaways will not use the shelters because of rules they consider too restrictive). Therefore, they will explore options for the development of a "cool down" short term 15 bed shelter facility that will provide basic needs of shelter, food and clothing for youth who are not able to commit to moving from their transient life style, but are in need of safe, secure shelter.

There was also consensus that approximately 40 new transitional living beds were needed to house homeless youth in Anchorage. It was felt that 20 of those beds were needed for younger homeless youth (12-15 years) and 20 for youth 16-19 years of age. A mix of supervised and unsupervised apartment living and some self-governed group care will be developed to establish a "continuum" of options for homeless youth. This will insure that appropriate options exist for all homeless youth so each individuals specific needs will be met.

Other areas that were identified to be considered for further development were mediation training for school personnel and other social service workers, access to free or low-cost dental care, more job/living skill training, more workers/volunteers to provide street outreach for substance abuse education and development of a Host Home model shelter program for younger less sophisticated runaway youth.

Anchorage was not widely represented at this meeting and review comments suggest there is a need to more thoroughly examine the identified needs and strategies at a follow up meeting which includes a broader base of participants.

Juneau, Fairbanks, Nome, Bethel and Barrow

Representatives from Southeastern Alaska, the greater Fairbanks area, Nome, Bethel and Barrow also attended the Mat-Su conference. These participants believed that follow-up planning should be done in their geographic regions to develop specific programs and priorities. Such an approach will utilize the expertise of experienced professionals and knowledgeable citizens in each region and create the broadest base of support for the plan. Regional planning should lead to:

- establishment of an interdisciplinary team that will oversee implementation of the plan and services to runaway and homeless youth (including protocols for service delivery);
- designation of a single point of access for services;
- a comprehensive continuum of care for runaway and homeless youth that includes the following services:
 - * in-home services;
 - * family mediation services;
 - * medical care;
 - * 24 hour crisis line;
 - * 24 hour access to services;
 - * food and safe shelter;
 - * case management;
 - * detox services;
 - * school trackers;
 - * alternative and vocational education;
 - * independent living preparation programs;
 - * substance abuse treatment (including in-patient treatment);
 - * peer helper programs (for parents and youth);
 - * recreation opportunities;
 - * mental health treatment; and,
 - * public education and advocacy.

Those present singled out in-home services, school trackers and juvenile detox as high priority services for runaway and homeless youth in their communities.

Participants also emphasized that resources made available on a statewide basis must be flexible to meet the disparate regional needs. They also believed that schools were a key part of the service package for runaway and homeless youth in more rural areas. Schools

should work to keep runaway and homeless youth in school by reducing the number of suspensions and working more closely with parents.

Kenai Peninsula Borough

Twenty-six representatives from Seward, Homer, Kenai and Soldotna attended a one day workshop in Soldotna on December 10, 1991, to address their region's runaway and homeless youth issues. These participants identified the following program/service areas:

- * immediate, short-term, safe shelter for both runaway and homeless youth
- * adequate social workers to serve the area
- * additional foster homes for temporary placement of runaway and homeless youth
- * expand human services in the area.
- * the community of Seward expressed a need for better networking between existing programs/services
- * third funding source for runaways

Homer has started a "Safe Harbor" non-profit organization under the umbrella of the Catholic Social Services in Anchorage to aid the homeless. "Helping our Teens" (H.O.T.) is the organizations first program. Its program goals are to:

- assist with food bank programs
- locate temporary living quarters in area homes
- locate permanent, reasonable rentals
- assist with employment
- improve communications between teens and parents
- provide a crisis line.

"Safe Harbor" is working directly with legislators to investigate the liability issues and a "Good Samaritan" law. This group has identified a need for a short term (1 to 3 days with a maximum stay of 2 weeks) safe home model for homeless youth. They will be meeting with representatives from the Kenai Peninsula Community Care Center and Youth Corrections staff to determine the feasibility of cooperative utilization of existing resources.

Two other groups, the Kenai Interagency Team and the Social Service Task Force, will continue their meetings regarding runaway and homeless youth in their area, and will carry forward strategies identified at the conference.

Kodiak

A one-day conference on runaway and homeless youth was held in Kodiak on December 12, 1991. Conference participants concluded that the following are needed in the Kodiak area:

- * Community must "own" problem/ combination of city, borough and state responsibility
- * Safe housing with a home type environment probably a "safe home" model which is citizen based
- * Centralized resources
- * Heightening of public awareness
- * Funding
 - from whom
 - how much
 - consider pull tabs from local service organizations
 - consider a "Ronald McDonald House" model
- * Change legislation
- * Research liability issues and "Good Samaritan" law
- * Vocational skills for runaway and especially homeless youth

The conference in Kodiak resulted in an acute awareness of the extent of the runaway and homeless youth population in their community. Participants agreed to discuss the runaway and homeless youth issue at the Child Abuse Task Force meeting in January 1992 to determine if the two should be combined or whether to establish a separate Runaway and Homeless Youth Task Force.

Consultant Recommendations

Follow-up Planning

Meetings or other information gathering efforts should be initiated in geographic areas outside the Mat-Su Valley to complete the recommended strategies section of this report. This will allow individuals who were not able to attend the conference to contribute their expertise and experience to each area's plan. The information contained in this report can be used as a starting point for these regional discussions.

Need for Services

It is clear that additional services for runaway and homeless youth are needed in the state. In most areas of the state inadequate services have allowed youth behaviors to escalate to the level of services they can access. Division of Family and Youth Services programs are the only services available in many communities. Consequently, youth must commit law violations or reach an observable level of abuse and neglect before the service system can respond. A more complete continuum of care is needed that provides for earlier intervention and more efficient safe shelter for runaway and homeless youth. In addition, programs specifically designed to meet the needs of runaway and homeless youth are likely to elicit the voluntary cooperation of juveniles who now refuse services.

The use of detention to provide safe shelter for runaways is directly related to the lack of appropriate shelter programs in the community. Debate over the criminalization of runaway behavior should follow, not precede, creation of a separate state funding stream for services to runaway and homeless youth. Once adequate services are in place in all parts of the state the need for new laws can be considered.

Several conference participants commented that existing state juvenile detention facilities were full and that funding for some of these facilities may be in jeopardy. It makes little sense to make running away from home a crime if the state (as a vehicle for allowing runaways to be placed in secure detention) has no way of providing a useful sanction for violation of the law. In addition, youth will quickly learn that the law has no teeth and runaway behavior will continue unabated.

Prevention

Throughout the Mat-su conference, several participants noted the need to develop specific strategies to prevent runaway incidents and youth homelessness. While this planning was beyond the scope of the conference, it remains an important unaddressed need. In addition, stabilization of the existing runaway population will allow programs to begin focusing on services that will prevent future family problems and subsequent runaway behavior.

Continued Advocacy and Statewide Communication

The professionals and citizens who attended these conferences are building the nucleus of a strong state network on runaway and homeless youth. They will share information and program technology, and advocate for the needs of this vulnerable population. A strategy should be considered to develop and support this network. In particular, a lead agency or agencies should be identified to coordinate the network.

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Program Models

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NORTHWEST NETWORK OF RUNAWAY AND YOUTH SERVICES

PROGRAM MODEL INFORMATION FOR RUNAWAY AND HOMELESS YOUTH

Addressing the service needs of runaway and homeless youth requires planning and implementation of appropriate program models. Categories for general service areas that other communities have found to be important are:

- ***Crisis Intervention (24-hour access to services)***
- ***Temporary Shelter***
- ***Health Care***
- ***Follow-up Support For Families***
- ***Transitional Housing For Homeless Youth***
- ***Independent Living Skills Programs***
- ***Case Management***

The following is a summary of examples of program models for these service components. Program models for runaway and homeless youth are more short-term and time-bound, whereas, homeless youth need more focused long-term services

CRISIS INTERVENTION:

The purpose of crisis intervention services is to assess immediate service needs, provide 24 hour access to services and resolve the immediate crisis.

24-Hour Access Systems: This service is necessary for youth and families to have a point of access into the service system.

- ***Coordinated On-Call System:*** One agency takes the lead to coordinate 24-hour access to the community's system of available services. All agencies are involved in system planning and share on-call activities. Some programs have staff carry electronic beepers on a rotating basis to provide a responsive cost effective 24-hour access "on-call" system and response to crisis needs. (Works well for rural communities)
- ***Designated Awake Staff:*** Programs where 24-hour awake staffing is available provide 24-hour access to services. (Works well in urban areas where residential facilities are available)
- ***Crisis Hot-line service:*** Some communities have existing crisis hotlines that provide services to the entire community. Calls by runaway youth and their families can be referred to an on-call network of professionals and volunteers.

Counseling:

- ***On-call response team*** or individual to provide initial assessment and crisis counseling.
- ***Outreach services*** in schools.
- ***Drop-in center*** or "store front" programs.

TEMPORARY SHELTER:

Some runaway and homeless youth will need at least short term shelter until their situation has been assessed to determine an individual service plan. The program design needs to be short-term (less than 2 weeks), non-secure, and provide 24-hour supervision.

- ****Host Homes:* Families that are paid for their services or volunteer to provide temporary shelter in their homes. Requires specialized, intensive training and agency staff support for families.
- ****Basic Residential Shelter:* 24-hour awake staff in a house or other group setting. *This provides a higher level of supervision.*
- ****Attendant Care:* Trained individuals (contracted or employee status) that provide 24-hour supervision in family homes or another safe shelter such as a motel or the individuals home.
- ****Respite care:* "Time-out" for youth and families prior to a runaway incident. Any of the above shelter models can provide this service.

HEALTH CARE:

Providing emergency or acute care for runaway and homeless youth.

- ****Formal agreements* with hospitals, clinics and/or private medical professionals to donate or provide at reduced cost, emergency/acute care. Important for youth that are not considered to be under the purview of protective services or with medical card status.
- ****Agreements with and referral mechanisms* to local government funded health department clinics and services.
- ****Planned Parenthood or other similar programs* for sexually transmitted diseases and specialized testing.
- ****School based clinics* funded through local school districts, government health departments, etc.

FOLLOW-UP SUPPORT FOR FAMILIES:

Providing family counseling, mediation, parent training and support, alternative education, drug and alcohol treatment, to assist in resolving conflict that led to the runaway incident. Services that are especially important are:

- ****On-going family or individual counseling* for 3-6 months.
- ****Mediation* - Focuses on immediate presenting problems and negotiating agreements for solutions to those problems.
- ****Big Brother/Big Sister Programs.*
- ****Peer Counseling* for youth regarding drug and alcohol issues as well as basic counseling (school based and through local private providers)

TRANSITIONAL HOUSING FOR HOMELESS YOUTH:

Providing housing for homeless youth for 6 - 18 mos. while they acquire skills necessary to become productive members of the community.

- ****Supervised apartments* - Youth live alone or with roommates in apartments with on-site staff that provide supervision and structure for clients. Subsidies are generally required for payment of rent.
- ****Unsupervised apartments/hotels* - programs provide "vouchers" or some type of subsidized housing for youth while they are involved in living skills programs. Supervision is provided through weekly visits from staff/case managers.
- ****Self-governing group homes* - Youth live in a group setting and are responsible for developing and maintaining the house rules with the assistance of on-site staff. Appropriate for older homeless/street youth that have been out of structured family environments for a long period of time.
- ****Host Homes* - Paid or volunteer families that provide long term housing for youth that cannot return home. This model works well for younger youth that have not been outside of a family environment for a long period of time.

INDEPENDENT LIVING SKILLS PROGRAMS:

Providing a program model that teaches independent living skills through methods that are non-traditional and at the individual's learning level and pace. Components of independent living skills programs that are important are:

- ****Jobs skills training* - resume writing, interviewing skills, basic work skills, knowledge of employee rights and labor laws. Homeless youth may require staff support to maintain initial job placements.
- ****Living skills* - food preparation, basic health and hygiene, money/budget management, grocery shopping, nutrition, decision making, refusal skills, group process, etc.
- ****GED/High School Equivalency programs* outside traditional public school settings.

CASE MANAGEMENT FOR HOMELESS YOUTH:

Provides homeless youth with minimal supervision in developing a service plan to assist in them in accessing needed services. Staff providing case management services will provide referral to community services, advocacy and personal support to clients.

- ****Youth Services Team (YST) Case Management* - Development of a YST (consisting of community agencies that come in contact with youth) that has the capacity to hire case management staff to provide services to youth that are referred by the participating agencies.
- ****Program Case Management* - case management services are provided by program staff to youth that are enrolled, living in or participating in an established service, i.e. alternative education program, host home or residential program, etc.

Alaska Statutes

Title 47

Alaska Runaway Law

Sec. 47.10.141. Runaway and missing minors. (a) Upon receiving a written, telephonic, or other 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. The report shall also be submitted to the missing persons information clearinghouse under AS 18.65.620. 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 (1) return the minor to the legal custodian if the legal custodian consents to the return; (2) take the minor to a nearby location agreed to by the minor and the legal custodian; or (3) take the minor to an office specified by the Department of Health and Social Services, a program for runaway minors licensed by the department under AS 47.10.310, or a facility or contract agency of the department. If an office specified by the department, a licensed program for runaway minors, 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.

(c) A minor may be taken into emergency protective custody by a peace officer and placed into temporary detention in a juvenile detention home in the local community if there has been an order issued by a court under a finding of probable cause that (1) the minor is a runaway in wilful violation of a valid court order issued under AS 47.10.080 or 47.10.142(f), (2) the minor's current situation poses a severe and imminent risk to the minor's life or safety, and (3) no reasonable placement alternative exists within the community. For

the purposes of this subsection, a risk may not be considered severe and imminent solely because of the general conditions for runaway minors in the community, but shall be assessed in view of the specific behavior and situation of the minor. A minor detained under this subsection shall be brought before a court on the day the minor is detained, or if that is not possible, within 24 hours after the detention for a hearing to determine the most appropriate placement in the best interests of the minor. A minor taken into emergency protective custody under this subsection may not be detained for more than 24 hours, except as provided under AS 47.10.140. Emergency protective custody may not include placement of a minor in a jail or secure facility other than a juvenile detention home, nor may an order for protective custody be enforced against a minor who is residing in a licensed program for runaway minors, as defined in AS 47.10.390.

(d) If, after investigation of a report of a missing minor, a law enforcement agency has reason to believe that the minor is involuntarily absent from the custody of a custodial parent or guardian, the department shall notify the Bureau of Vital Statistics of the disappearance and shall provide the bureau with a description of the minor. The description of the minor must include, if known, the minor's full name, date and place of birth, parent's names, and mother's maiden name. If the Department of Public Safety has reason to believe that the minor, whether born in this state or not, has been enrolled in a specific school or school district in the state, the department shall also notify the last known school or school district attended in the state by the missing minor of the disappearance. When a person who was listed as a missing minor is found, the Department of Public Safety shall notify the Bureau of Vital Statistics and any school or school district previously informed of the person's disappearance.

(e) In this section, "law enforcement agency" has the meaning given in AS 12.36.090. (§ 2 ch 42 SLA 1985; am § 3 ch 72 SLA 1988; am §§ 1, 2 ch 144 SLA 1988; am § 4 ch 202 SLA 1990)

Effect of amendments. — The first 1988 amendment inserted the next-to-last sentence in subsection (a).

The second 1988 amendment inserted "written, telephonic, or other" in the first sentence in subsection (a), in subsection (b), inserted "a licensed program for runaway minors" in the third sentence and, in the second sentence, deleted "either" following "reference to" near the begin-

ning, added "if the legal custodian consents to the return" at the end of paragraph (1), inserted present paragraph (2), and redesignated former paragraph (2) as present paragraph (3) and inserted "a program for runaway minors licensed by the department under AS 47.10.310" therein; and added subsection (c).

The 1990 amendment added subsections (d) and (e).

Title 47

Alaska Runaway Programs

Article 4. Programs for Runaway Minors.

Section	Section
300. Powers and duties of the department	330. Notice to minor's legal custodian
310. Licensing of programs for runaway minors	340. Confidentiality of records
320. Residence in runaway minor program facilities	350. Immunity from liability
	360. Municipal powers
	390. Definitions

Sec. 47.10.280. Purpose of chapter. [Repealed, § 1 ch 152 SLA 1976. For current similar provisions, see AS 47.05.060.]

Sec. 47.10.300. Powers and duties of the department. The department shall

(1) review, inspect, and approve or disapprove for licensing proposed or established programs for runaway minors to ensure the health and safety of minors in the program;

(2) maintain a register of licensed programs for runaway minors;

(3) award grants for the establishment or operation of licensed programs for runaway minors;

(4) submit to the legislature and governor each January a report on programs for runaway minors in the state;

(5) adopt regulations for the administration of AS 47.10.300 — 47.10.390, including regulations providing for the coordination of services to be provided by licensed programs for runaway minors and by the department. (§ 4 ch 144 SLA 1988)

Collateral references. — 42 Am. Jur. 2d, Infants, §§ 14-17.
43 C.J.S., Infants, §§ 9, 10.

Sec. 47.10.310. Licensing of programs for runaway minors.

(a) A person may not operate a program for runaway minors in the state without a license issued under this section. A person who violates this subsection is guilty of a violation.

(b) The department may license a program for runaway minors under AS 47.10.300 — 47.10.390 only if the program

(1) is operated by a corporation organized under AS 10.20 or a municipality; and

(2) meets the requirements of (c) of this section.

(c) A program for runaway minors shall

(1) explain to a minor who seeks assistance from the program the legal rights and responsibilities of runaway minors and the services and assistance provided for runaway minors by the program and by the state or local municipality;

(2) attempt to determine why a minor in the program is a runaway;

(3) provide or help arrange for the provision of services necessary to promote the health and welfare of a minor in the program and, if appropriate, members of the minor's family; services may include, but are not limited to, the provision of food, shelter, clothing, medical care, and individual or family counseling;

(4) promptly inform the department of a minor in the program who claims to be the victim of child abuse or neglect, as defined in AS 47.17.290, or whom an employee of the program has cause to believe has been a victim of child abuse or neglect;

(5) be operated with the goal of reuniting runaway minors with their families, except in cases in which reunification is clearly contrary to the best interest of the minor; and

(6) maintain adequate staffing and accommodations to ensure physical security and to provide crisis services to minors residing in a facility operated by the program; residents under 18 years of age shall be segregated from residents who are 18 years of age or older.

(d) A program for runaway minors may provide services for the protection of the health and welfare of a person under 21 years of age who is in need of the services and who is without a place of shelter in which supervision and care of the person are available. (§ 4 ch 144 SLA 1988)

Sec. 47.10.320. Residence in runaway minor program facilities. A runaway minor may maintain residency for a period not exceeding 45 days at a facility operated as part of a licensed program for runaway minors. The minor may maintain residency without the consent of the person or agency having custody of the minor, except that if the court has ordered the minor committed to the custody of the department, written consent of the department is required. The residency may be extended for an additional period of 45 days with the written consent of the person or agency having custody of the minor. A minor may not maintain residency beyond the 90th day following admission to a licensed program for runaway minors without the written consent of the person or agency having custody of the minor and the written consent of the department. (§ 4 ch 144 SLA 1988)

Sec. 47.10.330. Notice to minor's legal custodian. (a) The director of a program for runaway minors shall make a good faith effort to notify a minor's legal custodian as soon as possible, but in no event more than 48 hours after the minor is admitted to the program, unless there are compelling circumstances that justify withholding notice. The notice must describe the minor's physical and emotional condition and the circumstances surrounding the minor's admission to the program.

(b) The director of a program for runaway minors shall promptly notify a minor's legal custodian if the minor is released from the program into the custody of a person other than the legal custodian or a person representing the legal custodian. (§ 4 ch 144 SLA 1988)

Sec. 47.10.340. Confidentiality of records. Records of a licensed program for runaway minors that identify a minor who has been admitted to or has sought assistance from the program are confidential and are not subject to inspection or copying under AS 09.25.110 — 09.25.120, unless

(1) after being informed of the minor's right to privacy, the minor consents in writing to the disclosure of the records;

(2) the records are relevant to an investigation or proceeding involving child abuse or neglect or a child in need of aid petition; or

(3) disclosure of the records is necessary to protect the life or health of the minor. (§ 4 ch 144 SLA 1988)

Sec. 47.10.350. Immunity from liability. (a) The officers, directors, and employees of a licensed program for runaway minors are not liable for civil damages as a result of an act or omission in admitting a minor to the program.

(b) This section does not preclude liability for civil damages as a result of recklessness or intentional misconduct. (§ 4 ch 144 SLA 1988)

Sec. 47.10.360. Municipal powers. Authority to establish and operate a licensed program for runaway minors is granted to municipalities that do not otherwise have that authority. (§ 4 ch 144 SLA 1988)

Sec. 47.10.390. Definitions. In AS 47.10.300 — 47-10.390

(1) "licensed program for runaway minors" means a residential or nonresidential program licensed by the department under AS 47.10.310;

(2) "runaway minor" means a person under 18 years of age who

- (A) is habitually absent from home;
- (B) refuses to accept available care;
- (C) has no parent, guardian, custodian, or relative able or willing to provide care; or
- (D) has been physically abandoned 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 25.23.180(c) or AS 47.10.080 or voluntarily relinquished. (§ 4 ch 144 SLA 1988)

Title 18

Alaska Missing Persons
Clearinghouse

Article 7. Missing Persons Information Clearinghouse.

Section	Section
600. Missing persons information clearinghouse	640. Reports upon finding a missing person
610. Duties of missing persons information clearinghouse	650. Civil penalty
620. Duty of law enforcement agencies	660. Definition
630. Medical and dental records of missing persons	

Sec. 18.65.600. Missing persons information clearinghouse. There is in the Department of Public Safety the missing persons information clearinghouse. (§ 1 ch 72 SLA 1988)

Sec. 18.65.610. Duties of missing persons information clearinghouse. (a) The missing persons information clearinghouse is established as a central repository of information regarding missing persons.

(b) The clearinghouse shall

(1) establish within the state a system and appropriate procedures for communication of information regarding missing persons;

(2) collect, maintain, and disseminate accurate and complete information on missing persons for the purpose of identifying, locating, and returning them;

(3) provide for exchange of information on missing persons within the state;

(4) cooperate with private citizens, local law enforcement agencies, and other state and federal agencies in investigations concerning missing persons;

(5) provide training and assistance to law enforcement agencies to promote effective use of the clearinghouse. (§ 1 ch 72 SLA 1988)

Sec. 18.65.620. Duty of law enforcement agencies. In addition to the requirements of AS 47.10.141 regarding reports of missing minors, a local or state law enforcement agency shall submit to the clearinghouse all missing person reports received by the law enforcement agency that relate to a person who is not located within 48 hours after the first report concerning that person was filed. (§ 1 ch 72 SLA 1988)

Sec. 18.65.630. Medical and dental records of missing persons. (a) When a person files a report of a missing person with a law enforcement agency or with the clearinghouse, a form authorizing the release of medical and dental records to the law enforcement agency and to the clearinghouse shall be supplied to the family, next of kin, or legal guardian of the missing person. The family, next of kin, or legal guardian of the missing person may complete the release form and deliver the release form to the physician or dentist of the missing person. The physician or dentist who receives a release form signed by the family, next of kin, or legal guardian of the missing person shall release to the law enforcement agency and the clearinghouse only that information that is necessary to identify the missing person.

(b) When the family, next of kin, or legal guardian of a missing person cannot be located or does not exist, a law enforcement agency may execute a written declaration stating that an active investigation is being conducted and that medical and dental records are required for the exclusive purpose of furthering the investigation. Notwithstanding AS 09.25.120 and AS 17.30.155, the declaration signed by a peace officer under this subsection is sufficient authority for the physician or dentist to release information necessary to aid in the identification of the missing person. The physician or dentist may only release that information that is necessary to identify the missing person.

(c) Medical and dental records obtained under this section shall be provided to the clearinghouse.

(d) When a missing person is found, the law enforcement agency and the clearinghouse shall destroy all records in their files obtained under this section. (§ 1 ch 72 SLA 1988)

Sec. 18.65.640. Reports upon finding a missing person. A person who has filed a missing person report with the clearinghouse or a law enforcement agency shall immediately notify the clearinghouse or the law enforcement agency when the location of the missing person is determined. (§ 1 ch 72 SLA 1988)

Sec. 18.65.650. Civil penalty. The commissioner of public safety, or a person designated by the commissioner of public safety, may file a civil complaint in the district court to enforce AS 18.65.640. A person who fails to comply with AS 18.65.640 is subject to a civil fine of not more than \$1,000. (§ 1 ch 72 SLA 1988)

Sec. 18.65.600. Definition. In AS 18.65.600 — 18.65.660 "clearinghouse" means the missing persons information clearinghouse established in AS 18.65.600. (§ 1 ch 72 SLA 1988)

STATE OF ALASKA

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF FAMILY AND YOUTH SERVICES

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January 24, 1992

Dear Alaskans:

Each year the Department of Health and Social Services, Division of Family and Youth Services (DFYS) is mandated under AS 47.10.300 to report to the Legislature on the status of Homeless and Runaway Youth in Alaska. This year's report is bolstered by tremendous public participation at the grass roots level.

In reaction to public outcry from parents of runaways, social services professionals and public safety officials, DFYS in conjunction with Representative Randy Phillips (R) Eagle River convened a series of three community-centered conferences to explore the problem of runaway and homeless youth in Alaska.

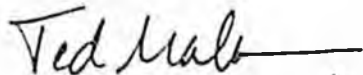
What the participants found is astounding. Over 3,500 Alaska youth runaway from home each year. On any given day, an estimated 37 youths are on the run. And, an estimated 1820 youths are homeless each year.

The conferences also brought to light shortcomings in the social services system that should serve youth. Since DFYS is mandated to serve either neglected/abused children or delinquent youth, runaways and homeless kids are often underserved.

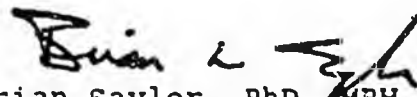
It is clear that the time has come for improved service to these lost, but not forgotten children and their families. Several communities have already taken ownership of the problem, developing 24-hour crisis networks and shelters. But before the problem of homeless and runaway youth in Alaska can be appropriately addressed, all communities, the Legislature and the Administration must climb on the wave of enthusiasm and take joint ownership of this grave dilemma.

We thank Representative Phillips, DFYS staff members, the consultants and, most of all, the people of the communities involved for their participation in this report. We are confident that together we can better serve the homeless and runaway youth of Alaska.

Sincerely,



Theodore A. Mala, MD, MPH
Commissioner



Brian Saylor, PhD, MPH
Deputy Commissioner



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