

SB

289

HFIN

FILE

(11)

HOUSE COMMITTEE REPORT

Date Referred to Committee: April 24, 1996

FURTHER REFERRALS:

Date of Committee Action: 5/2/96 pm

The FINANCE Committee considered:

CSSB 289(FIN) am

CS FOR SENATE BILL NO. 289(FIN) am

MINORS, ESP. RUNAWAYS, & THEIR FAMILIES

"An Act relating to runaways, other minors, and their families or legal custodians; and amending Rule 7, Alaska Delinquency Rules."

recommends it be replaced with the following committee substitute HCS CS SB 289 (FIN) [] the same title [x] a new title

[] additional referral to _____ Committee [] attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dept/Date)
[x] fiscal note(s) DOA; DHSS; Law; AK COURT Sys. [x] fiscal note(s) DHSS

[] zero fiscal note(s) [] zero fiscal note(s)

Table with 5 columns: SIGNING WITH RECOMMENDATIONS, DP, DNP, NR, AM. Rows include signatures and names: Richard Foster, Terry Martin, Steven Pannell, Vic Kohring, Ben Grussendorf, Jan Brown, Gene Thernault, Kelly.

CD CHAIR'S SIGNATURE

Richard Foster (Signature)

Alaska State Legislature

STEVE FRANK

119 N. Cushman, Rm. 213
Fairbanks, Alaska 99701
(907) 452-3421



While in Juneau
P.O. Box V
Juneau, Alaska 99811
(907) 465-3709
Capitol Rm. 417

Senate

SPONSOR STATEMENT

CS SB 289 "An Act relating to runaway minors, other minors, and their families or legal custodians; and amending Rule 7, Alaska Delinquency Rules."

I introduced this legislation to address the growing concern among parents for the safety of their runaway children. It is a significant problem in our communities that I feel needs serious consideration.

CS SB 289 will strengthen the language within AS 11.51.130 regarding contributing to the delinquency of a minor. By discouraging people from housing runaways, it will force these children to take advantage of available services that will be able to assess the child's situation and begin the process of reconciliation with their family.

This legislation will also make clear that a police officer's first course of action, after picking up a runaway, is to take that child back to his or her parents unless the officer believes that there has been abuse to the minor. If the parent will not accept the child, then the second course of action will be to take the minor to a place agreed to by the parent. If this cannot be accomplished either, then the police officer must take the child to a semi-secure shelter for assessment of the child's situation and determination of the course of action that is in the best interest of the child.

The Senate Finance committee felt that a second tier of consequences was necessary for those runaways who ran from semi-secure shelters. The committee made it a violation to run from semi-secure placement, which gives discretion to law enforcement to pick up the minor and detain him or her in a secure environment pending a detention hearing within 48 hours under AS 47.10.140. If there are no other reasons for detaining the minor, such as child in need of aid or delinquency petitions based on violating other laws, the minor would be released to the legal custodian at the detention hearing.

I feel this legislation is an important step in dealing with this continuing problem and I would appreciate your support.

Thank you for your consideration.

Dear Legislator, Governor, President...

The runaway youth problem is reaching epidemic proportions in America today. More and more it's touching the lives of average middle class families that are trying to instill traditional values, but encounter roadblocks set in their way by permissive laws designed to guarantee children's personal freedoms. The trouble is, there's nothing in place to teach them the responsibilities that come with these freedoms.

To begin with, the moral fabric of our nation is unravelling. One has only to judge television content, stories considered newsworthy by the media or the messages delivered to young people through their popular music and the cinema to realize how far we've declined. Kids are continuously bombarded by the tobacco, alcohol, clothing and entertainment industries with the following advice concerning drugs, sex, violence, irresponsibility and disrespect for others (including parents)....*just do it!!!* AND, the peer pressure is relentless. Add to this a set of laws that effectively eliminate parental authority and the stage is set.

Federal legislation dating back 21 years seems to be where it all begins. The Juvenile Justice and Delinquency Prevention Act (PL 93-415) was passed in 1974. The law seeks to keep juveniles out of contact with adult offenders...can't be housed in the same correctional facilities. The law also requires the use of the least restrictive alternatives possible for juveniles in custody. To achieve these mandates at the state level, federal funds for juvenile programs are contingent upon compliance. This amounts to \$600,000 for Alaska and our laws do indeed fulfill the stated objectives of federal legislation. Please refer to Alaska Statute Sec. 47.10.141. titled "Runaway and missing minors".

The thinking behind these laws seems to be: Kids who run away are fleeing abusive homes and must not be further injured by a justice system that treats them like criminals. This philosophy completely overlooks the merely rebellious kids who, on advice of their trusted peers, can and do abuse these laws and manipulate the system. The influence of peers should not be underestimated. Their interpretation of law is not based upon a careful reading of the statutes, but rather upon how the laws are *actually* administered. They know that law enforcement agencies do NOT aggressively pursue runaways or the people giving them "safe" haven. So, both the character of the laws AND their application fail to protect our sons and daughters.

What to do?!....CHANGE THE LAWS! Moreover, the laws must be vigorously enforced. Reference existing statute Sec. 47.10.141. again: The law should clearly stipulate that a runaway who is unwilling to go home or to a mutually agreed upon location shall be placed in a *secure* facility. Such detention centers for runaway and missing minors shall be separate from adult facilities and should be staffed with personnel trained to evaluate each individual case and determine a course of action. Enforcement?...Even the current law says "...a law enforcement agency shall make reasonable efforts to locate the minor..." This requirement must be fulfilled! Likewise for Alaska Statute Sec.11.51.130, titled "Contributing to the Delinquency of a minor", and the truancy law and the statutory rape law. The statutes are worthless if law enforcement authorities won't apply them.

One can look at how other jurisdictions are addressing the problem. For example, Washington has new legislation dealing with runaways, but we must keep our goal clearly in sight....Kids must understand that the act of running away from their legal guardian will result in tangible consequences. The deterrent effect of a lock-up approach will greatly influence *potential* runaways. No longer will wayward peers be able to inculcate susceptible kids with the notion that they can run away with impunity. The word will get around quickly on the play ground and the majority of these wannabes won't take that initial step.

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UK

Alaska State Legislature

STEVE FRANK

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While in Juneau
P.O. Box V
Juneau, Alaska 99811
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Senate

TO: Representative Mark Hanley, Chairman
Representative Richard Foster, Chairman
House Finance Committee

FROM:  Senator Steve Frank, Co-Chair
Senate Finance Committee

RE: Hearing Request - SB 289

DATE: April 18, 1996

I am writing to request a hearing, pending referral, for SB 289, "An Act relating to runaways, other minors, and their families or legal custodians; and amending Rule 7, Alaska Delinquency Rules." in the House Finance Committee at your earliest possible convenience.

This legislation would strengthen current law, closing a loophole regarding contributing to the delinquency of a minor and strives to give parents more authority over their runaway children. It also promotes the idea of semi-securing runaway shelters to limit the "revolving door" effect that currently exists. However, the Senate Finance committee felt that a second tier of consequences was necessary for those runaways who ran from semi-secure shelters. The committee made it a violation to run from semi-secure placement, which gives discretion to law enforcement to pick up the minor and detain him or her in a secure environment pending a detention hearing within 48 hours under AS 47.10.140. If there are no other reasons for determining that probable cause for detaining the minor exists, the minor would be released to the legal custodian at the detention hearing.

I introduced this legislation to address the growing concern among parents for the safety of their runaway children. The runaway epidemic is a significant problem in our communities that I feel needs serious consideration.

Thank you for your consideration.

1743 Willow Street
Fairbanks, AK 99709
May 28, 1996

I'm here today because I live in constant fear that my son, who just turned 17, will walk out the door and never return. Does he have a good reason to threaten he'll leave and to even feel this way? Certainly not from my point of view. I have been an excellent parent; if I have a fault in rearing my two children; it would be; I've given them TOO MUCH of my time, resources and energy. Didn't seem to harm my oldest son, who was a model child and is currently pursuing his degree at Oregon State University. Both boys were born and raised in this state; both were loved and cared for by their father and me, but one is becoming exceptionally rebellious and head-strong.

I ask you, how is it that good kids from good homes know that they can walk out the door and there's not a darn thing a good parent can do about it? The whole concept of tougher, stiffer laws is brilliant and so necessary. The point is though, if there's no immediate consequences when a runaway is picked up and detained; the law will hinder, not assist the child, the parents and anyone else who has a vested interest in that minor.

If a child chooses to run away from a safe and good home and is then taken to a secure facility, there must be consequences to the child, if that child chooses to run again. I have found that the only method of discipline that works with my son is when I am tough, spell out what the consequence is and follow-through with what I said I was going to do. His behavior then makes a dramatic change. But, if I give him too many choices, it just confuses him and he thinks "mom will just back down anyway." I believe a comparison of my personal situation and the State of Alaska's attempt to strengthen the current runaway law makes a very important point. It's been proven in households across the country. Getting tough and attaching consequences to running away is effective and will decrease the high incidence of this occurrence. Children like my son, know exactly what they're doing; they'll bend and break the rules if they have the slightest opportunity. Keep the wording in SB289 clear and tough; I believe a strong runaway law will decrease the number of rebellious teens that refuse to want to go by the rules, give parents more

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4/30/96 A

control and most importantly, allow our state the authority to regulate and monitor this growing problem. Kids need to get the message that except in certain situations where homes are unsafe and abusive; it's just NOT okay to run away.

Sincerely,

A handwritten signature in cursive script that reads "Robin Randall". The signature is written in black ink and is positioned below the word "Sincerely,".

Robin Randall

House Finance Committee / All Committee Members
SB 289

Re: the committee's request for a written copy of oral testimony 4-29-96

This current draft of SB289 has the very appropriate goal of strengthening our social system by protecting runaway children and dealing with those people who habitually harbor and negatively influence the runaways.

However, paragraph "g" of Section 6 (page5) of the current draft does not adequately slow down or stop the revolving door phenomena at the semi-secure facilities. SB289 needs to provide clearer and much more immediate consequences for such behavior. This paragraph allows too much time to pass before consequences. Additionally, the word "possibility" in Section 7, paragraph "f", (page 6) should be changed to the word "mandated" or it should be removed entirely. This would strengthen the bill enormously.

Let us agree that this bill is not designed to deal with kids from abusive, neglectful families. NO!, this bill addresses an ever-growing subculture in our communities...rebellious, authority-evading children from healthy families. These children have learned to work the present system to their own advantage. These kids must have quick and predictable consequences for running from semi-secure facilities. Intervention must be early and tough.

As to fiscal policy: this bill should be designed as early intervention. If there are early consequences, dramatic consequences for the FIRST time a child defies the authorities and leaves a semi-secure facility without permission, then the revolving door syndrome should be greatly reduced. This will only work well if the tough consequences are enacted very quickly after the child runs from the semi-secure facility the first time. This should positively impact local enforcement agencies. Officers would not spend as much time and focus pursuing the same kids over and over!

In Section 2, by tightening the laws designated to penalize adults who inappropriately harbor a runaway, there should be a reduction in numbers of rebellious children who evolve into criminal teens and adults.

Then of course, by honoring and strengthening parental rights, you will see more runaways returned to their parents and money spent on counseling instead of full-time custodial care by the government. Fiscally, prevention is cheap compared to custodianship.

This bill does not replace other facilities that troubled kids can turn to on a voluntary basis. This bill addresses the facilities and regulations necessary to protect defiant, authority-evading runaways who have learned to use the present system while remaining in the grasp of a negative subculture.

I urge you to improve and strengthen this bill; pass it out of committee and promote it among your colleagues so as to ensure its final passage.

Thereby, committee members, you will provide: help for our troubled children; help for our distressed families; and certainly social and fiscal help for our communities statewide!

***After I wrote the above testimony and just prior to my oral teleconferencing testimony, I was reassured by John Regitano who had just spoken by phone with Allison Gordon, Sen. Frank's aide, that there WERE stronger consequences built into this draft of the bill as found on page 4, line19, as covered in state law. This removes some of my concerns about tough consequences for leaving a semi-secure facility but I am STILL VERY CONCERNED about the LACK OF IMMEDIACY and all the possible DELAYS and/or LOOPHOLES. I fervently that you will address these concerns and then pass this out of committee, and further aid in its promotion and passage in the House.

Thank you for your serious work on a serious problem in our state.

Sincerely,
Judith K. Shiffier
929 Reindeer Drive
Fairbanks, Alaska 99709
FAX 479-6121 Ph: 479-6104

Good afternoon, my name is Kim McDowell. My husband and I provide emergency foster care for children taken into state custody whenever the Division of Family and Youth Services is closed.

In our experience, we have found that about one half of the run away children that we care for are not running from abusive or neglectful homes, but are running from authority and discipline.

These children have learned, through many years usually, to use the system. They seem to be playing a game of run away, get caught, and run away again. There are never any real consequences for their actions. Under the present laws, children are not held responsible for their rebellious ways. What kind of message does this send to them???

On the street, run away children are prey for the undesirable elements of society. Many people that help our run aways do not have their best interests at heart, they have just the opposite in mind. As long as we allow our kids to remain on the run, they will continue to be used and exploited by the drug dealers and prostitution rings that seek out our run away children. Help us help them.

We desperately need some sort of secure facility where structure can be introduced into these children's lives, like the Boy's Home for example. The way the laws are at the present time, everyone but the rebellious children's hands have been tied. The state can not keep these children from running away time after time. The cost of these facilities would be recovered many times over by getting these children on the right path and out of the state system. Many of them have been in and out of state custody for years!! Eventually a great number of these kids will end up being cared for in correctional facilities.

There is a cycle that must be broken. Our children desperately need to be helped. Please give us the ability to help these children get off of the streets and back into useful society. Nothing is waiting for them on the streets but self destruction. Thank You.

Matthew A. Johnson, Psy.D., LCSW, NCAC II
Anchor Counseling and Testing Services (ACTS)
1011 Kodiak St.
Fairbanks, Alaska 99709
(907) 455-4114 Fax (907) 455-4224

April 29, 1996

Dear Representative Hanley,

I have been asked by some parents in support of Senate Bill No. 289(FIN) to write you a letter as a witness and to express my professional and personal support of the bill.

I am a licensed psychologist, a licensed clinical social worker, a state and nationally certified addictions counselor, and I operate a private practice in Fairbanks, Alaska. I have worked with adolescents in the mental health field for the past 15-years. I have never seen a worse problem with runaway teens and how they are handled by the "the system" than I have observed in the communities of Fairbanks and North Pole, Alaska! Senate Bill No. 289(FIN) appears to be a major step in the right direction. For years, parents in the Fairbanks/ North Pole area have felt helpless while their teens have been running away and living on the streets and/or in the homes of individuals with "questionable character."

It is a terrible mistake to automatically assume that all teens runaway from home because they are all being physically and/or sexually abused by their parents/guardians. I have encountered numerous children in therapy who have run away from home (and keep running away from home) because their parents wanted them at home and in bed by 10:00 p.m. on a school night. I can cite numerous examples of teens simply defying their parents over rules which are reasonable and nonabusive (e.g., don't drink alcohol, don't use drugs, do your homework, do your weekly chores, don't swear, treat your parents and siblings with respect, follow the rules at school, don't shop lift, etc.).

The problem with "the system" (e.g., some DFYS employees, some counselors in the community, some agencies in the community, and some judges in the state court system) is multifaceted:

1. There is an automatic assumption made by some professionals in "the system" that the teens are running away because they are being abused. I have seen many parents treated as guilty until proven innocent. Sometimes they have been intimidated by "the system" to go along with "the system's" agenda rather than attempt in vain to prove their innocence (i.e., "We have not abused our child!"). If

they continue to try and prove their innocence to "the system", they are sometimes threatened with lengthy involvement with "the system", and/or expensive court cost, and/or labeled by "the system" as bad parents or "right-wingers" (the label was stated to me by a DFYS employee here in Fairbanks). As a result, the child is left to run on the streets or is placed in a foster care system which they also run away from and are left to run away on the streets.

2. Last Fall, I witnessed a court proceeding in which the state attorney and DFYS employee told the judge that they didn't know what to do with an adolescent who continued to runaway from their foster care placement. They recommended that the adolescent be turned over to the custody of the parents; however, the adolescent's psychologist testified via the phone that the parents were rigid and unwilling to work with their adolescent in therapy because they refused to allow the adolescent to invite their friends over for dinner and to "hang out" in their home (the adolescent's friends were known criminals and/or engaged in selling drugs!!! What parent in their right mind would even consider to compromise with their adolescent and allow them to invite these individuals with questionable character into the home?!?! Yet these parents were labeled by the adolescent's psychologist as being rigid for the above reason. I worked with these parents and their expectations were reasonable and did not extend beyond the norm for other parents). The judge ordered that the adolescent remain in the custody of DFYS and remain in the foster home. Then the judge threatened the adolescent with going to the Fairbanks Youth Facility if the adolescent ever chose to runaway again. The adolescent ran away again and the judge did not follow through with the threat (i.e., the judge's bark was worse than their bite and most adolescents and their parents know this to be true of the judge.). The end result was that the adolescent's rights were elevated above the parents' rights to exercise authority and control over their child. As a consequence, "the system" enabled the child to remain on the streets.

3. Most adolescents that I have encountered in therapy don't runaway because of abuse, instead, they runaway because they are defiant, rebellious, oppositional, manipulative, and just want to do what they want to do without an adult in a position of authority telling them what to do (e.g., parents, teachers, counselors, etc.). As a result, the only clinical diagnosis the adolescent can receive in outpatient treatment is one of Oppositional Defiant Disorder or Conduct Disorder. Therefore, they cannot be admitted into inpatient treatment centers such as Charter North Hospital, North Star Hospital, and/or Providence Hospital because insurance companies will not reimburse for these diagnoses.

Although I can cite more examples than listed above, the above shall suffice for now.

At present, when an adolescent runs away from their parents' home and/or a state appointed foster home and/or the Family Focus Shelter (by the way I 100% enthusiastically support the Family Focus Shelter!) in Fairbanks because of being rebellious and oppositional to authority and rules, there is nothing that can be done for the child...even the above judge kept the adolescent going through the same revolving door in "the system" without a solution by not following through on the threat to lock up the child. If we don't lock up repeat runaway offenders, then we are leaving them to the mercy of the streets...and I have a problem with that!!! The state laws need teeth and the ability to protect Alaska's children even if it means locking them up to provide them with the help that they don't want to receive.

The Solution(s):

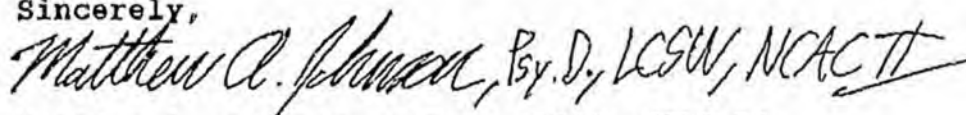
1. As previously mentioned, Senate Bill No. 289(FIN) is a step in the right direction. We need locked facilities around the state of Alaska to keep repeat runaway offenders off the streets; however, this is not enough.
2. The state of Alaska needs to finance locked treatment facilities that utilize a strict behavioral modification program to confront the inappropriate attitudes and behaviors of the runaway adolescents. Group therapies need to be provided as well to address therapeutic issues (e.g., abuse, chemical dependency, etc.). Insurance companies are no longer allowing adolescents with Oppositional Defiant Disorders and Conduct Disorders to receive treatment in the inpatient treatment settings. The cost for parents to send their children to private locked long-term residential treatment facilities in the Lower 48 states is astronomical. Parents should be able to place their children in local long-term facilities (6-12 months of treatment) without having to place their children in the custody of the State of Alaska and DFYS. Contracts could be made between the State of Alaska and Charter North, Providence, and/or North Star to provide such services, thus, eliminating the expense of building and maintaining such facilities.
3. The Alaska legislature should not only pass Senate Bill No. 289(FIN), but it should make sure that it allocates enough funds to make the law enforceable. The law without the financial support to make it a reality and enforce it would be an act of legislative irresponsibility and another example of "the system" enabling runaway adolescents.
4. The Alaska legislature should strongly consider passing more legislation that protects the rights of parents and their ability to discipline their children without the fear of "the system" intervening when it is not needed. Also, there should be more burden of proof place on the state of Alaska and DFYS to prove that the alleged abuse occurred rather than the parents being placed in a position where they are assumed guilty until proven innocent...and then being intimidated out of trying to prove

themselves innocent. In many cases, the parents are abused by "the system" by being inappropriately labeled (e.g., "abuser," "bad parents," and "right-wingers.") while their children are enabled to remain on the streets as runaways simply because they are tired of adults telling them what to do.

Thank you for your time and effort in resolving the problems that many loving and caring parents are facing when they interact with "the system" while trying to help their runaway children.

If you have any questions about the content of this letter, please feel free to call me at home (455-4884) or at my private practice (455-4114) or fax a message to me at (455-4224).

Sincerely,



Matthew A. Johnson, Psy.D., LCSW, NCAC II
Licensed Psychologist, Licensed Clinical Social Worker,
National Certified Addictions Counselor.



Alaska State Legislature

Pg ①

Please enter into the record my testimony to the House Judiciary
 (Senate Finance)
 committee name

committee on SB 289 Run away, dated 4-29-96
 bill/subject

Now are you going to absolve parents of ^{monetary} responsibility for
 Now do you plan on implementing the new ^{run} away laws in Anchorage, as maybe Wasilla
 & Palmer may follow, too, if there's no
 run away law?
 Curfew?
 Gang violence?
 Drunk Driving / confiscation of
 car?
 Rounding up of teens drinking
 at parties?

Signed: Cris Tyree
 Testifier

Representing (Optional)

P.O. Box 872085 Wasilla AK 99687

Address

907-373-6515

Phone No.



Alaska State Legislature

Pg. ②

Please enter into the record my testimony to the House Judiciary
(Senate Finance)
committee name

committee on SB 289 Run away, dated 4-29-98.

Now can a parent keep their child home if there's no law backing parents? Who has more rights? The legal upstanding worker, tax payer, bill payer, voting adult that is in our armed services too, protecting our country or the child that can not work, pay taxes, vote for representation, serve in armed forces, run machinery, etc.

We adults are the guidance. Children can not behave like adults because they have a child's mind w/no experiences to back up the wisdom of responsibility, maturity, running an office much less a country. So how can they run themselves?

Can't you see these kids are making bad choices cause they don't have the wisdom + living experience yet to make good choices?

Signed: Cristyree
Testifier

Representing (Optional)
P.O. Box 872085 Wasilla AK 99687
Address
907-373-6515
Phone No.

Studies Done?



Alaska State Legislature

Pg (2)

Please enter into the record my testimony to the House Judiciary
(Senate Finance)
 committee name

committee on SB 289 Run away Law, dated 4/29/92
 bill/subject

Do you have any studies or graphs on the run-aways that claim abuse and are, the ones that claim it + proof not to be abused + the ones that just don't want Mom's rules + regulations?

Do you have any studies on older teens/young adults that have picked up their lives after running away? That are succeeding after running away + what their opinions are? After all there's a huge difference in + change between 12-15 (when run-away) + 18-21 when become an adult?

Do you have any studies on the monetary loss to parents, the community + businesses through run-aways stealing parents cars + wrecking them or stealing from them, breaking into schools, breaking into businesses + homes, shop lifting, or the ~~cost~~ rising cost of ~~insurance~~ insurance or medical because of car wrecks, drive by shootings or the shop lifting? Do you have any studies on the rise in medical costs to parents or government because of unprotected sex, too much sex at too early of an age? How many young men or men peroid carry diseases to these kids because they won't get medical help? Are there any studies on parents that try to prevent crimes before they happen because of their run-away?

Signed: Cristyree
 Testifier

Representing (Optional)

P.O. Box 872085 Wasilla AK. 99687

Address

907-373-6515

Phone No.



Alaska State Legislature

Please enter into the record my testimony to the House Judiciary
 (Senate Finance)
 committee name

committee on SB 289/Runaway Law, dated 4/29/96
 bill/subject

I am an 18 year old, who ran away from home at 15, I think the runaway law should be changed and the kids made to come home. I did not understand the consequences of my actions until I'm in real deep. I didn't realize I would loose my right to vote, and carry a firearm. When you are going through hormonal changes and growing stages you get confused and go crazy. I wish the police/troopers would have made me go home or scare me to where I stayed home. The law did not back my parents up and look what had happened. I know what it feels like to have the troopers tell my mom I'm not coming home, 'cause I don't want to. You feel like you're so big. I walked all over my parents, because the law did not help make me go home. Now that I've had it ruff, I regret all the decisions I made on my own.

Signed: Liam Syre
 Testifier

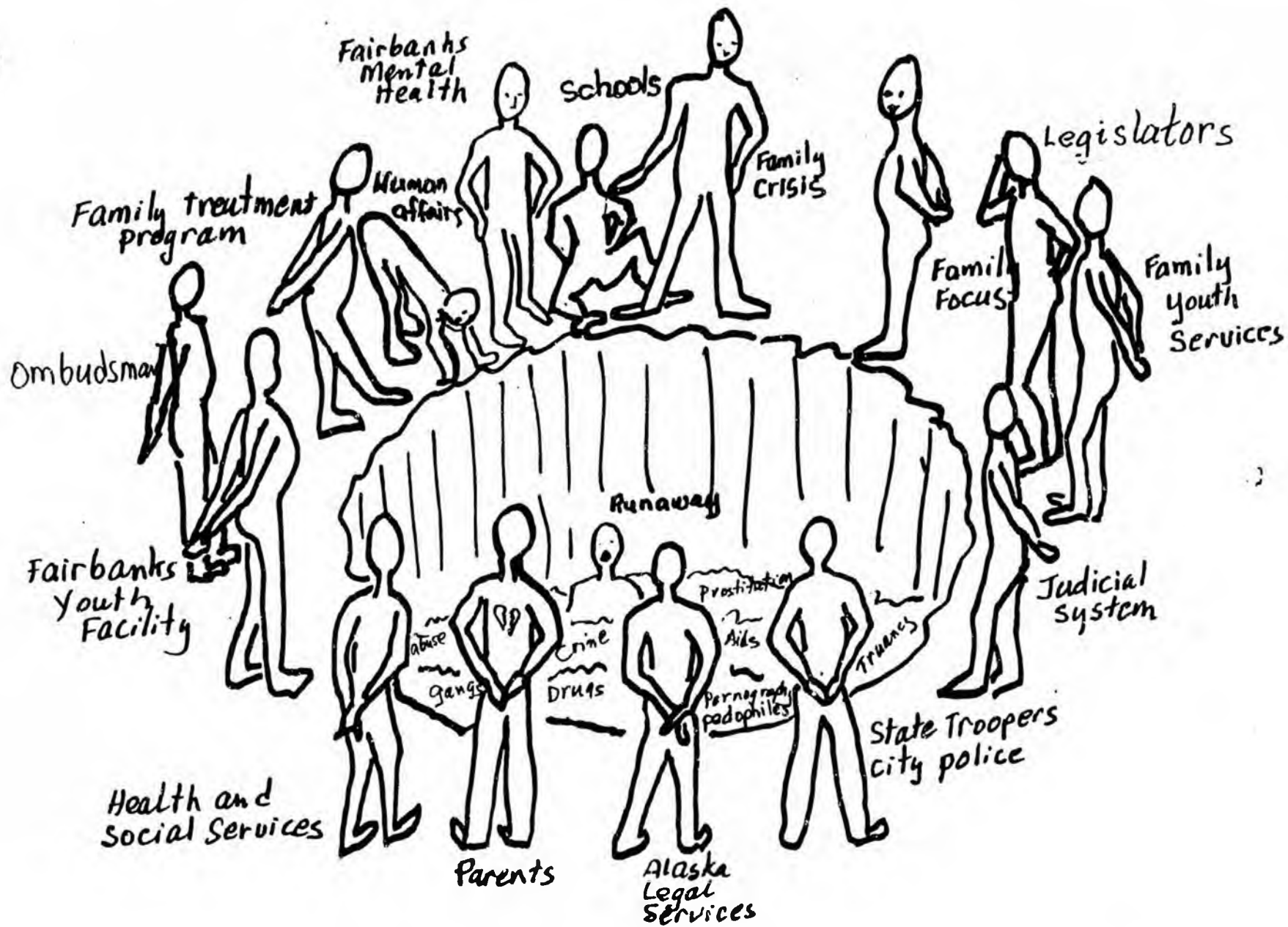
Representing (Optional)

P.O. Box 872085 Wasilla, AK - 99687-

Address

(907) 373-6515

Phone No.



"Our hands are tied"



**LOST
BY THE
STATE
OF
ALASKA**



**If you have information,
please call Sarah's parents at**

479-4090

or the Alaska State Troopers at 451-5100.

Al Near
PO Box 80847
Fairbanks AK 99708
March 9, 1996

Senator Steve Frank
Room 518 Alaska State Capitol
Juneau AK 99801-1182

Dear Steve:

Thank you for introducing **SB289**. I wholeheartedly support what I see as its primary goals.....strengthening the laws that deal with runaway minors and those persons who would contribute to their delinquency.

Our sad experiences with these issues began over a year ago when our daughter refused to come home from school after we attempted to impose grounding sanctions in response to her cutting classes. I was informed by the school counselor that I could try to persuade our child to return, but that *I could face serious consequences* if I attempted any physical solution such as putting her in the car and driving her home. I ended up negotiating with her through the vice principal and the counselor. In the end...my daughter had her way. She went home with a classmate for the weekend; thereby avoiding any consequences for her actions. I went home with hat-in-hand.

That was a dark December day in 1994. Since then she has been in a dozen or more foster settings from which she either ran away or was asked to leave and still...no consequences!!! She has lived on the streets for up to 6 weeks at a stretch. When she has been picked up as a runaway, she refuses to go home, so she's delivered to our local youth shelter. There it has been a revolving door and she soon returns to the unsavory situation from which the peace officer had just rescued her...still no consequences!!! Throughout this nightmare we sought help from law enforcement and were repeatedly told that runaways are a low priority because they will not stay at the shelter. Attempts to deal with the various adults who harbored and otherwise contributed to her delinquency were also fruitless.

Here's an attractive, intelligent and talented 15 year old girl who held the world in her hands before she was pulled into a negative peer group. She was destined for college and a responsible, productive future. Now? I doubt that she'll even finish high school and she has herself predicted that she'll likely end up in jail. But, as she's quick to point out, she'll be with her friends.

How can something like this happen? Before this happened to *us* I had assumed such problems could always be traced to serious inadequacies of the family. Well, my wife and I have enjoyed a 32 year loving partnership, our son is a well liked 19 year old college student and our daughter had all the same opportunities. Moreover...our's is not an isolated case! During this past year we've met families from all walks of life who have similar stories. One continuing theme that runs through all these cases is an absence of accountability for the wayward youths. When a child refuses to follow the standards of behavior set forth by family and society and sees that our legal system also refuses to uphold them...what should we expect????

The earliest intervention is what's needed. Clearly, had my daughter been turned around and sent home when she first began experimenting with *the system*, she might have been saved. But, after scores of episodes to which the system responded by rewarding her misadventures with ever greater freedom, what are the odds that she can ever be turned around? We need to be there with appropriate consequences at the beginning. If our *susceptible* youth heard from their peers that running away would result in negative consequences, many of these "wannabes" would never take that first step.

This brings me to SB289. It's headed in the right direction, but it doesn't quite get all the way there. Draft version "M" is before me and I'm concerned about what it doesn't say. Upon reading to the end of line 23 on page 3, everyone I've talked with asks...*and then what?* It's fine that the shelter personnel are immediately aware that the minor has left, but *what is anyone going to do about it??* I suggest that such an act justifies more than a "semi-secure" response. The minor should know that, if he or she runs away from the "semi-secure" shelter, they will graduate up to a secure setting. Better yet, they should be prevented from leaving in the first place. It may cost more and we might lose some federal grant money and on and on and on...but, the bottom line...are we willing to do what's right for our kids? It's been often said that young people represent our most precious asset. Let's *show them we care* by revising our laws to close the "accountability gap". Let's set and maintain reasonable boundaries for them.

Respectfully yours,



Al Near

Post-It™ brand fax transmittal memo 7671		# of pages >	
To	Alli Gordon	From	AL Near
Co.	FOR Senate Fin	Co.	479-4090
Dept.	Hearing	Phone #	
Fax #		Fax #	

La Rue Near
P.O. Box 80847
Fairbanks, AK 99708
March 18, 1996

Senator Steve Frank
Room 518 Alaska State Capitol
Juneau, AK 99801-1182

Dear Senator Frank:

The runaway youth problem is reaching epidemic proportions in Alaska today. More and more it's touching the lives of average middle class families who are trying to instill traditional values, but encounter roadblocks set in their way by laws designed to protect abused and neglected children. These laws are being exploited by rebellious kids who are challenging authority. Kids who, in an earlier time would have been held accountable for their misdeeds, can now exercise adult personal *freedoms* unencumbered by personal *responsibility*.

Federal legislation beginning in the mid 1970s recognized the importance of not treating abused and neglected kids like criminals. Laws flowing from this philosophy require "least restrictive" settings for juveniles in custody. To achieve these mandates at the state level, certain federal funds for juvenile programs are contingent upon compliance. For example, retention of juveniles for running away would put \$150,000 of grant money at risk under one of these.

The thinking behind these laws seems to be: Kids who run away are fleeing abusive homes and must not be further injured by a justice system that treats them like criminals. This approach completely overlooks the merely rebellious kids who, on advice of their trusted peers, can and *do* exploit these laws and manipulate the system. Their interpretation of law is not based upon a careful reading of the statutes, but rather upon how the laws are *actually* administered. They know that law enforcement agencies do NOT aggressively pursue runaways or the people who harbor them.

SB289 addresses some of these deficiencies, but falls short when dealing with the issue of runaways who refuse to remain in the shelters. Kids must learn that running away from authority is not an option. If juveniles run away from a "semi-secure" facility they should be placed in a *secure* one. Early intervention is the key to saving these children. Law enforcement professionals concur that the first hours are the most dangerous. No one would advocate letting 3 year olds play in the traffic. Let's stop permitting our young teens to run in the streets.

Sincerely,
La Rue Near
La Rue Near

Enclosures (3)

Al Near
PO Box 80847
Fairbanks, AK 99708
March 18, 1996

Senator Steve Frank
Room 518 Alaska State Capitol
Juneau, AK 99801-1182

Dear Steve:

During the Finance Committee discussion of SB289 last week the question of wording was raised again regarding the act of contributing to delinquency. Ann Carpinetti (spelling ?) maintained that to remove the "knowledge or" language of Section 1. AS 11.51.130(a), (3) and (4) as it appeared briefly in version K of the bill would somehow place in danger those kids who are truly being abused. That's ludicrous. If persons giving shelter to children who they believe to be in such danger notify the authorities as provided under subparagraphs (A) and (B) of the bill, that argument washes away. If the law were to say "...without the knowledge or permission..." as she suggests, it would be worse than the present law. Then all that would be necessary for harborers to prove would be that the parents knew that the child was with them...ridiculous! Most parents of runaways I've consulted have *known* where their kid was. The problem...how to get them back!

Also during that hearing it was asserted that the "just cause" language is perfectly suitable. Moreover, Ms Carpinetti stated that she was unaware of any problems prosecuting cases because of this. That could be the result of the dearth of "contributing" cases tried in recent years. My inquiries locally have revealed only one case (4FA-S94-2827CR) which involved a child sent to *relatives* in Fairbanks. They didn't wish to return the child and this complex case was finally dismissed...not an example of harboring runaways. Right now, however, there are two cases dealing specifically with the issue.

Both of these cases involve runaways being harbored and, I modestly suggest, arose in response to parents of runaways bringing pressure to bear on the local law enforcement agencies. Accompanying this letter are copies of the official complaints. In one of these, my daughter was the juvenile victim. Neither of these cases has been heard, but the Jacob G. Mears trial is set for April 23, 1996. Amanda Smith failed to appear for arraignment and an arrest warrant is pending. It will be interesting to see how these cases are handled, but I doubt that either of these parties will receive any significant consequences. Smith, who has been influencing our daughter for almost a year, continues to have daily contact with her.

The accompanying copy of LaRue's guest editorial in the 1/8/96 News-Miner fits right in with what we've all been saying and Dermot Coles' piece describes my impressions. The excerpt from the Police Report of the 3/14/96 News-Miner dramatically highlights yet another danger of having no security in the runaway shelters.



To Sen Frank
From Al Near
Co 479-0398
FVAX

Al Near
PO Box 80847
Fairbanks, AK 99708
April 8, 1996

Senator Steve Frank
Room 518 Alaska State Capitol
Juneau, AK 99601-1182

Dear Steve:

The final draft of SB289 as passed out of your Finance Committee contains all of the elements that I believe necessary to discourage minors from running away. I'm especially pleased to see that it provides for a secure setting for those minors who would run away from the "semi-secure" one. I like the idea of utilizing private residential care facilities for the "juvenile secure" placement. This is much better than throwing them in with serious offenders.

Costs associated with implementation of SB289 as delineated in Fiscal Notes prepared by the Department of Health and Social Services seem unreasonably high and do not reflect any reduction in numbers of runaways resulting from the deterrent value of the new law. Indeed, if the numbers don't fall, we need to revisit the problem! I question why suddenly the need arises for additional social workers as asserted in Fiscal Notes 254 and 255. Why weren't those positions needed already under the existing law? Nothing in SB289 changes the composition of runaways...the estimated 380 youth who might be subject to AS 47.10.141(g) are coming to the shelters right now.

Fiscal Note 248 claims that "as much as \$600,000 in Federal Delinquency Prevention Grants" would be lost. According to the accompanying comments on fiscal impact prepared by Jack Chenoweth a year ago, it would seem that only \$150,000 is at risk by violating Section 223 (a)(12)(A) of the Act and possibly an additional \$75,000 of prevention funds (Title V) might be lost. A small price to pay for a child's life!

Thanks for your support.

Sincerely,



Al Near

**THE FOLLOWING PAGES MAY
NOT FILM LEGIBLY BECAUSE OF
THE POOR QUALITY OF THE ORIGINAL**



Bambi's medals + stuff



5 Gold medals MVP-B.Ball
5 Silver Highest Scorer
1 Bronze 1 Honor Roll B.Ball
5 First Place Ribbons 2 Beauty

"No" to kids
Say
leaving
you

letter to enclose

From Cris Tyree

P.O. Box 872085

Wasilla AK 99687

3-13-76

373-6515

To: Senate Finance Committee

Senator Steve Frank

State Capitol

Juneau, AK 99801-1182

Enclosed is a picture of one of my two daughters.
Isn't she beautiful? Her older sister is beautiful
too. Please return pictures.

Let me tell you about both of them.

Tia loves children. She is real patient, considers
of them as individuals, and knows how to love with
hugs, kisses and kind words. She can tease and
and make them laugh. She has a soft beautiful
quality of charm and charisma that just warms
people's hearts. She's always there as a friend,
to be an honest friend, thoughtful. She's a big
help with her brother, around the house with
chores, etc. She's always tried to see the bright
side of life, but at 15 1/2, she learned from
school, she had rights, if she wasn't happy at
home, she could leave and no one would miss
her at home. Then she learned more from new
friends.

Now, Bambi, the one you have a picture of and also whose trophies I also have included picture wise in this letter. Bambi was always happy, chirpy, go-go, as a little girl. She was different in that kids and chores were not her thing!! Sports were. Every sport she participated in she received a medal, ribbon, trophy, honor for!! Anything!! Plus she was always from K to now, 9th grade, she's been an honor student. The majority of teachers and peers have always loved her!! But, when Tia ran away, Bambi was crushed. So at 12 years old she decides to run away.

I cried and pleaded to everyone, anyone, please make my girls come home!! No one could make them come home!! It was like no one cared.

When Tia left, she left to go to a dance in Anchorage (lure of the big city). She had planned on coming back, but do you know what happened? Some men held her hostage in Anchorage in their house, raped her (and she had been a virgin) than let her go after a few days!! She was afraid to tell us!! Afraid because we had "told her" so!! So instead of coming home, she stayed, trusted someone else, they hooked her on crack, where she landed up prostituting for money for the crack. The manager to pick herself up but

Continues being used and threatened!!

In the meantime Bambi is angry because we've moved from her home of 10 years, Tia has left since our move, girls are jealous of her. Start trouble for her because she's pretty, smart athletic and all the boys like her, so she starts getting into trouble.

One thing after another, which leads to now, both girls under Federal arrest for 11 (eleven) pounds of cocaine. They were being used by a man (42) that was a threat to them, a man I personally went to Trooper Patterson about before the arrest, trying to get my daughter out of there, so now we have to pay for all of this mess!!!

Why should I have to pay for the "No Run Away Law"? A law that gave children the idea to go, act like an adult, but not think like an adult?

Why should I pay when Trooper Patterson could have gotten my daughter out of there before this bust? When I went to him in person about this man that had control of her and her sister?

Please change the laws, for our children's sakes. Have age limit, too, to leave home. Let facilities be built

so these young lives aren't corrupted
by pimps, drug dealers, gang members.

Please make it to where our children
are made to come home or go to safe
house with trained staff or counselors.

Please put monies ~~to~~ into education or
training or after school programs. For
their sakes and future.

For US as a society, Children are
a natural resource, too. We'll get back
what we put forth into them.

Thank You,

Cris Tyree

TO: SENATOR STEVE FRANK

ATTN: ALI GORDON

FAX # 465-4714

I HOPE THIS WILL BE HELPFULL
I WASN'T SURE HOW OR WHAT
TO WRITE. I DON'T KNOW MUCH
AT ALL ABOUT BILL'S ETC AND
WANT TO LEARN BUT FOR NOW
PLEASE BEAR WITH THE
BEGINNER. I SURE HAVE
SOME HARD LUCK WITH
THE RUNAWAY SUBJECT AND
I WANT TO HELP TO SCENE.
I WAS BORN AND RAISED IN
ANCH AND ITS HORRIBLE TO
SAY THE LEAST. TEACH ME
AND ILL HELP HOWEVER
I CAN.
THANKS.

VALERIE HOBBS
ANCH. 243-0011
FAX 248-9894

MARCH 18, 1996 ..

A MOTHERS PLEA FOR HELP!!!

I'VE EXHAUSTED ALMOST EVERY WAY I KNOW TO HELP MY CHILD. I COME TO YOU TO TRY TO MAKE ANOTHER'S BURDEN SMALLER.

MY 14 YEAR OLD DAUGHTER IS A BEAUTIFUL GIRL. SHE WANTS TO MODEL AND IS CURRENTLY ENROLLED IN CLASSES. SHE IS AN 'A' STUDENT WHEN SHE SIMPLY CHOOSES. HOWEVER A SEXUAL ABUSE PAST, (THAT A.P.D. BLEW OFF) AND WHO KNOWS MAYBE A SINGLE FAMILY HOME WHERE MOM'S NO. TOUGH DISCIPLINARIAN, HAS MY YOUNG LADY VERY CONFUSED.

SHE'S DISCOVERED THAT SHE CAN EXERCISE HER RIGHT 'TO DO WHAT SHE WANTS TO DO'. SHE CAN LEAVE HOME WHENEVER. THE MOOD HITS AND THERE'S NOTHING ANYONE CAN SAY. OR DO.

JESS STARTED LAST SUMMER BY SNEAKING OUT OF THE HOUSE IN THE NIGHT. I WOULD USUALLY AWAKE TO FIND HER GONE AND PROCEED TO CALL ALL HER FRIENDS DISTURBING PARENTS AND WHATEVER IT TOOK TIL I WOULD FIND HER AND BRING HER HOME.

AFTER A FEW OF THESE AND THE FRIENDS CHANGING IT WAS GETTING HARDER FOR ME TO FIND JESS. SHE WOULD MEET GUYS ON THE STREET THAT WOULD PULL UP AND ASK FOR HER NUMBER, SHE'D GIVE IT OUT AND NEXT THING I KNOW SHE'S SNEAKING OUT WITH THEM. I TURNED TO THE AUTHORITIES FOR HELP AND ALL I GOT WAS 'ITS NOT ILLEGAL FOR A CHILD TO RUN AWAY' NO HELP!

TO SNEAK OUT SOON WAS NOT GOOD ENOUGH, IT TURNED INTO GOING OUT TO A MOVIE AND NOT COMING HOME FOR A DAY OR TWO, THAT WAS MORE FUN AND WHAT JESS KEPT DOING. I WOULD ALWAYS CALL A REPORT HER A RUNAWAY

ALWAYS WITH THE RESPONSE
THAT 'ITS NOT ILLEGAL FOR
A CHILD TO RUN AWAY' AND
ALWAYS I SHUTTER AT THE
HORRIBLE POSSIBILITIES. NO HELP!!

MEANWHILE MOM PULLS
TOGETHER THE FAMILY AND
WE CLING TO OUR HEAVENLY
FATHER. AND YET AGAIN
SHE WOULD LEAVE HOME AND
NOT COME BACK UNTIL I
FOUND HER

ON JAN 22ND AFTER 6 WEEKS
OF MEETING WITH A COUNSELOR
JESS HAD BEEN GONE 3 DAYS.
I HAD CONDUCTED MY NORMAL
DICK TRACY TO FIND OUT JESS
WAS WITH AN OLDER GUY
WHO HAD BEEN SELLING DRUGS.
SHE'D MET HIM ALONG SIDE
THE ROAD. . AFTER MUCH STRESS
THE COUNSELOR ADMITTED
JESS INTO NORTH STAR HOSPITAL

TWO WEEKS WENT BY AND MY
INSURANCE RAN OUT AND SHE
WAS DISCHARGED, NOT 24 HOURS
HAD PASSED AND SHE WAS
IN PROVIDENCE E.R. FOR A
DRUG OVERDOSE SUICIDE ATTEMPT.
SHE WAS ADMITTED AND

-THEN SPENT 2 WEEKS IN THE DISCOVERY PROGRAM. SHE AWALKED OF BROKE OUT OF NORTH STAR AND PROVIDENCE SHE MET A VERY STREET WISE 12 YR OLD GIRL IN NORTH STAR WHO HAS TAUGHT HER MUCH

-FIVE DAYS AFTER BEING DISCHARGED FROM DISCOVERY SHE RAN WITH HER 12 YR OLD FRIEND THEY HAVE BOUNCED FROM SPENARD'S MOTEL TO TUDOR MOTEL TO OTHERS I'M NOT SURE OF. THEY EAT AT BURGER KING FOR FREE AS WELL AS TACO BELL AND HAVE SOMEONE A ZACKS TO PROVIDE DESSERT.

MARCH 6th JESS brought her street gang to our home and broke in. They stole a stereo all jewelry Boys and pryed the safe out of the floor. The Boys were OLDER - 18/19 there were 2 girls Jess and the 12 YR OLD. The boys packed guns.

JESS has learned more on the street in 2 weeks than most will EVER LEARN. THE SYSTEM

THINKS. I HAVE A SHY
AND VERY NERVEY LITTLE GIRL
THAT HAS TASTED THE
GROSEST KIND OF CHILD HOOD
I'M SURE IF IT WASN'T
EASY TO RUN AWAY THINGS
WOULD BE ALOT DIFFERENT.

I LOCATED HER AND CALLED
A.P.D. TO PICKED HER UP
I MADE CALLS AND
ARRANGEMENTS WITH MCLAUGHLIN
AND PROVIDENCE TO EITHER
ONE TAKE HER. A.P.D. TOOK
HER TO COVENANT HOUSE SHE
WALKED RIGHT OUT THE DOOR
BACK TO THE GANG. NO HELP!!

5 DAYS LATER I LOCATED HER
AGAIN AFTER WE HAD PRESSED
CHARGES AND THERE WAS
A WARRANT, WE FINALLY
GOT A HOLD OF HER AT THE
MALL. A FRIEND CALLED ME
AND TOLD ME SHE WAS
THERE. I ASKED HER TO
NOTIFY SECURITY. A POLICE
OFFICER AND THE SECURITY
OFFICER SAID 'ITS NOT ILLEGAL
TO RUNAWAY' SHE... BUGGED..
THEM TIL THEY CHECKED THINGS
OUT AND TOOK HER TO MYC.

I NEEDED HELP AND THERE
WASN'T A BLOCK. THE SYSTEM
LOOKS TO BE TEACHING OUR
CHILDREN THEY CAN DO
WHATEVER THEY WANT AND
THUS WE WILL HAVE ADULTS
THAT WILL DO WHATEVER
THEY WANT

THE POLICE TOLD ME THE
HAD BIG THINGS HAPPENING THAT
REQUIRED THEIR TIME. WELL -
DON'T YOU THINK WE ARE
MAKING A FUTURE FOR US
ALL THAT WILL BE OUT OF
CONTROL BY ALLOWING THE
CHILDREN TO BE OUT OF CONTROL.

WE MUST CHANGE THE SYSTEM
KIDS CAN'T RUN WILD
PARENT HAVE LITTLE LEFT
FOR DISCIPLINE THE LAWS
OF THE LAND THEN MUST
CHANGE AND MAKE SOME
CONSEQUENCES.

HELLO IS ANYONE THERE ??!!

HEARTBROKEN
FRUSTRATED

AND WANTING A BETTER ANCHORAGE
KIDS ALLOWED TO RUN = FAMILY BREAKDOWN
FAMILY BREAKDOWN = HELL



**Have you seen Jessica?
aka Crystal or Milkweed
Please call 243-0011**

**or
Notify Anchorage Police
she is 5'8", 120 lbs., age 14**

April 5, 1996

Senator Steve Frank
Alaska State Capital, Room #518
Juneau, Alaska 99801-1182

RE: Senate Bill No. 289

Dear Senator Frank:

As the mother of a minor daughter that was a runaway in Fairbanks for seven months in '95, I cannot be more tickled to see SB 289 hit the floor next week. I strongly support the bill.

My daughter came from a good home with strong family values. When she was "educated" by her peers as to how to use the system, she found she could run away from rules at home without suffering any consequences for her actions. She had a great time hopping from one dangerous living environment to another, staying up all night and never worrying about getting picked up by the police.

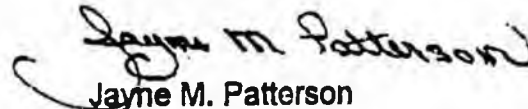
I, on the other hand, pulled my hair out trying to get her taken from homes that were unsafe. (My daughter even confessed that one adult harbored smoked marijuana with her!) Unfortunately, she was considered a "low priority" for our overworked police force, and when the City Police finally did pick her up and take her to the local runaway shelter, Family Focus, she was out the door within two hours and back on the streets. I can see why the police are exasperated by their efforts to track down runaways, take them to the shelter - only to have the runaway leave within a few hours.

This bill seems to be on the right track. Your stated purposes of tightening up the laws of adult harborers and providing secure detention of a minor who leaves a runaway shelter without permission will surely help to control a situation that is currently out of control.

Upon reviewing the financial picture as presented by the Senate Finance Committee, the cost to provide secure detention appears to be inflated. Once SB 289 passes, if we enforce the laws we shouldn't need to invest those millions in beds, etc. Looking at the big picture optimistically, I would think that providing additional manpower to our "lean" police forces to focus on juvenile crime and enforce the juvenile laws would be a far more sensible investment.

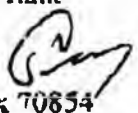
My sincere thanks to all our legislators for working so hard to bring this bill to the floor.

Sincerely,



Jayne M. Patterson
P. O. Box 70854
Fairbanks, AK 99707-0854
(907) 479-0732

To: Senator Steve Frank

From: Guy Patterson 
Post Office Box 70854
Fairbanks, Alaska 99707
(907) 479-0732
gpatters@mosquitonet.com

Date: April 5, 1996

Subject: Senate Bill 289

I have read SB289 in its many forms over the past year and believe the most recent to be a fully acceptable final product. I was a bit concerned with the estimates I found in the accompanying Fiscal Note. I think the figures are a little misleading and may look a more bitter pill than they are. This measure will save the State of Alaska money—and not in the long-run but immediately. My daughter, who recently ran away, cost hundreds of dollars because of ineffectual regulations which paid for the police to pick her up several times but did not allow them to do anything with her. She went to an agency receiving state grant moneys but was not held there so she was on the street in hours setting into motion a wasteful cycle. In her case, one trip to an agency that would hold her and protect her in a level equal to the protection she receives at home would have prevented her from running again.

Thankfully my daughter is at home again but the cost to the state does not end just because she has returned. My daughter became pregnant while a runaway. If statistics hold true she and her child will be on welfare for many years to come. It is expensive to let our children run. Had my daughter slept one or two nights in a facility for runaways at a cost of two hundred dollars a night she may have avoided a pregnancy which will easily cost the state fifty to a hundred thousand dollars over the next fifteen years. That sounds like a good investment to me.

In my daughter's case I believe that a law against running away would have deterred her in the first place. She will gladly tell you that she heard about running away from her school. Her friends told her that there was no law preventing her from running. Her counselor at West Valley High School encouraged her to "Take a break" if things got too uncomfortable at home. He explained the law fully to her prior to her leaving. My daughter told me what would happen—and what did happen—before she even left. Had she known that she would be picked up and detained in a facility capable of holding and protecting her she would not have left. Through this misfortune my wife and I have met several parents with similar stories. I can't help but think that the savings to the state would easily offset the expense. I also believe that the figures are inflated simply because fewer children would elect to leave home.

Thank you for starting the work on runaways.

Marsha Ambacher
P.O. Box 2443
Seward, Alaska 99664
(907)224-5400
Fax:(907)224-5687

Regarding Bill No. 289 (FIN)

Dear Gentlemen:

I would like to take this opportunity to let you know that I am in full support of this BILL NO. 289 regarding teen runaways. This Bill is a good move in the right direction. We still need more of our parental rights restored but this is a start. As a parent of three teenage boys I have seen first hand the lack of support. Unless the runaway is in trouble with the Law or has been abused in some form by another adult the child falls through the cracks of the system. As a parent we are liable for them in every way but yet we have no support from any official. (law enforcement, DFYS)

If the individuals that encourage, harbor, induce or cause these teenagers to rebel and leave home new that they were committing a crime and would be subject to arrest I believe that they would possibly think twice before doing so. This law would need to be enforced regularly for this to even begin to be somewhat effective. What good is a law if it is not enforced?

You are right that in most cases a child is better off in the care of his or her own parents and or family. Every effort should be made to reunite the child and the family together. As a parent of a fifteen year old rebellious son I meant the system or lack of head on. I pleaded for help from DFYS, I called local law enforcement for support to no real avail. Attorneys were contacted to see if we could place our son in a home where he could receive help. We were told NO not if he doesn't want to go. At the present time we as parents do not have the right to say or make our children stay in our home or to decide if they could be better taken care of some where else. They can choose when and where they will go and to come and go as they choose and the present system supports this!

Yes, as a two parent family we saw the signs, we sought help from friends, family, our pastor, School counselors, counselors out side of the school and every other possible resource. Kids know that the law is on their side and we can do NOTHING! They support and encourage each other this way. Fortunately for us our son finally decided that he would agree to go to a boys home outside for help. He has been gone now for nearly two months. I feel that this separation from the family could have been avoided if there were laws and regulations that were enforced and children new that unless other circumstances were present, they were required

to finish school and live at home.

I personally do not believe that this Bill would force runaways deeper underground because for the most part they really don't want to runaway they just want to be in control and not to have to answer to any other adult.

I strongly urge you to please amend Rule 7, Alaska Delinquency Rules and pass Bill. 289 (FIN). This would be in the best interest of the minor child, the family and public health and safety as well.

Please feel free to contact me with questions or concerns. I would be more than glad to support this issue publicly.

Thank you to the Senators who sponsored this Bill!

Thank you for your time and consideration.

Sincerely,


Marsha Ambacher

April 11, 1996

The Honorable Steve Frank
Alaska State Legislature
State Capitol
Juneau, Alaska

Dear Senator Frank:

I have just reviewed CSSB 289 (FIN), and am writing in support of this bill!! As a parent who has endured the difficulties regarding a runaway teenager, I can only say that if this bill had been in effect one year ago, my 16 year old daughter's life may have taken a different turn.

About two years ago, my daughter (Kelley) became "friends" with a group of teenagers who cut classes, smoked marijuana, and in general just "hung out". An "intervention" meeting at the high school to discuss her absences was my first indication that something was seriously wrong. The situation continued to the point where I caught her sneaking out of the house in the middle of the night, coming in at 3:00 and 4:00 a.m. From there things went from bad to worse. She saw nothing wrong with being out all night, because "things don't start happening until after 1:00 a.m." Most nights I set my alarm for 11:30 p.m., then 1:00 a.m., etc., just to check to make sure she was at home. Many times she wasn't, and I waited up with my stomach tied in knots. Finally, she ran away from home.

Unless you have been in this situation, you can't possibly know the horrible feeling of not knowing where your daughter is, or who she is with. But I soon found out, thanks to my older daughter's persistence in grilling everyone she knew. Kelley was staying with a woman in the Lemon Creek area who has three boys and whose house is a meeting place for every teenager in the area. I spent hours talking with this woman, who kept trying to convince me that there was nothing wrong with the kids staying out all night. She told me that I had to "be more understanding", etc., etc. I finally told her that if she didn't take my daughter to Cornerstone (a youth facility in Juneau), where she would have a safe place to stay and the opportunity for professional counseling, while we worked things out, that I would call the police. She stalled for two more days, before she took her there. The next day my daughter ran away from Cornerstone, and I reported her to the police as a runaway. I didn't sleep at all for almost two days, and, once again, my older daughter's

inquiries paid off. We found out that she had gone to Skagway on the ferry, in the company of this woman! We called the Skagway police, who apparently know the woman. The officer went to wherever she was staying, and she told them that the last time she had seen Kelley was when she had taken her to Cornerstone. I apologized for bothering him and hung up. However, my other daughter insisted that her information was right, and called him again. He went to the house again, and found that my daughter was there!! I arranged to have her brought back to Juneau, and returned to Cornerstone. She walked out of there again within hours.

After putting "runaway" notices with her picture all over town, I then found out that she was staying with her "boyfriend's" family, just around the corner from the woman's house. Both my other daughter and I had called there looking for her so many times, only to be told "No, she's not here". When I finally confronted the boy's mother, she said that she thought I knew Kelley was there because I called so often looking for her!! What is wrong with these people? I again had Kelley picked up by an officer and taken to Cornerstone, but she walked out of there within an hour or so. Cornerstone is not a secure facility. The staff is to be commended for their efforts and I am greatly appreciative of their attempts to help us. This "game" continued...she would run and I would have her picked up, and she'd run again.

I filed a formal complaint with the police department against the woman who took her to Skagway for removing a minor without permission of the parent, and was ultimately advised by the District Attorney's office that they were not going to pursue it because it was a "family matter". I realized that I'd get the same lack of help in removing her from her boyfriend's home.

Since there is no law in "running away", and I could not get any support in dealing with the adults harboring her, ultimately, I just had to give up my attempts at getting Kelley home. After months of fighting, there was just no one else to turn to for help. The police had been very supportive and responsive. I lost track of how many times they picked her up. The staff at Cornerstone tried so hard, but there was just so much they could do.

I am not alone. You have no idea how many kids are "out there", being harbored by people with few or no values. I personally know of five or six good families who are suffering from this same situation!

At Christmas Kelley was arrested for concealment of merchandise. I asked the probation officer to require that she live at home as a condition of her probation, which, thankfully, she did. Kelley has been home since February 20th, but she is certainly not the same Kelley that left. She is in both psychological and drug and alcohol counseling. Her time away from home with

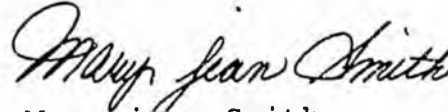
these people has turned her into a crude little girl, with no self esteem, she tolerates being abused by her "boyfriend", has no respect for authority, and has no desire to continue school other than getting her GED.

I have raised my daughters with values, but Kelley's time with those who harbored her has destroyed her.

If this bill had been in effect two years ago, we might have had a chance!!

I know my letter is long, but this bill is so relevant to so many of us, and I felt that I needed to explain why. It would be greatly appreciated if my letter could be shared with all members of the legislature.

Sincerely,

A handwritten signature in cursive script that reads "Mary Jean Smith".

Mary Jean Smith
2746 Engineer's Cutoff
Juneau, AK 99801
789-2412

Steve Frank
465-4714

Dear Legislator

I have just finished reading a fax
of S. B 289 (FIN)

I (or We - all of my combined full
life Alaskan family) very strongly ask
that you support this bill even tho there
may be a question about cost or another
budget item tied to it. While it is a
good bill it is only a start. Remember - we
are talking about the only "thing" we have
that matters. Our kids! If this resource
is messed up why do we need the Rest.
More important than Budget or oil or
fish or making money!
Oh yes, the family speaks for 11 voters.

Douglas W Brown

Doug Brown

7733 Honysuckle Dr
Anchorage, AK 99502

Ph 243-0011 Fx 248-9894

Jim & Elrita Magoffin
PO Box 80322
Fairbanks, AK 99708
479-5746
Fax 456-4177

FAX T r a n s m i t t a l

To: Senator Steve Frank
Fax Number: 465-4714
Phone Number: 465-3709
From: Elrita & Jim Magoffin
Date: 4/8/96
Re: SB 289: An Act Relating to Runaway Minors and Their Families or Legal Custodians
Pages: one

Dear Senator Frank:

We are in favor of SB 289. We believe that it strengthens parents rights to work with their children but also serves to protect juveniles. This bill does have a fiscal note attached to it but we believe that the money would be well spent and would infact save money as it would keep many juveniles from remaining in the juvenile justice system for years and eventually entering the welfare system.

Most people are unaware of the current inadequacies of our current laws dealing with runaways until it affects them personally. Then it is too late. We are acquainted with people who are currently dealing with runaway children and with sympathize with their frustrations.

We ask that you would give this bill your support. It would be a vote in favor of Alaska's families. Thank you for your consideration.

Sincerely,
Elrita Magoffin
Elrita & Jim Magoffin

To Senator Steve Frank
Room 518 Al. State Capitol
Juneau, Alaska
99801-1192

Dear Senator Frank,

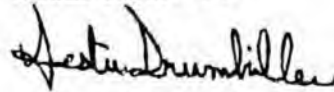
This letter is to let you know that we strongly support Senate Bill 289! As parents of a 16 year old runaway, we can tell you that there is a feeling of total hopelessness. Lynette is currently using us as a pit stop. She has expressed a strong desire to get her own apartment, yet has taken no action toward this goal. She is not in school. She comes and goes at all hours of the day or night. And very rarely will she take part in any family activity. There is no regard on Lynette's part for any house rules. In fact if we even question her, she becomes outraged. We are just thankful she is not violent. The really sad part of this is that Lynette is suffering from severe depression. She smokes cigarettes, has tried Marijuana, and is sexually active. During one of her runaway bouts Lynette was brutally raped by two GIs. WICCA, the local police, and we her parents tried in vain to get her to tell who it was. And still the law says that we her parents cannot force her to get the help she so desperately needs.

Senate Bill 289 is a strong bill. It needs to be. We are not the only parents who suffer from weak laws. To long have our hands been tied. Please help us. We also support AS 47.10.141(g) dealing with support security. Fairbanks runaways have a very strong underground network built up. They know that now they are immune from the law. So they keep running. One of these days the big city gangs will come up here to recruit, and then watch out. Right now there are gang wannabees, but soon we fear much worse will happen.

Senate Bill 289 is our last best hope! Please vote for it, for the children.

Sincerely yours,

David Drumhiller



David Drumhiller
Leslie Drumhiller
Parents

1906 Southern
Fairbanks, AK.
99709
456-9198

Print # brand fax transmittal memo 767: # of pages > 1	
To: Senator Frank	From: Char Bailey
To: Alli Gordon	Co.
Dpt.	Phone # 479-0134
Fax # 465-4714	Fax # 479-4025

4/5/96

Dear Senator Frank:

I would like to encourage you and other Senate members to vote for the passage of SB 289, regarding runaways. I have a fifteen year old daughter who has run away from our home three times. One of those times she was picked up by a Trooper and taken to Family Focus. Fortunately, on that particular day, the Family Focus counselor with whom we spoke did not recommend that Cara remain there. Due to some violence among clients, she suggested that if Cara had a safe home, that she return home with me. I say that this was fortunate, because had Cara remained at Family Focus that day, she would have left the facility and returned to the same place where she had been picked up by the Trooper, which would have negated all his efforts. The Trooper, my husband and myself were quite concerned for her safety. The male with whom my daughter was staying was described by the police officer as a "pimp". The ideal situation in our case would have been for Cara to be taken to a secure facility from which she could not leave easily as this was her third attempt at running away from our home. I believe this would have given her and me a time-out period, kept her safe from harm, and possibly deterred her from choosing to run away in the future.

I realize there will be concerns expressed about the costs involved with this bill. I can address this from a parent's view. The goal is to reduce the number of kids who are running away as a "frivolous" option. It seems that many teenagers in Fairbanks are using running away simply as a means of rebelling against normal parental disciplinary measures. My daughter has a safe home. There are many kids like my daughter who are "milking" the current system and currently costing the system a lot of money. If kids like my daughter can be deterred from running away, in the end, fewer kids will run away and in the end, this will reduce the number of beds needed in the proposed secured facilities.

Please call me should you wish further information. I can be reached at home at 479-0134 or at work at 479-4234. My address is 1726 Chena Pump Rd., Fairbanks, Ak 99709.

Thank you for your time and attention to this matter.

Sincerely,

Char Bailey

Char Bailey

992 Willow Grouse Rd
Fairbanks, AK 99712
April 8, 1996 -

To: Senator Steve Frank
From: Eric C. Halton
Re: SB 289

This letter is to offer strong support of SB 289.

While it is true that some runaways are not safe in their own homes, the vast majority of runaway youths are better off in the custody of their parents. Parents rights must be clearly established. Facilities for runaways must be more secure so that these youths can be detained long enough in a safe environment to adequately evaluate each case.

The problem of runaways continues to grow. Some adults who harbor these young people are adding to the problem by involving them in drug use and prostitution. These adults need to be penalized; they do not have the best interests of the young people at heart.

No measure comes without a price tag but in my opinion that money spent for secure facilities would be money well spent. Every child we loose to the streets will cost society far more in the future. Parents' anguish can't be given a price tag and that is a major consideration as well.

Thank you for the time and energy you have put into this bill.

Eric C. Halton

ATTENTION: All Gordon Fax: 9074654714
TO: Senator Steve Frank
FROM: Dale and Janie Feist *Dale D. Feist*
1551 Larue Ln. *Janie P. Feist*
Fairbanks, AK 99709
SUBJECT: Senate Bill No. 289
"An Act relating to runaways, other minors etc.

We have read the above Senate Bill No. 289 and would like to express our strong support for this Bill. We have observed closely several current cases of runaways from families of friends who are very responsible and loving parents. We believe that the following features of this bill are essential for the satisfactory recovery and reconciliation of runaways and their parents or legal guardians:

- 1) Penalties for adults who inappropriately harbor runaways
- 2) Timely informing of the parent(s) or legal guardian as to the whereabouts of the runaway minor
- 3) Providing a semi-secure shelter for runaways to enable contact of the minor with parent(s) or legal guardian, to facilitate evaluation, and initiate recovery and reconciliation

Thank you for sponsoring this bill and we encourage you and your colleagues to get this bill passed for the good of our children, their families or guardians, and society in general.

1743 Willow Street
Fairbanks, AK 99709
April 08, 1996

Dear Senator Frank:

I am writing in regards to SB 289. Although I don't have a runaway teenager; I am the parent of two teenagers and have first-hand knowledge of runaway situations in our community. I believe some of these stressful and heartbreaking situations could be easily remedied with some minor changes in state law; such as those proposed by SB 289. The current laws are too lax with consequences, (are there any?) and may actually encourage runaways.

The following parts of the bill I personally find encouraging: Officers will be directed to take the minor home unless it's an "unsafe situation." If it's deemed not to be safe, then the child is taken to a "secure place" for up to 48 hours, and then everyone involved with the child, including the parents, are notified.

I like the clause "without just cause" in reference to adults harboring runaways. It is imperative that the authorities be notified, harborers are accountable to the courts, and parents are informed of where their child is staying.

This law would do much to DECREASE the number of runaways and save the State money. It is my understanding that only a portion of a \$600,000 federal grant, (\$150,000) would be affected.

Again, I strongly recommend the passage of this legislation, as it is written. These necessary changes in state law would do much to lessen the temptation to run away and would give the parents some degree of control over the children that they are responsible for. It would also ensure that vulnerable teens are protected from unsafe situations.

Sincerely,

Robin Randall

April 8, 1996

To: The 19th Alaska Legislature

From: Mary L. Luebke

Re: Senate Bill 289

I have been an educator, coach and counselor in the public schools for sixteen years. Presently I am a guidance counselor at Lathrop High School in Fairbanks. My observation is that contrary to appearances teens need and want guidance and boundaries from adult role models.

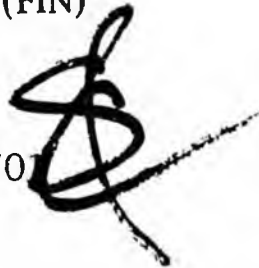
Teen runaways need a secure facility where they are required to stay. They do not need to be on the streets learning about crime and the drug culture. I am convinced that unless a parent is abusing a child, the teen runaway should be secure in the parents home or a group home. Otherwise they will surely have the odds in favor of them being physically, sexually and emotionally abused on the street.

Thank-you for your SUPPORT of this bill.

Date: April 5, 1996
To: Senator Steve Frank
RE: Senate Bill No. 289(FIN)
FROM: Michael Ream
520 11th Ave
Fairbanks, AK 99701

Senate Bill No. 289(FIN) will enable parents to regain control of their runaway children. It will ensure that runaways are kept in an environment that is safe for them. Senate Bill No. 289(FIN) will allow agencies the opportunity to accurately evaluate the needs of the children and families which will increase the chances for families to be reunited. It is important that adults who harbor runaways receive a strong message that there may be legal consequences for this behavior. This is an important bill and I encourage you to support it.

Date: April 5, 1996
To: Senator Steve Frank
RE: Senate Bill No. 289(FIN)
FROM: Shelly Carlson
520 11th Ave
Fairbanks, AK 99701



Senate Bill No. 289(FIN) will enable parents to regain control of their runaway children. It will ensure that runaways are kept in an environment that is safe for them. Senate Bill No. 289(FIN) will allow agencies the opportunity to accurately evaluate the needs of the children and families which will increase the chances for families to be reunited. It is important that adults who harbor runaways receive a strong message that there may be legal consequences for this behavior. **This is an important bill and I encourage you to support it.**

1-24-96

1990 Weston Drive
Fairbanks, AK 99709
January 22, 1996

Senator Steve Frank
State Capitol
Juneau, AK 99801

Dear Senator ^{Steve} Frank:

The enclosed article from the January 8 issue of the Fairbanks Daily News-Miner presents a first-hand account of the serious problems in the treatment of runaways in our state. I am increasingly dismayed at the number of these stories from "normal," loving families. Please consider support for legislation that will

- 1) require proper evaluation of a child's claim of abuse in a home situation. This should recognize the authority of parents or guardians to properly discipline their child, and require reasonable proof of abuse before the child is removed from the home. This does not preclude an intermediate, brief placement in a facility specifically designed to hold and retain children during an evaluation or cooling-off period.
- 2) limit the definition of abuse to reasonable standards (not, for example, "I wasn't allowed to go to my class party because I was grounded").
- 3) require an abused child to be placed in a facility with the requirement and authority to restrict the activities of the child for his or her safety -- not, as Mrs. Near states, a revolving door back to the streets, drug dealers, and pimps.
- 4) combine responsibility for the child's actions with the authority to direct them. The current system makes the parent responsible while removing all ability to set, much less enforce, the rules.

Thank you for your consideration of this very important issue. I wish success to all of us who are concerned about our children.

Sincerely


Joan Osterkamp

Ed and Marge Waldo
P O Box 58429
Fairbanks AK 99711-0429

Aug 19, 1995

Rep Pete Kelly
119 N Cushman, Suite 203
Fairbanks AK 99701

DIS 32 (R)

RE: Runaway Children

Dear Rep Kelly:

We were greatly heartened to see that someone in our Legislature is at last paying attention to the issue of runaways. We're sorry we didn't attend your session the other evening, but by the time we found out about it, we already had a commitment we couldn't break.

We are interested primarily because we have a son who ran away just before his 16th birthday, and has since been a runaway for 11 of the past 15 months. His time away has introduced him to alcohol and drug use, sexually-transmitted disease, expulsion from school, hospital emergency rooms and criminal behavior (criminal trespass, shoplifting, driving without a license [or any training], breaking and entering, and completely trashing the apartment of a minor with whom he was staying).

He's also started a promising career as a con man; in the past seven months, he has convinced more than twenty families to take him in because "I just want to go to school and find a job." To date, no job and he didn't even pass P.E. last year. In short, due to the complete lack of any authority to control and assist our son in making healthy life choices, the State is setting itself up to support him throughout his adult life, whether it be on welfare or in prison. It would be a lot cheaper, and healthier, to spend a little money in massive intervention at an early stage.

The Daily News-Miner quoted Elizabeth Kraska, an alleged youth counselor, as saying "...nobody knows how they got that way." Any sophomore psychology student can tell you that aside from love, what children need most is firm and consistent limits. What any fourth grader in the FNSB school district can tell you is that the State doesn't allow parents to set limits on their children's behavior. The State has decided that children have the right to live on the streets if they don't like their parents rules. Most parents would bend any rule to prevent their children from living on the streets. Thus, there are no limits.

Potential solution:

1) Make running away illegal!!! Make the consequences real!!! Let's set some firm limits. If a child runs away once and refuses to go home, a mandatory two week stay at a runaway shelter like Family Focus with mandatory daily reconciliation meetings between the family and the child. If the child runs away a second time, a mandatory two week stay in a setting such as a boot camp or the Fairbanks Youth Facility with mandatory daily reconciliation meetings.

The third time and further times, progressively longer stays in boot camp or the Youth Facility with individual counseling for the child and whatever family counseling the family has the time and inclination to attend. There's no point in punishing the whole family because their child is recalcitrant. (Naturally, all bets are off if enough evidence of child abuse is available to convince a grand jury that the child had good reason to run away.) Expensive? Only to the short-sighted.

2) Make harboring a runaway for more than 24 hours a type of kidnapping. Some will want to argue that if the child is in another home voluntarily, that it cannot be kidnapping. We're no lawyers, just parents, and the way we see it, it doesn't matter where the child wants to be. What matters is where the parents have voluntarily allowed the child to be. What parent doesn't have a curfew? But any child who doesn't like the curfew, or any other rule, can simply run away. By allowing other adults to take in runaways with impunity, the State has again removed parents' ability to set any limits at all on their children's behavior.

Our son has stayed in many homes without our permission, or even our knowledge. Most of these people have meant well, intending to give our son some "space" from parents who "don't understand him." In reality, they have the audacity to think that after knowing him a few hours, they know more about what is best for him than we do. The end result is that they have allowed him to avoid facing up to the consequences of his decisions and actions, and are helping to create another citizen who sees nothing wrong with being supported by complete strangers (read: taxpayers). They are also supporting him in the belief that his problems are not of his own making. They're all someone else's fault.

We supported Rep Therriault's bill to make parents more responsible for their children. However, responsibility cannot be divorced from authority. Give us back the authority to raise our children responsibly. And give us the tools to go after those who would prevent us from doing the job which we do out of love and in the best interests of our children.

Sincerely,

Ed + Mary

810 Ballaine Rd.
Fairbanks, AK 99709-6606

22 March 1995

Representative Gail Phillips, Speaker
Alaska State House
State Capitol - Room 208
Juneau, AK 99801-1182

Dear Speaker Phillips,

In recent months we have become acquainted with the inadequacy of AS 47.10.141, The Runaways and Missing Minors Law, through the painful experience of friends whose daughter has run away repeatedly. Despite the continuous efforts of the parents to keep their 14-year old daughter protected, they have found that the existing system allows runaways almost total freedom. Even when the child was picked up by police, she was able to regain freedom almost immediately.

While it is extremely important that children not be returned to abusive homes, it is equally important that a child's claims of abuse be quickly and thoroughly checked, and a substitute home be provided for the child's protection if they are substantiated, and the child be returned home if the claims are found to be false.

In addition we urge you to see that truancy laws are enforced so that children do not skip school without consequence.

Thank you for considering our concerns.

Sincerely,

Sue M. Dean *Frederick C. Dean*

Sue M. Dean and Frederick C. Dean

Fairbanks Daily
News-Miner
11/8/96

Juvenile justice is a disaster

The entire juvenile justice system is terribly broken. At the period of time when youngsters are most vulnerable and need adult support, firmness and guidance, they are given increased autonomy.

Juveniles seldom have consequences for their criminal actions and the word is out. For this reason older criminals use children to courier illegal activities. Yet, parents are responsible for the child's actions until they are 18.

As parents of a runaway child, we were horrified to discover our child had complete freedom of

In December 1994 our child, rather than face the consequences for breaking a rule (truancy), told the teacher she would be beaten if she went home (untrue).

She told the counselor she was running away. The school informed us that the child needed time out in a mutually accepted place and that if we physically forced our child to go home it would be considered assault. This child got the message!

As a result of the state undermining parental authority, our child has repeatedly refused to come home. The child, now a chronic runaway, has lived in many situations: some chosen by us, some by the state and many by people encouraging her delinquency.

Law enforcement people consider runaways a low priority and seldom pursue them. Our beautiful child, now 15, is a street person.

We are a stable family. A parent was always home with the children.

In trying to help this child, we have spent a fortune on lawyers, doctors, hospitals, psychiatrists, psychologists and counselors.

We have petitioned the state for help and had many court hearings. "Our hands are tied" (because of the laws), is the answer we get, over and over. At this point it seems hopeless.

The current runaway statute must be changed. A runaway child must be immediately pursued, picked up and returned home.

If the child claims abuse, take them to a secure place and examine them for bruises.

If there is truly abuse, place them in a foster home where they must remain. Make shelters like Family Focus secure, rather than a revolving door.

Children should not be allowed to run to the streets, for their own safety. It will not take long for word to get out that running away is no longer fun.

Children are our states greatest natural resource and we are losing many.

Please call or write our legislators to get this statute changed.

LaRue Naar, a life-long Fairbanksian and retired primary schoolteacher, is a member of a group of Fairbanks parents concerned about runaways.

LaRue Naar
Guest Opinion



The current runaway statute must be changed. A runaway child must be immediately pursued, picked up and returned home.

movement and we had no rights at all.

Why did our 14-year-old child, an athlete, honor student and talented musician, choose to reject friends, family, and the values we tried to instill?

We are not sure, but our child began to associate with children that had problems such as truancy, running away, drugs and criminal activities. These students made it perfectly clear to our child, "If you don't like the rules at home you can leave. The system is easy to manipulate: shout abuse and you can go to a foster home. Too many rules there? Ask to move, or run, and you will be placed in another. Commit a misdemeanor crime, nothing happens to you."

11-15-10
Dermot
Cole



Dad's view of runaway problems

I COULD HEAR the heart-break in his voice and see it in his eyes.

When he was growing up, the term "runaway" meant a speeding train running out of control. He never knew anyone who had run away from home.

But that was then.

He has lived here a long time and he wants nothing more for his child than a secure future.

The child, mired in the confusion of the most rebellious years, but not yet old enough for a driver's license, has run away several times from home and from a series of foster homes to stay in crashpad apartments.

The father stopped by to talk with me the other day, frustrated with the pain of watching his loved one slip away and the fear of what the future holds. His story was similar to that of another parent who wrote a letter to the editor last week.

He seems to be a sensible person who has the welfare of his child uppermost in mind. I think he must worry about the child during every waking moment.

He said he knew nothing about runaways and the law before his child got into trouble a year ago. He had always assumed that these nightmares happened only to parents who neglected and abused their children.

Now he thinks differently. He dropped off a letter saying that parents who strive to instill traditional values in their children encounter roadblocks in the "permissive laws designed to guarantee children's personal freedoms without the responsibilities that should come with them."

"Parental authority has been effectively eliminated," he said.

Federal legislation in the 1970s was designed to keep juveniles out of contact with adult offenders, he said.

The father said he can't argue with a goal like that. Kids who run away are not hardened criminals and should not be lumped together with adults who are.

But, he added, the laws also require the "least restrictive alternatives" for juveniles in custody and he believes that is part of the problem.

"The thinking behind these laws seems to be that kids who run away are fleeing abusive homes and must not be further injured by a justice system that treats them like criminals. This completely overlooks the merely rebellious kids who, on the advice of their trusted peers, can and do abuse these laws and manipulate the system."

IT DOESN'T TAKE LONG for rebellious teen-agers to learn how the system works, he said.

"They know that enforcement agencies do not aggressively pursue runaways or the people giving them 'safe' haven. What's more, the authorities, on the rare occasion when they actually pick up a runaway, just drop them off at a shelter such as Family Focus. Of course the child is free to leave the shelter at any time."

The father thinks the Legislature needs to strengthen the legal authority of parents.

"It should be clearly stipulated that a runaway who is unwilling to go home must be placed in a secure facility. Yes, secure, but separate from adult facilities and staffed with personnel trained to evaluate each individual case and determine a course of action."

On top of that, the state needs to go after those who contribute to the delinquency of minors, he said. His child has been sheltered by people who are no strangers to the police blotter.

"Kids must understand that the act of running away will result in tangible consequences. The deterrent effect of a secure setting will greatly influence potential runaways. No longer will their wayward peers be telling our children how cool it is to run away."

The words in his letter were drained of emotion and pain, but it was all there in the sound of his voice and the look in his eyes.

Dermot Cole is a News-Winter columnist.

(over)

Powerless parents look for help

By LIN GALE
Staff Writer

The phone rang at Rosemary Donnelly's house at 2 a.m.

It was city police, calling to say they had her 14-year-old son at the station.

"What do you want us to do with him?" the officer asked.

Donnelly asked if they would bring him home but the boy refused to return.

"He says he doesn't want to come home, and he doesn't have to come," Donnelly said Tuesday night while relaying the story to a dozen people gathered at the Noel Wien Library.

Donnelly, a clerk at the state courthouse, has spent a lot of sleepless nights since her son began running away in September. Tired of feeling powerless, she is trying to organize people concerned about runaways to lobby for legislation that would give parents more control over rebellious teens.

The law says parents and police have no authority to force runaways to return home. Instead, police can bring the youths to the runaway shelter Family Focus, where they can leave whenever they choose.

The current law was passed in the late 1970s to protect runaways

who were sexually and physically abused at home.

Unfortunately, Donnelly said, it has left parents powerless over their runaway children.

Among changes parents in the group want is a law that would require runaways either to be returned home or be put into supervised shelters they would not be allowed to leave; disclosure to parents of their children's drug and alcohol treatment records; more aggressive reporting of truancy by school authorities; and increased prosecution of adults who harbor runaways and supply them with drugs and alcohol.

F D N M , Wed. Jan 18, 1995.

stopping runaways

Without such help, parents have had to take drastic steps to try and control their teens.

April Rodgers' son's problems began with chronic truancy from school.

Desperate, Rodgers accompanied him to school for a week and a half. She sat by him through every class during that time.

"He would try and ditch me in the hallway," Rodgers said.

Another mother of a runaway teen supplied information to police that led to her daughter's arrest on a drug offense.

The girl was placed on probation, which finally gave her mother

some control. Anytime she ran away after that she was thrown into Fairbanks Youth Facility, at her mother's request, for violating probation.

Scared at seeing her son acting and looking like "a bum off the Chicago streets," Donnelly said she had him committed into Alaska Psychiatric Institute, in Anchorage, for an evaluation.

The 10 days he was there were the easiest on her since he first ran away, she said, because she knew he was off the streets.

"Basically, there is nothing we can do with these kids," Donnelly said.

■ Police report

B-2

■ Events

B-3

■ People

B-4

Rod Boyce, City Editor; 456-6661 (Ext. 275)

Dermot
Cole



Section B

Monday, January 15, 1996

■ ■ ■
THERE HAVE BEEN several ads and letters to the editor recently about the problem of runaway children in the Fairbanks area.

There definitely is a problem, a complicated one that defies easy answers.

In Fairbanks, there are 30 to 50 runaways on the street at any given time, according to a recent report in the Fairbanks Native Association newsletter.

FNA operates Family Focus, which is a state sanctioned temporary shelter for runaway children ages 10 to 18. It was founded in 1979.

When police pick up a runaway, in most cases, they either take the child to Family Focus or contact the parents. Some of the children are leaving abusive homes. Others are rebelling against their parents.

The law gives the runaway child the power to decide where to go.

"The kids at Family Focus are free to leave whenever they choose, but can remain at the shelter for up to 14 days," the FNA newsletter said. "Parents are notified that their teen is at the shelter but it is up to the teen when he or she will return

On the streets the children can be exposed to all sorts of dangers. And those who are abused should not be forced to go to homes where they will be hurt.

What about the rebellious ones? If the law was changed to give parents the authority to require that the child come home with them or to require that the child stay at a place like Family Focus, the matter of enforcement would come up. If the child refused to cooperate, would there be any alternatives other than jail?

A meeting of citizens who are concerned about runaways will be Tuesday Feb. 6 at 6:30 p.m. at the Noel Wien Public Library auditorium.

Matthew A. Johnson, Psy.D., LCSW, NCAC II
Anchor Counseling and Testing Services (ACTS)
1011 Kodiak St.
Fairbanks, Alaska 99709
(907) 455-4114 Fax (907) 455-4224

April 29, 1996

Dear Representative Hanley,

I have been asked by some parents in support of Senate Bill No. 289(FIN) to write you a letter as a witness and to express my professional and personal support of the bill.

I am a licensed psychologist, a licensed clinical social worker, a state and nationally certified addictions counselor, and I operate a private practice in Fairbanks, Alaska. I have worked with adolescents in the mental health field for the past 15-years. I have never seen a worse problem with runaway teens and how they are handled by the "the system" than I have observed in the communities of Fairbanks and North Pole, Alaska! Senate Bill No. 289(FIN) appears to be a major step in the right direction. For years, parents in the Fairbanks/ North Pole area have felt helpless while their teens have been running away and living on the streets and/or in the homes of individuals with "questionable character."

It is a terrible mistake to automatically assume that all teens runaway from home because they are all being physically and/or sexually abused by their parents/guardians. I have encountered numerous children in therapy who have run away from home (and keep running away from home) because their parents wanted them at home and in bed by 10:00 p.m. on a school night. I can cite numerous examples of teens simply defying their parents over rules which are reasonable and nonabusive (e.g., don't drink alcohol, don't use drugs, do your homework, do your weekly chores, don't swear, treat your parents and siblings with respect, follow the rules at school, don't shop lift, etc.).

The problem with "the system" (e.g., some DFYS employees, some counselors in the community, some agencies in the community, and some judges in the state court system) is multifaceted:

1. There is an automatic assumption made by some professionals in "the system" that the teens are running away because they are being abused. I have seen many parents treated as guilty until proven innocent. Sometimes they have been intimidated by "the system" to go along with "the system's" agenda rather than attempt in vain to prove their innocence (i.e., "We have not abused our child!"). If

they continue to try and prove their innocence to "the system", they are sometimes threatened with lengthy involvement with "the system", and/or expensive court cost, and/or labeled by "the system" as bad parents or "right-wingers" (the label was stated to me by a DFYS employee here in Fairbanks). As a result, the child is left to run on the streets or is placed in a foster care system which they also run away from and are left to run away on the streets.

2. Last Fall, I witnessed a court proceeding in which the state attorney and DFYS employee told the judge that they didn't know what to do with an adolescent who continued to runaway from their foster care placement. They recommended that the adolescent be turned over to the custody of the parents; however, the adolescent's psychologist testified via the phone that the parents were rigid and unwilling to work with their adolescent in therapy because they refused to allow the adolescent to invite their friends over for dinner and to "hang out" in their home (the adolescent's friends were known criminals and/or engaged in selling drugs!!! What parent in their right mind would even consider to compromise with their adolescent and allow them to invite these individuals with questionable character into the home!!!! Yet these parents were labeled by the adolescent's psychologist as being rigid for the above reason. I worked with these parents and their expectations were reasonable and did not extend beyond the norm for other parents). The judge ordered that the adolescent remain in the custody of DFYS and remain in the foster home. Then the judge threatened the adolescent with going to the Fairbanks Youth Facility if the adolescent ever chose to runaway again. The adolescent ran away again and the judge did not follow through with the threat (i.e., the judge's bark was worse than their bite and most adolescents and their parents know this to be true of the judge.). The end result was that the adolescent's rights were elevated above the parents' rights to exercise authority and control over their child. As a consequence, "the system" enabled the child to remain on the streets.

3. Most adolescents that I have encountered in therapy don't runaway because of abuse, instead, they runaway because they are defiant, rebellious, oppositional, manipulative, and just want to do what they want to do without an adult in a position of authority telling them what to do (e.g., parents, teachers, counselors, etc.). As a result, the only clinical diagnosis the adolescent can receive in outpatient treatment is one of Oppositional Defiant Disorder or Conduct Disorder. Therefore, they cannot be admitted into inpatient treatment centers such as Charter North Hospital, North Star Hospital, and/or Providence Hospital because insurance companies will not reimburse for these diagnoses.

Although I can cite more examples than listed above, the above shall suffice for now.

At present, when an adolescent runs away from their parents' home and/or a state appointed foster home and/or the Family Focus Shelter (by the way I 100% enthusiastically support the Family Focus Shelter!) in Fairbanks because of being rebellious and oppositional to authority and rules, there is nothing that can be done for the child...even the above judge kept the adolescent going through the same revolving door in "the system" without a solution by not following through on the threat to lock up the child. If we don't lock up repeat runaway offenders, then we are leaving them to the mercy of the streets...and I have a problem with that!!! The state laws need teeth and the ability to protect Alaska's children even if it means locking them up to provide them with the help that they don't want to receive.

The Solution(s):

1. As previously mentioned, Senate Bill No. 289(FIN) is a step in the right direction. We need locked facilities around the state of Alaska to keep repeat runaway offenders off the streets; however, this is not enough.
2. The state of Alaska needs to finance locked treatment facilities that utilize a strict behavioral modification program to confront the inappropriate attitudes and behaviors of the runaway adolescents. Group therapies need to be provided as well to address therapeutic issues (e.g., abuse, chemical dependency, etc.). Insurance companies are no longer allowing adolescents with Oppositional Defiant Disorders and Conduct Disorders to receive treatment in the inpatient treatment settings. The cost for parents to send their children to private locked long-term residential treatment facilities in the Lower 48 states is astronomical. Parents should be able to place their children in local long-term facilities (6-12 months of treatment) without having to place their children in the custody of the State of Alaska and DPYS. Contracts could be made between the State of Alaska and Charter North, Providence, and/or North Star to provide such services, thus, eliminating the expense of building and maintaining such facilities.
3. The Alaska legislature should not only pass Senate Bill No. 289(FIN), but it should make sure that it allocates enough funds to make the law enforceable. The law without the financial support to make it a reality and enforce it would be an act of legislative irresponsibility and another example of "the system" enabling runaway adolescents.
4. The Alaska legislature should strongly consider passing more legislation that protects the rights of parents and their ability to discipline their children without the fear of "the system" intervening when it is not needed. Also, there should be more burden of proof placed on the state of Alaska and DPYS to prove that the alleged abuse occurred rather than the parents being placed in a position where they are assumed guilty until proven innocent...and then being intimidated out of trying to prove

themselves innocent. In many cases, the parents are abused by "the system" by being inappropriately labeled (e.g., "abuser," "bad parents," and "right-wingers.") while their children are enabled to remain on the streets as runaways simply because they are tired of adults telling them what to do.

Thank you for your time and effort in resolving the problems that many loving and caring parents are facing when they interact with "the system" while trying to help their runaway children.

If you have any questions about the content of this letter, please feel free to call me at home (455-4884) or at my private practice (455-4114) or fax a message to me at (455-4224).

Sincerely,

Matthew A. Johnson, Psy.D., LCSW, NCAC II

Matthew A. Johnson, Psy.D., LCSW, NCAC II
Licensed Psychologist, Licensed Clinical Social Worker,
National Certified Addictions Counselor.

*Discussed 4/29/96
NOT adopted*

9-LS1635D
Lauterbach
4/27/96

HOUSE CS FOR CS FOR SENATE BILL NO. 289()
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - SECOND SESSION

BY

Offered:

Referred:

Sponsor(s): SENATORS FRANK, Miller, Phillips, Halford, Green, Taylor, Leman, Kelly, Torgerson,
Hoffman, Pearce, Rieger

REPRESENTATIVES Kelly, Therriault

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to runaways, other minors, and their families or legal
2 custodians."

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

4 * Section 1. FINDINGS; PURPOSE. (a) The legislature finds that

5 (1) the number of runaway minors in this state is a significant problem that
6 is a threat to the public health and safety as well as to the individual health and safety of the
7 minors who, because of their runaway status, are without the care and protection of their
8 families;

9 (2) some adults who harbor runaway minors do not serve the best interests of
10 the minors, particularly when they encourage them to be absent from school and to remain
11 away from the custody of their parents, and current laws have been largely unenforceable
12 against these adults because of the broadly worded exceptions they contain;

13 (3) even many licensed facilities for runaway minors have been unable to serve
14 their intended purpose of protecting the minors and facilitating family reunification because

1 they lack the security measures that would keep the minors in the facilities long enough to
2 assess their needs and the needs of their families;

3 (4) emergency state custody of a runaway minor who has previously fled from
4 a licensed runaway program would enable the Department of Health and Social Services to
5 better protect and assist the minor; and

6 (5) in most circumstances, runaway minors would be best cared for by their
7 parents and other family members.

8 (b) The purpose of this Act is to address the problem of runaway minors by tightening
9 up the laws designed to penalize the adults who inappropriately harbor runaways so that those
10 laws are more enforceable, to require facilities for runaway minors to be more secure, and to
11 require facilities for runaway minors to more promptly assess the minors' needs and notify
12 the minors' parents of their presence in the facility. ~~It is also the purpose of this Act to~~
13 ~~require the Department of Health and Social Services to take emergency custody of a minor~~
14 ~~who has previously left a semi-secure program without permission.~~ The legislature intends,
15 through this Act, to better fulfill its responsibility to protect runaway minors and to meet its
16 goal of returning them as quickly as possible to the custody and control of their parents in all
17 appropriate circumstances.

18 * Sec. 2. AS 11.51.130(a) is amended to read:

19 (a) A person commits the crime of contributing to the delinquency of a minor
20 if, being 19 years of age or older or being under 19 years of age and having the
21 disabilities of minority removed for general purposes under AS 09.55.590, the person
22 aids, induces, causes, or encourages a child

23 (1) under 18 years of age to do any act prohibited by state law unless
24 the child's disabilities of minority have been removed for general purposes under
25 AS 09.55.590;

26 (2) under 18 years of age to enter or remain in the same room in a
27 building where the unlawful sale of a drug occurs unless the child's disabilities of
28 minority have been removed for general purposes under AS 09.55.590;

29 (3) under 16 years of age to be repeatedly absent from school, without
30 just cause; or

31 (4) under 18 years of age to be absent from the custody of a parent,

proposed
for
deletion

1 guardian, or custodian without the permission of the parent, guardian, or custodian
2 [JUST CAUSE], unless the child's disabilities of minority have been removed for
3 general purposes under AS 09.55.590 or the person has immunity under AS 47.10.350
4 or 47.10.398(a); it is an affirmative defense to a prosecution under this paragraph
5 that, at the time of the alleged offense, the defendant

6 (A) reasonably believed that the child was in danger of
7 physical injury or in need of temporary shelter; and

8 (B) within 12 hours after taking the actions comprising the
9 alleged offense, notified a peace officer, a law enforcement agency, or the
10 Department of Health and Social Services of the name of the child and the
11 child's location.

12 * Sec. 3. AS 47.10.141(b) is amended to read:

13 (b) A peace officer shall take into protective custody a minor described in (a)
14 of this section if the minor is not otherwise subject to arrest or detention. Unless (c)
15 of this section applies, the peace officer shall [EXERCISE THE OFFICER'S
16 DISCRETION AND] (1) return the minor to the legal custodian at the legal
17 custodian's residence if the legal custodian consents to the return except that the
18 officer may not use this option if the officer has reasonable cause to believe
19 [SUSPECT] that the minor has experienced physical or sexual abuse in the legal
20 custodian's household; (2) take the minor to a nearby location agreed to by [THE
21 MINOR AND] the legal custodian if the legal custodian does not consent to return
22 of the minor under (1) of this subsection or the officer is precluded from using
23 that option because of a reasonable cause to believe that the minor has
24 experienced physical or sexual abuse in the legal custodian's household; or (3) if
25 disposition of the minor is not made under (1) or (2) of this subsection, take the
26 minor to an office specified by the Department of Health and Social Services, a
27 program for runaway minors licensed by the department under AS 47.10.310, a shelter
28 for runaways that has a permit from the department under AS 47.35.085 that agrees
29 to shelter the minor, or a facility or contract agency of the department. If the peace
30 officer plans to take the minor to an office, program, shelter, or facility under (3)
31 of this subsection, the peace officer shall give the highest priority to taking the

1 minor to an office, program, shelter, or facility that is semi-secure. If an office
2 specified by the department, a licensed program for runaway minors, a shelter for
3 runaways that will accept the minor, or a facility or contract agency of the department
4 does not exist in the community, the officer shall take the minor to another suitable
5 location and promptly notify the department. A minor under protective custody may
6 not be housed in a jail or other detention facility but may be housed in a semi-secure
7 portion of an office, program, shelter, or other facility under (3) of this
8 subsection. Immediately upon taking a minor into protective custody, the officer shall
9 advise the minor of available mediation services and [ORALLY AND IN WRITING]
10 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
12 that counseling services for the custodian and the minor's household may be available
13 under AS 47.10.142(b).

14 * Sec. 4. AS 47.10.141(c) is amended to read:

15 (c) A minor may be taken into emergency protective custody by a peace
16 officer and placed into temporary detention in a juvenile detention home in the local
17 community if there has been an order issued by a court under a finding of probable
18 cause that (1) the minor is a runaway in wilful violation of a valid court order issued
19 under AS 47.10.080 or 47.10.142(f), (2) the minor's current situation poses a severe
20 and imminent risk to the minor's life or safety, and (3) no reasonable placement
21 alternative exists within the community. [FOR THE PURPOSES OF THIS
22 SUBSECTION, A RISK MAY NOT BE CONSIDERED SEVERE AND IMMINENT
23 SOLELY BECAUSE OF THE GENERAL CONDITIONS FOR RUNAWAY MINORS
24 IN THE COMMUNITY, BUT SHALL BE ASSESSED IN VIEW OF THE SPECIFIC
25 BEHAVIOR AND SITUATION OF THE MINOR.] A minor detained under this
26 subsection shall be brought before a court on the day the minor is detained, or if that
27 is not possible, within 24 hours after the detention for a hearing to determine the most
28 appropriate placement in the best interests of the minor. A minor taken into
29 emergency protective custody under this subsection may not be detained for more than
30 24 hours, except as provided under AS 47.10.140. Emergency protective custody may
31 not include placement of a minor in a jail or secure facility other than a juvenile

1 detention home, nor may an order for protective custody be enforced against a minor
2 who is residing in a licensed program for runaway minors, as defined in AS 47.10.390.

3 * Sec. 5. AS 47.10.141(e) is amended to read:

4 (e) In this section,

5 (1) "law enforcement agency" has the meaning given in AS 12.36.090;

6 (2) "semi-secure" means operated according to standards that may
7 be established by the department in regulations that are designed to require a
8 level of security that will reasonably ensure that, if a minor leaves without
9 permission, the minor's act of leaving will be immediately noticed.

10 * Sec. 6. AS 47.10.141 is amended by adding new subsections to read:

11 (f) In the absence of gross negligence or intentional misconduct, an office,
12 program, shelter, or facility, or an employee of an office, program, shelter, or facility,
13 to which a minor is taken by a peace officer for semi-secure custody is not subject to
14 civil or criminal liability based on the minor's leaving the office, program, shelter, or
15 facility without permission unless the office, program, shelter, or facility is not in
16 compliance with the department's regulations that set standards for semi-security and
17 the lack of compliance was a material factor in the minor's being able to leave without
18 permission.

19 (g) If a minor, without permission, leaves the semi-secure portion of an office,
20 program, shelter, or facility to which the minor was taken by a peace officer under
21 (b)(3) of this section, the office, program, shelter, or facility shall immediately notify
22 the department and the nearest law enforcement agency of the identity of the minor
23 and the minor's absence. If the same minor is again taken into protective custody
24 under (b) of this section and the peace officer knows that the minor has previously
25 been reported under this subsection as missing from a semi-secure placement, the
26 peace officer, in addition to taking the appropriate action under (b) of this section,
27 shall report the circumstances and the identity of the minor to the department. Within
28 two state working days after receiving this report, the department shall file a petition
29 alleging that the minor is a child in need of aid under AS 47.10.010(a)(2)(A) and the
30 court shall proceed under AS 47.10.142(d).

31 * Sec. 7. AS 47.10.142(f) is amended to read:

1 (f) When a minor is committed to the department for temporary placement
 2 under (e) of this section, the court order shall specify the terms, conditions, and
 3 duration of placement. The court shall [MAY] require the minor to remain in the
 4 placement provided by the department and shall clearly state in the order the
 5 consequences of violating the order, including the possibility of detention under
 6 AS 47.10.141(c). If the court orders the minor returned to the custody of the
 7 minor's parents or guardian under (e) of this section after a hearing that was held
 8 because of a petition filed under AS 47.10.141(g), the court shall specify the terms
 9 and conditions that must be followed by the minor, regardless of whether the
 10 court finds that probable cause exists for finding the minor to be a child in need
 11 of aid; the court shall also require the minor to remain in the custody of the
 12 parents or guardian and shall clearly state in the order the consequences of
 13 violating the order, including the possibility of detention under AS 47.10.141(c).

14 * Sec. 8. AS 47.10.310(c) is amended to read:

15 (c) A program for runaway minors shall

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

19 (2) upon admission of a minor to the program, attempt to determine
 20 why the [A] minor [IN THE PROGRAM] is a runaway and what services may be
 21 necessary or appropriate for reuniting the minor with the minor's family;

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

26 (4) within one state working day after admission of a minor to the
 27 program [PROMPTLY] inform the department of a minor in the program

28 (A) who claims to be the victim of child abuse or neglect, as
 29 defined in AS 47.17.290;

30 (B) whom an employee of the program has cause to believe has
 31 been a victim of child abuse or neglect; or

1 (C) whom an employee of the program has reason to believe is
2 evading the supervision of the department, the person to whom the department
3 has entrusted supervision, or the minor's legal guardian;

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

7 (6) maintain adequate staffing and accommodations to ensure physical
8 security and to provide crisis services to minors residing in a facility operated by the
9 program; a program that, as determined by the department, regularly receives
10 state money in an amount that exceeds one-fourth of the program's costs shall
11 maintain semi-secure portions of its facilities in a proportion that meets
12 regulations established by the department; residents under 18 years of age shall be
13 segregated from residents who are 18 years of age or older.

14 * Sec. 9. AS 47.10.390 is amended by adding a new paragraph to read:

15 (3) "semi-secure" has the meaning given in AS 47.10.141(e).

16 * Sec. 10. AS 47.10.394(b) is amended to read:

17 (b) The provider of a shelter for runaways shall promptly, but within one state
18 working day [48 HOURS], inform the department of a runaway minor in the shelter

19 (1) who claims to be the victim of child abuse or neglect, as defined
20 in AS 47.17.290;

21 (2) whom the provider has reasonable cause to suspect has been a
22 victim of child abuse or neglect; or

23 (3) whom the provider has reason to believe is evading the supervision
24 of the department, the person to whom the department has entrusted supervision, or the
25 minor's legal guardian.

9-LS1635J
Lauterbach
5/2/96

pg 5 line 31
amended -

HOUSE CS FOR CS FOR SENATE BILL NO. 289()
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATORS FRANK, Miller, Phillips, Halford, Green, Taylor, Leman, Kelly, Torgerson, Hoffman, Pearce, Rieger

REPRESENTATIVES Kelly, Therriault

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to runaways, other minors, and their families or legal**
2 **custodians."**

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

4 *** Section 1. FINDINGS; PURPOSE. (a) The legislature finds that**

5 (1) the number of runaway minors in this state is a significant problem that
6 is a threat to the public health and safety as well as to the individual health and safety of the
7 minors who, because of their runaway status, are without the care and protection of their
8 families;

9 (2) some adults who harbor runaway minors do not serve the best interests of
10 the minors, particularly when they encourage them to remain away from the custody of their
11 parents, and the current law that prohibits adults from encouraging minors to remain away
12 from their parents has been largely unenforceable against these adults because of the broadly
13 worded exception it contains;

14 (3) even many licensed facilities for runaway minors have been unable to serve

1 their intended purpose of protecting the minors and facilitating family reunification because
2 they lack the security measures that would keep the minors in the facilities long enough to
3 assess their needs and the needs of their families;

4 (4) in most circumstances, runaway minors would be best cared for by their
5 parents and other family members.

6 (b) The purpose of this Act is to address the problem of runaway minors by tightening
7 up the law designed to penalize the adults who inappropriately harbor runaways so that the
8 law is more enforceable, to require facilities for runaway minors to be more secure, and to
9 require facilities for runaway minors to more promptly assess the minors' needs and notify the
10 minors' parents of their presence in the facility. The legislature intends, through this Act, to
11 better fulfill its responsibility to protect runaway minors and to meet its goal of returning them
12 as quickly as possible to the custody and control of their parents in all appropriate
13 circumstances.

14 * Sec. 2. AS 11.51.130(a) is amended to read:

15 (a) A person commits the crime of contributing to the delinquency of a minor
16 if, being 19 years of age or older or being under 19 years of age and having the
17 disabilities of minority removed for general purposes under AS 09.55.590, the person
18 aids, induces, causes, or encourages a child

19 (1) under 18 years of age to do any act prohibited by state law unless
20 the child's disabilities of minority have been removed for general purposes under
21 AS 09.55.590;

22 (2) under 18 years of age to enter or remain in the same room in a
23 building where the unlawful sale of a drug occurs unless the child's disabilities of
24 minority have been removed for general purposes under AS 09.55.590;

25 (3) under 16 years of age to be repeatedly absent from school, without
26 just cause; or

27 (4) under 18 years of age to be absent from the custody of a parent,
28 guardian, or custodian without the permission of the parent, guardian, or custodian
29 or without the knowledge of the parent, guardian, or custodian [JUST CAUSE],
30 unless the child's disabilities of minority have been removed for general purposes
31 under AS 09.55.590 or the person has immunity under AS 47.10.350 or 47.10.398(a);

1 it is an affirmative defense to a prosecution under this paragraph that, at the time
2 of the alleged offense, the defendant

3 (A) reasonably believed that the child was in danger of
4 physical injury or in need of temporary shelter; and

5 (B) within 12 hours after taking the actions comprising the
6 alleged offense, notified a peace officer, a law enforcement agency, or the
7 Department of Health and Social Services of the name of the child and the
8 child's location.

9 * Sec. 3. AS 47.10.141(b) is amended to read:

10 (b) A peace officer shall take into protective custody a minor described in (a)
11 of this section if the minor is not otherwise subject to arrest or detention. Unless (c)
12 of this section applies, the peace officer shall [EXERCISE THE OFFICER'S
13 DISCRETION AND] (1) return the minor to the legal custodian at the legal
14 custodian's residence if the residence is in the same community where the minor
15 was found and if the legal custodian consents to the return except that the officer may
16 not use this option if the officer has reasonable cause to believe [SUSPECT] that the
17 minor has experienced physical or sexual abuse in the legal custodian's household; (2)
18 take the minor to a nearby location agreed to by [THE MINOR AND] the legal
19 custodian if the legal custodian does not consent to return of the minor under (1)
20 of this subsection and the officer does not have reasonable cause to believe that
21 the minor has experienced physical or sexual abuse in the legal custodian's
22 household; or (3) if disposition of the minor is not made under (1) or (2) of this
23 subsection, take the minor to an office specified by the Department of Health and
24 Social Services, a program for runaway minors licensed by the department under
25 AS 47.10.310, a shelter for runaways that has a permit from the department under
26 AS 47.35.085 that agrees to shelter the minor, or a facility or contract agency of the
27 department. If the peace officer plans to take the minor to an office, program,
28 shelter, or facility under (3) of this subsection, the peace officer shall give the
29 highest priority to taking the minor to an office, program, shelter, or facility that
30 is semi-secure. If an office specified by the department, a licensed program for
31 runaway minors, a shelter for runaways that will accept the minor, or a facility or

1 contract agency of the department does not exist in the community, the officer shall
2 take the minor to another suitable location and promptly notify the department. A
3 minor under protective custody may not be housed in a jail or other detention facility
4 but may be housed in a semi-secure portion of an office, program, shelter, or
5 other facility under (3) of this subsection. Immediately upon taking a minor into
6 protective custody, the officer shall advise the minor of available mediation services
7 and [ORALLY AND IN WRITING] of the right to social services under
8 AS 47.10.142(b), and, if known, the officer shall advise the legal custodian that the
9 minor has been taken into protective custody and that counseling services for the
10 custodian and the minor's household may be available under AS 47.10.142(b).

11 * Sec. 4. AS 47.10.141(c) is amended to read:

12 (c) A minor may be taken into emergency protective custody by a peace
13 officer and placed into temporary detention in a juvenile detention home in the local
14 community if there has been an order issued by a court under a finding of probable
15 cause that (1) the minor is a runaway in wilful violation of a valid court order issued
16 under AS 47.10.080 or 47.10.142(f), (2) the minor's current situation poses a severe
17 and imminent risk to the minor's life or safety, and (3) no reasonable placement
18 alternative exists within the community. [FOR THE PURPOSES OF THIS
19 SUBSECTION, A RISK MAY NOT BE CONSIDERED SEVERE AND IMMINENT
20 SOLELY BECAUSE OF THE GENERAL CONDITIONS FOR RUNAWAY MINORS
21 IN THE COMMUNITY, BUT SHALL BE ASSESSED IN VIEW OF THE SPECIFIC
22 BEHAVIOR AND SITUATION OF THE MINOR.] A minor detained under this
23 subsection shall be brought before a court on the day the minor is detained, or if that
24 is not possible, within 24 hours after the detention for a hearing to determine the most
25 appropriate placement in the best interests of the minor. A minor taken into
26 emergency protective custody under this subsection may not be detained for more than
27 24 hours, except as provided under AS 47.10.140. Emergency protective custody may
28 not include placement of a minor in a jail or secure facility other than a juvenile
29 detention home, nor may an order for protective custody be enforced against a minor
30 who is residing in a licensed program for runaway minors, as defined in AS 47.10.390.

31 * Sec. 5. AS 47.10.141(e) is amended to read:

1 (e) In this section,

2 (1) "law enforcement agency" has the meaning given in AS 12.36.090;

3 (2) "semi-secure" means operated according to standards that may
 4 be established by the department in regulations that are designed to require a
 5 level of security that will reasonably ensure that, if a minor leaves without
 6 permission, the minor's act of leaving will be immediately noticed.

7 * Sec. 6. AS 47.10.141 is amended by adding new subsections to read:

8 (f) In the absence of gross negligence or intentional misconduct, an office,
 9 program, shelter, or facility, or an employee of an office, program, shelter, or facility,
 10 to which a minor is taken by a peace officer for semi-secure custody is not subject to
 11 civil or criminal liability based on the minor's leaving the office, program, shelter, or
 12 facility without permission unless the office, program, shelter, or facility is not in
 13 compliance with the department's regulations that set standards for semi-security and
 14 the lack of compliance was a material factor in the minor's being able to leave without
 15 permission.

16 (g) If a minor, without permission, leaves the semi-secure portion of an office,
 17 program, shelter, or facility to which the minor was taken by a peace officer under
 18 (b)(3) of this section, the office, program, shelter, or facility shall immediately notify
 19 the department and the nearest law enforcement agency of the identity of the minor
 20 and the minor's absence. If the same minor is again taken into protective custody
 21 under (b) of this section and the peace officer knows that the minor has previously
 22 been reported under this subsection as missing from a semi-secure placement, the
 23 peace officer, in addition to taking the appropriate action under (b) of this section,
 24 shall report the circumstances and the identity of the minor to the department. Within
 25 48 hours after receiving this report, the department shall determine whether to file a
 26 petition alleging that the minor is a child in need of aid under AS 47.10.010(a)(2)(A).
 27 If the department decides not to file a petition alleging that the minor is a child in
 28 need of aid, the department shall, within seven state working days after receiving the
 29 report from the peace officer under this subsection, send to the minor's parents or
 30 guardian, as applicable, written notice of its determination not to proceed with the
 31 petition including the [factual findings] on which the determination was based. If the

[reasons]

HCS CSSB 289()

1 department is unable to obtain a reasonably reliable address for a parent or guardian,
2 the department shall keep a copy of the notice on file and, notwithstanding
3 AS 47.10.093, release the notice to the minor's parent or guardian on request of the
4 parent or guardian. If the department files a petition alleging that the minor is a child
5 in need of aid, the court shall proceed under AS 47.10.142(d).

6 (h) If the department files a petition alleging the minor is a child in need of
7 aid under AS 47.10.010(a)(2)(A) because the minor is habitually absent from home or
8 refuses available care, the minor's parent or guardian shall attend each hearing held
9 during the child-in-need-of-aid proceedings unless the court excuses the parent or
10 guardian from attendance for good cause. If the minor is found to be a child in need
11 of aid, the court may order that the minor's parent or guardian

12 (1) personally participate in treatment reasonably available in the parent
13 or guardian's community as specified in a plan set out in the court order; and

14 (2) comply with other conditions set out in the court order.

15 (i) If the court orders a minor's parent or guardian to participate in the
16 treatment under (h) of this section, the court may also order the parent or guardian to
17 use available insurance or another resource to cover the treatment, or to pay for the
18 treatment if other coverage is unavailable.

19 (j) If the parent or guardian fails to attend a hearing as required by the court
20 under (h) of this section, the hearing shall proceed without the presence of the parent.

21 * Sec. 7. AS 47.10.142(f) is amended to read:

22 (f) When a minor is committed to the department for temporary placement
23 under (e) of this section, the court order shall specify the terms, conditions, and
24 duration of placement. If the court orders the minor returned to the custody of the
25 minor's parents or guardian under (e) of this section after a hearing held on a
26 petition filed under AS 47.10.141(g), the court shall specify the terms and
27 conditions that must be followed by the minor and the minor's parents or
28 guardian. The court shall [MAY] require the minor to remain in the placement
29 provided by the department and shall clearly state in the order the consequences of
30 violating the order, including [THE POSSIBILITY OF] detention under
31 AS 47.10.141(c).

1 * Sec. 8. AS 47.10.310(c) is amended to read:

2 (c) A program for runaway minors shall

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

6 (2) upon admission of a minor to the program, attempt to determine
7 why the [A] minor [IN THE PROGRAM] is a runaway and what services may be
8 necessary or appropriate for reuniting the minor with the minor's family;

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

13 (4) within one state working day after admission of a minor to the
14 program [PROMPTLY] inform the department of a minor in the program

15 (A) who claims to be the victim of child abuse or neglect, as
16 defined in AS 47.17.290;

17 (B) whom an employee of the program has cause to believe has
18 been a victim of child abuse or neglect; or

19 (C) whom an employee of the program has reason to believe is
20 evading the supervision of the department, the person to whom the department
21 has entrusted supervision, or the minor's legal guardian;

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

25 (6) maintain adequate staffing and accommodations to ensure physical
26 security and to provide crisis services to minors residing in a facility operated by the
27 program; a program that, as determined by the department, regularly receives
28 state money in an amount that exceeds one-fourth of the program's costs shall
29 maintain semi-secure portions of its facilities in a proportion that meets
30 regulations established by the department; residents under 18 years of age shall be
31 segregated from residents who are 18 years of age or older.

1 * **Sec. 9.** AS 47.10.390 is amended by adding a new paragraph to read:

2 (3) "semi-secure" has the meaning given in AS 47.10.141(e).

3 * **Sec. 10.** AS 47.10.394(b) is amended to read:

4 (b) The provider of a shelter for runaways shall promptly, but within one state
5 working day [48 HOURS], inform the department of a runaway minor in the shelter

6 (1) who claims to be the victim of child abuse or neglect, as defined
7 in AS 47.17.290;

8 (2) whom the provider has reasonable cause to suspect has been a
9 victim of child abuse or neglect; or

10 (3) whom the provider has reason to believe is evading the supervision
11 of the department, the person to whom the department has entrusted supervision, or the
12 minor's legal guardian.

AMENDMENT

OFFERED IN THE HOUSE

TO: HCS CSSB 289() Version D

1 Page 3, line 18, following "cause to":

2 Delete "believe"

3 Insert "suspect"

4 Page 3, line 23, following "cause to":

5 Delete "believe"

6 Insert "suspect"

Brown

AMENDMENT

OFFERED IN THE HOUSE

TO: HCS CSSB 289() Version D

- 1 Page 2, line 13, before "the Department":
- 2 Delete "require"
- 3 Insert "allow"

Brown

AMENDMENT

OFFERED IN THE HOUSE

TO: HCS CSSB 289() Version D

1 Page 4, line 14 through page 5, line 2:

2 Delete all material

Brown

AMENDMENT

OFFERED IN THE HOUSE

TO: HCS CSSB 289() Version D

Brown

1 Page 5, line 28, following "department":

2 Delete "shall"

3 Insert "may"

AMENDMENT

OFFERED IN THE HOUSE

TO: HCS CSSB 289() Version D

Brown

1 Page 7, line 9, following "program;":

2 Delete "a program that, as determined by the department,
3 regularly receives state money in an amount that exceeds one-
4 fourth of the program's costs shall maintain semi-secure
5 portions of its facilities in a proportion that meets regulations
6 established by the department;"

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE KELLY

TO: HCS CSSB 289(), draft version "D" dated 4/27/96

1 Page 2, lines 29 - 30:

2 Delete ", without just cause"

3 Insert "when the child's attendance is compulsory under AS 14.30.010 [,

4 WITHOUT JUST CAUSE]"

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE KELLY

TO: HCS CSSB 289(), draft version "D"
dated 4/27/96

- 1 Page 3, line 1, following "custodian":
- 2 Insert "or without the knowledge of the parent, guardian, or custodian"

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE KELLY

TO: HCS CSSB 289(), draft version "D" dated 4/27/96

1 Page 6, line 3, following "placement.":

2 Insert "If the terms and conditions of the court order specify that the minor must
3 be put in a secure placement, the department may contract for placement of the minor
4 in a community-based residential secure juvenile facility."

AMENDMENT

OFFERED IN THE HOUSE

TO: HCS CSSB 289(), draft version "D" dated 4/27/96

1 Page 1, line 10:

2 Delete "be absent from school and to"

3 Page 1, line 11:

4 Delete "current laws have"

5 Insert "the current law that prohibits adults from encouraging minors to remain away
6 from their parents has"

7 Page 1, line 12:

8 Delete "exceptions they contain"

9 Insert "exception it contains"

10 Page 2, lines 3 - 5:

11 Delete all material.

12 Renumber the following paragraph accordingly.

13 Page 2, line 9:

14 Delete "laws"

15 Insert "law"

16 Page 2, lines 9 - 10:

17 Delete "those laws are"

18 Insert "the law is"

1 Page 2, lines 12 - 14:

2 Delete "It is also the purpose of this Act to require the Department of Health and
3 Social Services to take emergency custody of a minor who has previously left a semi-secure
4 program without permission."

AMENDMENT

OFFERED IN THE HOUSE

TO: HCS CSSB 289(), draft version "D" dated 4/27/96

- 1 Page 6, line 5:
- 2 Delete "the possibility of"
- 3 Insert "[THE POSSIBILITY OF]"

- 4 Page 6, line 13:
- 5 Delete "the possibility of"

A M E N D M E N T

OFFERED IN THE HOUSE

TO: HCS CSSB 289(), draft version "D" dated 4/27/96

- 1 Page 6, line 9, following "minor":
- 2 Insert "and the minor's parents or guardian"

FISCAL NOTE

Work Draft 5/2/96 Version J

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. HCSCSSB 289()

Revision Date: <u>5/2/96</u>	Dept. Affected: <u>Department of Law</u>	
Title: <u>"An Act relating to runaways, other minors, and their families or legal custodians..."</u>	BRU: <u>Criminal Division/Civil Division</u>	
Sponsor: <u>Senator Frank</u>	Component: <u>Criminal Division/General Legal</u>	
Requester: <u>Senator Frank</u>	COMPONENT SERIAL NO. <u>2085.2087</u>	

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	57.6	57.6	57.6	57.6	57.6	57.6
TRAVEL	1.3	1.3	1.3	1.3	1.3	1.3
CONTRACTUAL	9.3	9.3	9.3	9.3	9.3	9.3
SUPPLIES	1.8	1.8	1.8	1.8	1.8	1.8
EQUIPMENT	6.5	0.5	0.5	0.5	0.5	0.5
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	76.5	70.5	70.5	70.5	70.5	70.5

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	76.5	70.5	70.5	70.5	70.5	70.5
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	76.5	70.5	70.5	70.5	70.5	70.5

Estimate of any current year (FY96) cost: \$ 0.0

POSITIONS

FULL-TIME						
PART-TIME	1.0	1.0	1.0	1.0	1.0	1.0
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

The new version of SB 289, making child-in-need-of-aid placement petitions for repeat runaways discretionary on the part of DHSS/DFYS, will reduce the number of petitions (and subsequent hearings) to about 150 per year. Based upon this reduction in the anticipated new workload, the Department of Law's fiscal impact statement should be reduced from one full-time attorney to one part-time attorney in the Civil Division's child protection section in Anchorage.

Richard I. Pegues

Prepared by: Richard I. Pegues, Director
 Division: Administrative Services Division
 Approved by Commissioner: Bruce M. Botelho, Attorney General
 Agency: Department of Law

Phone: 465-3672
 Date: 5/2/96
 Date: 5/2/96

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FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. HCS CSSB 289 (FIN)

Revision Date: 05/02/96

Dept. Affected: Alaska Court System

Title: Runaway Minors

BRU: Trial Courts

Component: _____

Sponsor: Senator Frank

Requestor: Senate Finance Committee

COMPONENT SERIAL NO. 768

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	8.6	8.6	8.6	8.6	8.6	8.6
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	8.6	8.6	8.6	8.6	8.6	8.6

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

Fund Source

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	8.6	8.6	8.6	8.6	8.6	8.6
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	8.6	8.6	8.6	8.6	8.6	8.6

Estimate of any current year (FY 96) cost: None

Positions

Full-Time						
Part-Time	2.0	2.0	2.0	2.0	2.0	2.0
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See attached fiscal analysis.

Prepared by: C. S. Christensen III, Staff Counsel

Agency: Alaska Court System

Phone: 264-8228

Date: 05/02/96

Approved by: Arthur H. Snowden, II, Administrative Director

Agency: Alaska Court System

Date: 05/02/96

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Alaska Court System
Fiscal Analysis
HCS CSSB 289 (FIN)

Analysis

HCS CSSB 289 (FIN) authorizes DFYS to file a CINA petition with the court on a minor who runs away a second time from a semi-secure shelter. Approximately 300 times a year, a minor would be subject to the provisions of this legislation; DYFS estimates that it will file CINA petitions in one-half of those cases. Each case will vary in complexity, and many cases will require multiple hearings. This note assumes that the average case will require one hour of judicial time and in-court time for disposition.

Personal Services

<u>Position</u>	<u>Salary</u>	<u>Benefits</u>	<u>Total</u>
Standing Master, range 24A, PPT, 1 month, Anchorage/statewide	\$4,893	\$1,246	\$5,938
In-Court Clerk, range 12A, PPT, 1 month, Anchorage/statowide	2,085	553	<u>2,639</u>
	Total Estimated Cost		<u>\$8,577</u>

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. HCSCSSB239(FIN)

Revision Date: _____
 Title: An Act Relating to Runaway Minors and
their Families or Legal Custodians
 Sponsor: Senator Frank
 Requestor: House (FIN)

Dept. Affected: Health and Social Services
 BRU: Purchased Services
 Component: Residential Child Care
 COMPONENT SERIAL NO. 253
 See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	170.0					
MISCELLANEOUS						
TOTAL OPERATING	170.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGES IN REVENUES ()						
-------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

FUND SOURCE	FY97	FY98	FY99	FY00	FY01	FY02
1002 Federal Receipts						
1003 GF Match						
1004 GF	170.0					
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other (please specify)						
TOTAL	170.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

POSITIONS	FY97	FY98	FY99	FY00	FY01	FY02
FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY98) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

This bill directs a peace officer to deliver a runaway minor to a semi-secure facility, if possible. It further provides that the Department develop regulations for semi-secure care. It will result in the Division administering grants for one time costs of installing hardware for semi-secure care. The Division has not had time to do an accurate estimate of cost of installation of semi-secure hardware (door and window alarms) of the six shelters that the Division believes would be involved. However, we have a recent shelter of six beds that has recently had a semi-secure alarm installed which cost \$12,000. Therefore, if we project that to the six shelters which have eighty-five beds, the cost would be approximately \$170,000. A few of these six shelters might choose not to purchase the hardware because they feel that they are semi-secure based on their staffing patterns.

5/2/96
 Prepared by: L. Diane Worley, Director Phone: 463-3191
 Division: Family & Youth Services Date: 05/02/96
 Approved by Commissioner: Karen Perdue, Commissioner Date: 5/2/96
 Agency: Department of Health & Social Services

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FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. HCSCSSB289(FIN)

Revision Date: _____
 Title: An Act Relating to Runaway Minors and
their Families or Legal Custodians
 Sponsor: Senator Frank
 Requestor: House (FIN)

Dept. Affected: Health and Social Services
 BRU: Family and Youth Services
 Component: Southcentral Region
 COMPONENT SERIAL NO. 254
 See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES	81.9	81.9	81.9	81.9	81.9	81.9
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	81.9	81.9	81.9	81.9	81.9	81.9

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGES IN REVENUES ()						
-------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	81.9	81.9	81.9	81.9	81.9	81.9
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other (please specify)						
TOTAL	81.9	81.9	81.9	81.9	81.9	81.9

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME						
TEMPORARY						

Estimate of any current year (FY96) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

DFYS acknowledges the need to provide earlier and more intensive intervention with runaway minors and their families, and the division is willing to make every effort to reunite runaways with their families or to petition the court for assistance. However, all available resources are now devoted to victims of abuse and neglect who are not able to extricate themselves from their dangerous situations. If the division is allowed to establish a new social work position in both Fairbanks and Anchorage, DFYS will dedicate those positions to addressing the requirements and the intent of SB 289.

SJT/96

Prepared by: L. Diane Worley, Director
 Division: Family & Youth Services

Phone: 465-3191
 Date: 05/02/96

Approved by Commissioner: Karen Perdue, Commissioner
 Agency: Department of Health & Social Services

Date: 5/2/96

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FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. HCSCSB289(FIN)

Revision Date: _____
 Title: An Act Relating to Runaway Minors and
 their Families or Legal Custodians
 Sponsor: Senator Frank
 Requestor: House (FIN)

Dept. Affected: Health and Social Services
 BRU: Family and Youth Services
 Component: Northern Region
 COMPONENT SERIAL NO. 255
 See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES	81.9	81.9	81.9	81.9	81.9	81.9
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	81.9	81.9	81.9	81.9	81.9	81.9

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGES IN REVENUES ()						
-------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

FUND SOURCE	FY97	FY98	FY99	FY00	FY01	FY02
1002 Federal Receipts						
1003 GF Match						
1004 GF	81.9	81.9	81.9	81.9	81.9	81.9
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other (please specify)						
TOTAL	81.9	81.9	81.9	81.9	81.9	81.9

POSITIONS:

POSITIONS	FY97	FY98	FY99	FY00	FY01	FY02
FULL-TIME	1	1	1	1	1	1
PART-TIME						
TEMPORARY						

Estimate of any current year (FY96) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

DFYS acknowledges the need to provide earlier and more intensive intervention with runaway minors and their families, and the division is willing to make every effort to reunite runaways with their families or to petition the court for assistance. However, all available resources are now devoted to victims of abuse and neglect who are not able to extricate themselves from their dangerous situations. If the division is allowed to establish a new social work position in both Fairbanks and Anchorage, DFYS will dedicate those positions to addressing the requirements and the intent of SB 289.

S 5/2/96

Prepared by: L. Diane Worley, Director
 Division: Family & Youth Services

Phone: 465-3191
 Date: 05/02/96

Approved by Commissioner: Karen Perdue, Commissioner
 Agency: Department of Health & Social Services

Date: 5/2/96

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FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. HCSCSSB 289 (FIN)

Revision Date: _____
 Title: "An Act relating to runaways, other minors, and their families or legal custodians..."
 Sponsor: Senator Frank
 Requestor: (H) FIN

Dept. Affected: Administration
 BRU: Public Defender Agency
 Component: Public Defender Agency
 COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	41.8	41.8	41.8	41.8	41.8	41.8
TRAVEL	1.0	1.0	1.0	1.0	1.0	1.0
CONTRACTUAL	7.5	7.5	7.5	7.5	7.5	7.5
SUPPLIES	1.8	1.8	1.8	1.8	1.8	1.8
EQUIPMENT	3.0	-0-	-0-	1.0	1.0	1.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	55.1	52.1	52.1	53.1	53.1	53.1

CAPITAL EXPENDITURES	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

CHANGE IN REVENUES ()	0	0	0	0	0	0
------------------------	---	---	---	---	---	---

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	55.1	52.1	52.1	53.1	53.1	53.1
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	55.1	52.1	52.1	53.1	53.1	53.1

Estimate of any current year (FY 96) cost: \$ -0-

POSITIONS:

FULL-TIME						
PART-TIME	.5	.5	.5	.5	.5	.5
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

Based on information received from the Alaska Court System, Department of Law, DHSS/DFHY, the Public Defender anticipates having to absorb an additional 150 cases if this bill becomes law. The Public Defender will be appointed by the court to represent the runaway. Most cases will be sited in Anchorage. Therefore, a one-half time lawyer will be added to the Anchorage family law section of the PD. This is consistent with the approach being taken by the Department of Law.

Prepared by: John Salerni, Director
 Division: Public Defender Agency

Phone: 264-4400
 Date: _____

Approved by Commissioner: Mark Boyer *M. Boyer*
 Agency: Department of Administration

Date: 5/2/96

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