

ALASKA LEGISLATURE COMMITTEE FILES 1900-1900 00/2

4131 SJUD HB 19 101

1.	POSITION TITLE Analyst/Programmer				RANGE/STEP 17/A	DARG. UNIT AGU	PAGE/LINE	COY.	APPROV.	DISAPP.
2.	TYPE OF POSITION PPT	STAFF MONTHS 6 PFT/6PPT	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT						
	1		2		3					
	PERSONAL SERVICES									
5.	Salary	\$2895/month	26,055							
6.	Benefits	18.0577%	4,705							
7.	Supplemental Benefits		1,597							
8.	Fixed Benefits		2,049							
9.	TOTAL PERSONAL SERVICES		01		34,406					
10.	Travel		02							
11.	Contractual		03		5,700					
12.	Commodities		04		- 1,000					
13.	Equipment		05		800					
14.	Other									
15.	TOTAL COST				41,906					
16.	RECEIPT CODE	FUNDING SOURCE								
17.		Federal Receipts 1002								
18.		G.F. Match 1003								
19.		General Funds 1004		41.9						
20.		I-A Receipts 1005								
21.		Program Receipts 1028								
		Other								
FOR B/M USE ONLY										
KEY NUMBER _____										

The "INQUIRE" data processing software system was purchased several years ago to assist in two major homicide investigations. To utilize this system for missing persons, an interface to the National Crime Intelligence Center (NCIC) is required. During the initial six months, this position will be utilized full-time to develop the necessary modifications to the existing software and NCIC link. After the first six months, this position will be reduced to half-time in order to operate, maintain and otherwise support the system. Contractual costs of the initial installation (\$1,150) and annual maintenance (\$4,500) are included.

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety

PROGRAM Crime ID & Apprehension

BRU DPS Administration

COMPONENT Data/Word Processing

Page _____ of _____
Revised Date _____

FY 86

DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER - CSHB 19 (HESS)

NEUTRAL

April 10, 1985

CSHB 19 - "An Act relating to runaway and missing minors".

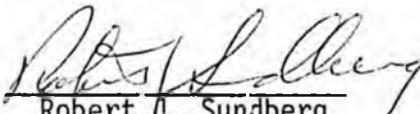
The legislation requires law enforcement agencies to make an effort to locate runaways and missing minors and if located, take them into protective custody.

The Department feels that there is a defined difference between a "runaway" and a "missing" minor.

In the first instance, a "runaway" minor is one who has the intent of purposely evading the legal custodian. In the second instance, a missing minor may be away from a legal custodian because a circumstance beyond his or her control and is a willing subject participant to be returned to such custody or other protective environment.

If it is determined that the minor is a "runaway" and cannot immediately be returned to his or her legal custodian and there is no available facility or contract agency specified by the Department of Health and Social Services nor other suitable place, then the police officer should have the prerogative of placing the "runaway" in an available place of confinement.

It is recommended that the bill be amended to reflect that availability to a police officer for "runaway" minors.


Robert P. Sundberg

Alaska State Legislature



IN SESSION:
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4949

BOX 142
EAGLE RIVER, ALASKA
99577

Representative Randy Phillips

HOUSE DISTRICT 15

MEMORANDUM

TO: Senator Pat Rodey
Chairman, Senate Judiciary Committee

FROM: Representative Randy Phillips *R.E.P.*

DATE: April 2, 1985

RE: CSHB 19 (Judiciary) - runaway minors

Attached are the following:

- a. Sectional analysis of CSHB 19 (Judiciary).
- b. An article entitled "Child Prostitution: How It Can Be Stopped."
- c. An article entitled "Teen-age Runaways."
- d. An article entitled "An Endless Parade of Runaway Kids."
- e. House Research Agency Research Request 83-21.
- f. House Research Agency Request 84-070.

While most of the articles attached do not speak directly to House Bill 19, I thought you and your committee might like some background information regarding the runaway youth problem.

Research Agency Request 84-070 speaks of HB 670 from the 13th Alaska Legislature and HB 19 was identical to SSB 670, which is also discussed in this Agency memorandum.

Senator Pat Rodey
April 2, 1985
Page Two

As written, CSHB 19 (Judiciary) provides:

- a. After receiving a request to locate a minor, law enforcement agencies are to make reasonable efforts to locate the missing minor.
- b. The law enforcement agency must complete a missing person report and, within 24 hours, transmit the report so that it may be entered into the Alaska Public Safety criminal information computer system and the FBI's National Crime Information Center computer system.
- c. Within 48 hours of learning that the minor has been found, the law enforcement agency must request that the information previously supplied regarding the missing minor be removed from the computer systems;
- d. When the missing child is located, a police officer must take the minor into protective custody and, at the discretion of the officer, return the minor to home, to the Department of Health & Social Services or to another suitable community location;
- e. While in protective custody, the minor MAY NOT be placed in a jail or detention facility;
- f. The officer must advise the minor of the right to services from the Department of Health & Social Services; and
- g. The officer must notify the minor's legal custodian that the minor has been taken into protective custody.

My main concerns are to see that efforts to locate runaways begin and that the person having legal custody of the runaway is notified when the minor has been located.

If you have any questions, please do not hesitate to contact me.

RP:jss
Enclosures: As Above

June 1984

Reader's Digest

\$1.50

CHOLESTEROL IS THE CULPRIT

PAGE 179

The Legacy of D-Day	Lawrence Elliott	65
Who's on First?	"Strike Two"	73
The Triumph of Guadalupe Quintanilla	Joseph P. Blank	77
The Secret Sounds of Stradivari	Forbes Magazine	90
America's Dynamic Entrepreneurs	"Business Plan for America"	95
It's What You Do	United Technologies Ad	99
A Window on the Living Brain	Omni	100
Walter Cronkite, My First Date	Senior Perspective	105
Stalin Is Still Smiling	John Barron	111
Hotel Showers Are All Wet!	The Wall Street Journal	116
Election 1984	Theodore H. White	118
Ly Tong's Long Trek to Freedom	Anthony Paul	122
Nicotine Gum	Report to Consumers	131
A Father's Blessing	Jeff Davidson	135

PAGE 65

THE LEGACY OF D-DAY

Walk Your Way to Health and Fitness	"The Complete Book of Exercisewalking"	141
Behind the Budget Deficit	For Congress, Business as Usual	Washingtonian
Six Spenders and a Simple Solution	Randy Fitzgerald & Jerry Lipson	153
New Frontiers for Outward Bound	Andrew Jones	168
How Well Do You Know the Big Top?	Quiz Feature	176
Wanderers of the Night	Audubon	191
Child Prostitution Can Be Stopped	John G. Hubbell	201
The Day They Stole the "Mona Lisa"	From the book	209
The Enchanting Eden of Claude Monet, 10		
Five Myths That Can Wreck Your Marriage, 23		
Bits You Didn't Know You Paid, 35		
Ocean's Unsung Gift, 49—Dare to Be Vulnerable, 55		
News of Medicine, 67—Campus Comedy, 31—Points to Ponder, 74—Laughter, 82—Life in These United States, 93—Word Power, 109—Day's Work, 129—Picturesque Speeches, 167—Personal Glimpses, 185—Quotable Quotes, 198		

PAGE 84

LOST, RECOVERED, AND DYING, ON CUDDY MOUNTAIN

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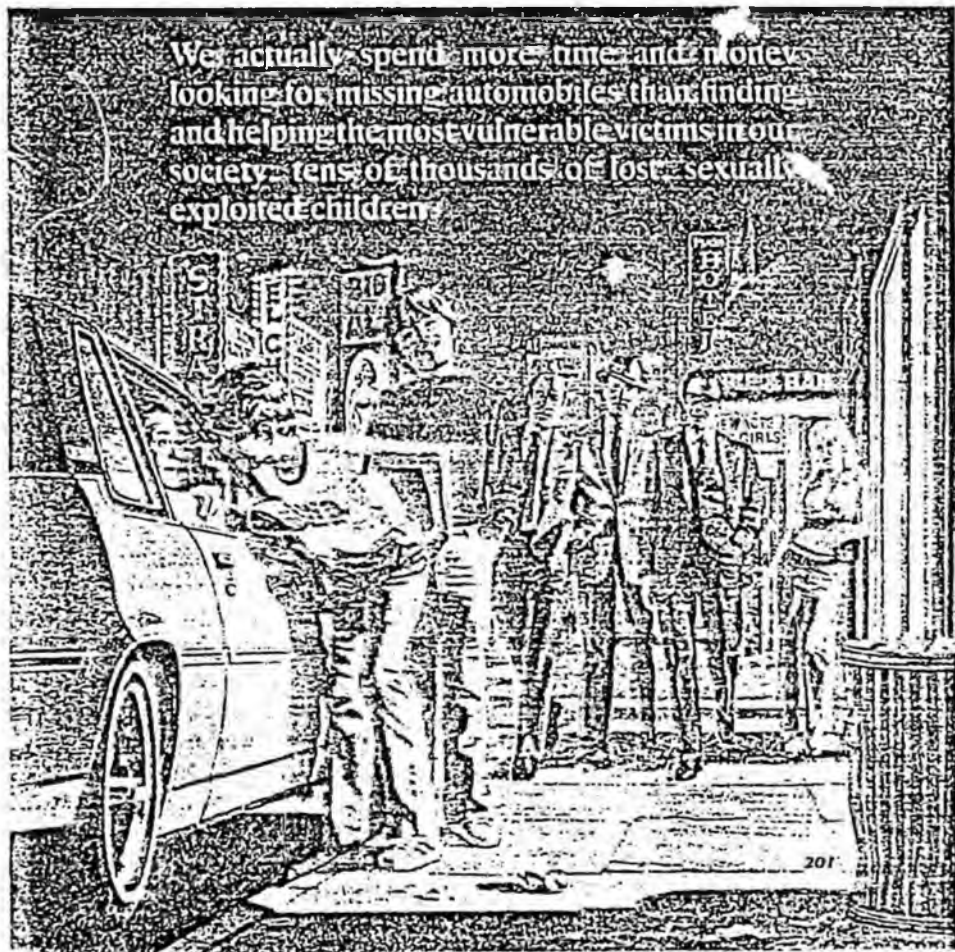
CHILD PROSTITUTION: How It Can Be Stopped

By JOHN G. HUBBELL.

IN NEW YORK CITY, Scott Hyman, 26, and Clemente D'Alesio, 40, managers of "adult" bookstores in the Times Square area, are convicted on several counts of

promoting obscene sexual performances by children. They were selling nine different movies featuring kids 7 to 14 years old who are engaged in explicit sexual activity. The young-

We actually spend more time and money looking for missing automobiles than finding and helping the most vulnerable victims in our society—tens of thousands of lost, sexually exploited children.



2 of
cup.
VA

CHILD PROSTITUTION: HOW IT CAN BE STOPPED

sters all appear to be undernourished; some have bruises and welts on their bodies. Hyman and D'Alesio tell an undercover policeman that they can provide hundreds of such films, and that children as young as five are involved.

- In New Orleans, two men organize a Boy Scout troop to provide themselves and wealthy homosexuals from Massachusetts to California with sexual access to the boys.

- In Winchester, Tenn., an Episcopal priest who runs a farm for wayward boys is convicted of several "crimes against nature." He forces his charges to participate in homosexual orgies, and films them for customers across the country.

Isolated cases? In Los Angeles one police investigator who heads a special unit dealing with child abuse estimates that there are some 30,000 sexually exploited children in that city. Nationwide, estimates on the number of boys and girls under 16 who are engaged in prostitution range from the tens of thousands to more than a million. The figures double when 16- and 17-year-olds are added.

Litany of Crime. Father Bruce Ritter, founder-operator of New York City's Covenant House and Under 21, sanctuaries for homeless kids, tells a Congressional committee what happens too often to youngsters who try to survive on the streets. In one three-week period, he says, three girls under 17 were found murdered within five blocks of his homes; two boys, 14

and 15, were picked up by homosexuals, and raped and slashed badly; a pimp entered Under 21 to offer \$500 for a 13-year-old girl; a 14-year-old boy, held captive for six weeks in a nearby hotel, escaped and reached Under 21 just a step ahead of his captor.

The litany of outrageous sexual crimes against our young keeps lengthening. Father Ritter, who also operates shelters in Houston and Toronto, suggests that it happens partly because we assume that the occasional publicized case represents an aberration. Or we think public authorities are dealing with the problem.

But for the most part, politicians, law-enforcement agencies and courts concentrate on highly visible crimes that clearly affect voters; there is not much of a constituency for homeless kids who are being marketed, or who must sell themselves to survive. One judge, recalls Ritter, dismissed a case involving a 14-year-old prostitute and her adult-male customer with the assertion that prostitution is merely a recreational transaction. Such decisions, Ritter says, "give a clear signal to child exploiters that they can keep on doing what they are doing."

Child prostitution has even been regarded as a "victimless crime," although cruelty is routinely involved. In New York City a girl's pimp kept her on the street six nights a week. She hated being a prostitute, but the pimp was the only person who had shown her



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CHILD PROSTITUTION: HOW IT CAN BE STOPPED

any kindness. When she could stand it no longer and told him she had to quit, he broke her jaw. At the hospital where the jaw was wired shut, she was given pain pills and told to rest. But her pimp put her on the street the next night. Later, she tried to commit suicide using the pills, but she vomited, breaking the wires in her jaw. Her pimp would not allow her to return to the hospital and sent her back on the street. This time she turned herself in to the police.

When asked her age, she replied, "I'll be fifteen tomorrow."

The Louisville Lesson. Similar horror stories are to be found wherever there are runaways and throwaways,* children whose parents send them packing, or whose loose-knit families disintegrate. Kids drift from place to place and in and out of prostitution, depending on their need for money.

Can anything be done? Nowhere has the question been answered more effectively than in Jefferson County, Kentucky, which includes the city of Louisville.

By the late 1970s, John Rabun, a Baptist minister and senior social worker who managed a half-dozen Jefferson County shelters for runaway and throwaway kids, wondered why as many as 1200 kids per year were deserting their homes. He and co-worker Margarete Sanders found the kids on the streets working for pimps, and asked for

police help. "The police," Rabun recalls, "politely encouraged us to stop meddling. We decided to bring them facts they couldn't ignore."

For most of a year Rabun spent his nights on the streets, watching, writing down license-plate numbers, learning the names of the pimps and their "main ladies," following them, putting together a map showing where all of the principals in Louisville's sex industry lived and where they operated. Persuaded that Rabun knew what he was talking about, Jefferson County Judge/Executive Mitch McConnell organized a task force to look into the situation.

The task force studied a growing body of literature on the sexual exploitation of children and visited other cities, talking to police and social agencies and going into problem neighborhoods. It found that what happened every night on Chicago's Clark Street, for example, was the same thing that happened every night on 4th and Oak streets in Louisville: kids strolled slowly along sidewalks and waited at bus stops, displaying themselves before cruising automobiles. Frequently, a car would stop, a boy or girl would be summoned for a quick negotiation, and the youngster would climb into the car and be off with the customer. The Louisville Police Department's intelligence commander, Maj. Wesley Cruse, a 25-year veteran who thought he had seen everything, was shocked to learn how many children were

*See "The Children Nobody Wants," Reader's Digest, January '84.

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work. In fact, the longer you use
2000, the better it can be for
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CHILD PROSTITUTION: HOW IT CAN BE STOPPED

hustling, and that young boys were able to sell their bodies even more quickly than girls could.

County Campaign. To stop what was happening, McConnell created an Exploited and Missing Child Unit (EMCU) in July 1980. Four social workers and a half-dozen police officers were selected by Rabun and Cruse to make up the team, with Rabun in charge.

As a first step, they launched a massive countywide information campaign. Thousands of brochures were distributed, advising that child exploitation was big business. Posters urged anyone who had information about child prostitution and pornography to call the EMCU. Parents were encouraged to educate—but not frighten—their chil-

dren to the dangers, to keep close track of their children, to form neighborhood-watch groups, and to ask school principals to immediately notify parents whose children failed to reach school.

Then, for several nights, the EMCU staked out a Louisville park that attracted large numbers of youngsters. As cars stopped, picked up kids and drove off, plain-clothes men and spotters on rooftops radioed uniformed police parked on nearby side streets. The uniformed cops followed these cars until they were out of the neighborhood and then pulled them over. They asked both driver and passenger for names, addresses and occupations; why they had been in the park and if they knew each other; where they

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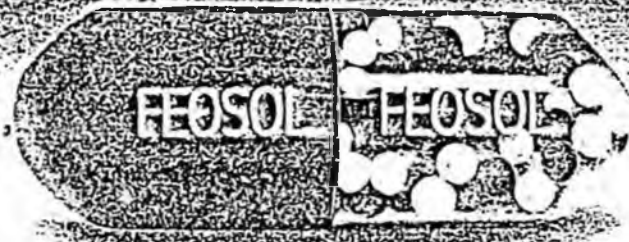
were going; what they were going to do. "We were pleasant and respectful," says Cruse. "No one had to answer our questions, but they all did. We wanted these people to know that we were there, watching, and knew who they were."

Soon police were making arrests. Officers interrogated adults. Rabun and his social workers interviewed the kids, spending as long as necessary to gain their trust. Eventually many of them talked freely. By the spring of 1983, 28 major prosecutions had been successfully completed.

For example, two girls, a 13-year-old runaway and a 14-year-old who had been missing for two years from a foster home, were found with two adult men, James

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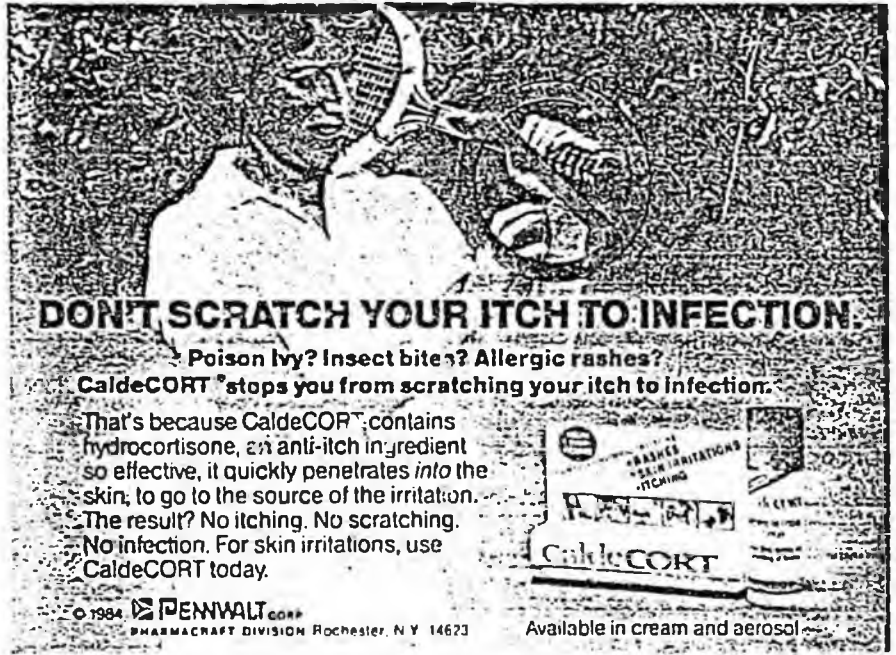
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For example, two girls, a 13-year-old runaway and a 14-year-old who had been missing for two years from a foster home, were found with two adult men, James

Carey and James Osbon. The men had been prostituting the girls at truck stops in Kentucky and Indiana. Carey and Osbon were convicted of various sex crimes against the children and sentenced to five years each in prison.

In another case, Rev. Tommy Dowell, who ran a Louisville mission, was caught trying to sell a young boy for sexual purposes for \$6000 worth of food stamps and \$1000 in cash. Dowell also pleaded guilty to distributing child pornography. He received a 15-year sentence in each case, to be served concurrently.

As the work of the EMCU progressed, it became apparent that child prostitution was a statewide problem. In the fall of 1982, Judge



CHILD PROSTITUTION: HOW IT CAN BE STOPPED

McConnell set up the Kentucky Task Force on Exploited and Missing Children, with members recruited from the child-welfare field. As a result of their final recommendations a year later, state law now provides for: a child victims' trust fund to finance "body safety" education programs; a statewide clearinghouse for information about missing children; authority to permit out-of-court, pre-trial, video-taped testimony of children under the age of 12 to be used as evidence in sexual-abuse cases; no probation for certain sexual offenses against children.

National Agenda. Thanks to the EMCU, Louisville's child-prostitution problem is a shadow of what it was four years ago. The streets and parks are still checked several nights each week, and Rabun has held seminars in various Kentucky cities and towns, showing how to set up an effective police officer-social worker EMCU. Lexington has organized a unit, and the Louisville-Jefferson County EMCU has trained another in Charleston, W. Va.

But more must be done. In April, a giant step was taken when President Reagan established the National Center for Missing and Exploited Children. Directed by people who understand the issue—including Jay Howell, former Senate investigator who conducted nationwide hearings on the problem, John

Walsh, whose young son was abducted and murdered, and John Rabun—the center will help parents to find children. It will assist and train law-enforcement agencies, and it can do much to mobilize public opinion to press for strong legislative action. For example:

- State and local governments should be encouraged to re-examine laws on child exploitation and, where necessary, to create legislation that makes even a first offense punishable with a heavy fine and a mandatory long-term prison sentence without probation.

- Recognize that the customer, the "john," is a partner in crime with the pimp, and should be punished. It is he who makes the trade profitable.

- Provide care for runaway and throwaway children. Warns one Jefferson County EMCU member, "Society had better look after these kids, or society is going to become their victim." Individuals must become concerned and involved. Business and industry should be urged to provide expanded shelters and professional care for such kids.

In short, everyone must face the problem squarely. "The only way you can fail to find child exploitation in our major cities," says Wesley Cruse, "is not to look for it."

✻ For information on reprints of this article, see page 240 ✻

BOB HOPE ONCE SAID, "I just received my 35th honorary doctorate—and I still can't understand William F. Buckley." —Don Freeman in *San Diego Union*

AUGUST 1982

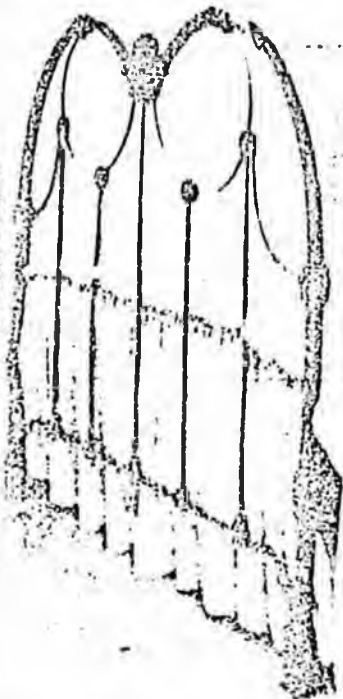
LADIES' HOME JOURNAL

Teen-age runaways

A FAMILY TRAGEDY: A NATIONAL EPIDEMIC



Dear Mom and Dad,
I'm leaving. Don't
try to find me.
Nothing I ever
do is right. I know
you'll be happier
without me.
Mary Ann



Imagine a mother's terror when the child she's raised, nurtured and loved... chooses to leave home, perhaps forever. Then think of the horrors faced by a runaway on the road. Yet, incredibly, one in seven teenagers does run away. Turn the page for a special report on why youngsters take off and how it can be prevented.

By Katherine Barrett and Jack Fincher

Teen-age runaways

In the pictures that still line her parents' room, Marie is blond and pretty, with striking blue eyes and a child's smile. But the girl's own orange and red bedroom has been empty now for almost three years—ever since she went to a party one brisk fall night and failed to return home. The clothes from her closet and dresser have been stored away, and only her stuffed animals—a white buffalo, a koala bear and a Snoopy dog—still wait for her on the shelves.

"Her senior prom would have been this weekend," says Ramona Blee of Hayden, Colorado, her voice breaking as she talks about her daughter. "I know her friends are getting ready for it, and for graduation. Marie should be graduating, too."

Like a frightened fawn on the edge of a dark and foreboding forest, Jeanie, a 14-year-old runaway, stood outside Manhattan's Port Authority bus terminal, on one of the seamiest streets in the city. Almost immediately, her doll-like wide-eyed beauty caught the eye of a man, a "pimp," who marked her, in street argot more suited to the Kansas City stockyards, as "prime for the market." He strolled up to her, smoothly beginning his pitch—"You're beautiful . . . you're smart. I'll take care of you. You'll have a nice car, a nice apartment"—and then led her to his sleek, shiny car and locked apartment. There, in a haze of alcohol and drugs, she was seduced, cajoled and threatened. Later that week, she would saddle back onto the city streets as a six-customer, \$300-a-night prostitute.

"Turn a few gay tricks and you'll be sleeping in silk," Elliot, a handsome 16-year-old from Texas, was told by a well-dressed hustler. Days before, Elliot had fled his black middle-class family because he was "bugged by schoolwork." But this was not the life he expected. . . . So, he fled again, but the pimp spread the word. "Leave him alone. He's mine or nobody's . . ."

When Elliot continued running, another message from his pursuer was passed to him: "Come back and work for me, or you're maimed, you're dead." Terrified, Elliot ran right into "Under 21," a 24-hour New York youth shelter, operated by a private, nonprofit child-care agency called Covenant House; then home, a wiser, chastened young man.

For Elliot, there was a happy ending,

WHERE ARE THEY NOW?

These seven children are all missing from home, and some have not been heard from for as long as three years. If you think you know the whereabouts of any of these youngsters, please contact the Journal at (212) 872-8304 or the National Runaway Switchboard at (800) 621-4000, in Illinois (800) 972-6004.



JACKIE BOYER (left), 12, of Santa Rosa, Calif., disappeared May 21, 1980.



SANDRA "SAM" KAY COLLEY (middle, left), then 13, and **BRENDA LYNNE JUDD** (below), then 14, disappeared June 1979, from a carnival at the Washoe County fairgrounds in Reno, Nev., where they had gone with Sandra's sister. They vanished while the sister rested and haven't been seen since.

Their parents plead: "Sam and Brenda, no matter what happened we'll stand beside you, help you. Because we love you more than anything. We just want you to come home. Sam, you've got five new nieces and nephews since you left."



CLAUDE "KIM" PETERSEN, Jr. (left), now 12, of Salt Lake City, Utah, disappeared in November, 1980.





MARIA CIALLELLA
 (above), 17,
 of Brick Township,
 N.J., disappeared
 November 1, 1981.



"Marie, we love you
 very much and miss you
 terribly," says Mrs.
 Florence Blee of Hayden,
 Colo. Her daughter,
MARIE ANN BLEE
 (left), now aged 17,
 vanished the night before
 Thanksgiving 1979,
 after attending a party.

**CHRISTINA LEE
 WHITE** (below), 15, of
 Austin, Wash., was
 last seen April 1979.



but many others like him run headlong into tragedy, with no escape. Estimates put the number of runaways each year at up to two million, and experts believe that in this grim, pressure-filled economic climate, the numbers are increasing. With unemployment climbing, and more and more families in difficult financial straits, domestic tensions and problems multiply. When a father is laid off and a mortgage goes unpaid, everyone in the family feels the stress. Young people, who haven't developed the skills to cope with these pressures, use flight as a means to escape.

Indeed, some authorities, like Caroline Croft, director of the federal Division of Runaway and Homeless Youth Program in the U.S. Department of Health and Human Services, are now calling the problem a "virtual nationwide epidemic."

The statistics, of course, include a diverse bunch of kids—such as the rebellious suburban youth who stays away from home a few nights to give his parents a scare, the young girl who runs from the sexual abuse of a stepfather, even the unfortunate teenager who disappears and may be the victim of foul play.

The average age of a runaway is sixteen, and girls run away from home as often as boys, though girls tend to seek help more frequently. Although the majority of runaways return within several weeks, and stay within 300 miles of their home, there also are the kids, many from well-to-do families, who just seem to disappear, moving into a netherworld of drugs and prostitution, the victims of people who manipulate and abuse them.

Yet, in spite of the horror stories, young people continue to run—often with little idea of where they're going or what they're going to do.

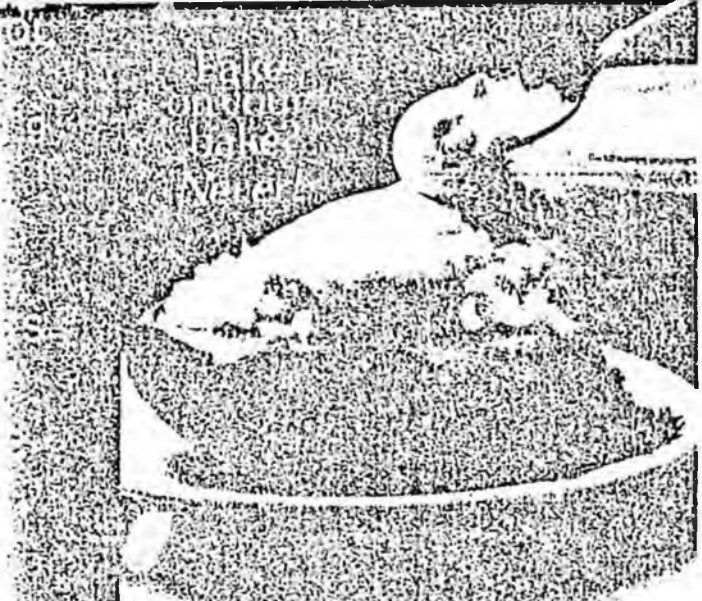
Some, perhaps Marie Blee, may have slipped under the coercive influence of others at a (continued on page 128)

*"Five feet one inch,
 100-110 pounds,
 dark brown curly
 hair, light brown
 eyes, pierced ears,
 freckles ..."*

*It could be a
 description by a
 teen-age boy of his
 girlfriend. But it
 isn't. It describes
 a teen-age girl in
 a V-neck pullover
 blouse, two-toned
 sneakers and
 jeans, found
 strangled last
 February on the
 edge of a culvert
 near Penikese,
 Oregon. Believed to
 be a runaway,
 she was buried by
 strangers after a ten-
 minute graveside
 ceremony. Nobody
 knew who she was
 then and nobody
 knows now."*



Bob Perwell, Last Oregonian



Look for the "REAL" Seal.
 With cartons that look so much alike,
 how can you tell real dairy foods
 from the imitations? Look for the
 "REAL" Seal!
 american dairy association



TEEN-AGE RUNAWAYS
 continued from page 83

particularly vulnerable age. Indeed, her parents, who say they had a good rapport with their daughter, cannot believe that their responsible, considerate child would have run away on her own. Marie had gone to a party the night before Thanksgiving 1979, with only a "Bye, Mum," as she walked out the door. Her friends say they remember her leaving the party between midnight and 1:30 A.M., but no one recalls with whom and no one has seen her since.

Many kids still run for what seem like frivolous motives to adults—a broken romance, an argument over curfew, as a test of their independence. But for others the reasons for leaving are much more serious, and are quite different from those we heard so much about in the early seventies. These young people are not yesterday's flower children running to an inviting crash pad Camelot, but from something else—often a disintegrating family.

"They hit the road because, to them, any life looks better than the life they lead at home. 'Runaways are very different now from what they were when so much was being written about them ten years ago,' says Dr. Douglas Huebnergardt, supervisor of the Runaway Youth Crisis Shelter in St. Petersburg, Florida. "During that time we had kids seeking alternative lifestyles. That's not what's happening today. The child who's running is one who simply can't stand it at home any longer."

Sadly these new runaways, without strong ideals or dreams, are often ill equipped to deal with the destructive influences they find on the road. Drawn to large cities in their home states, or booming metropolitan areas like Los Angeles, Chicago or New York (and Florida in the winter), they sometimes end up surviving in the only way they know how, with "nothing to exchange for food, shelter and

clothing, but their bodies," as Lt. Charles Long of the Los Angeles Police Department says.

Tragic victimization

The stories of exploitation are shattering. Like the reports of two 12-year-old girls from Tennessee who were picked up by truckers, raped and sodomized repeatedly, then sold at an Ontario, California, truck stop to a pimp who habitually cruised just such dropoff places for that purpose. Or the girls and boys who were reportedly sold for \$10,000 each at a New York City "runaway" auction held by pimps.

Teens exploited in such dehumanizing ways soon become hardened or numbed. Discussing her experiences, Jan, the 16-year-old daughter of a college professor and a speech therapist, slumps in her chair. She talks about her history as if it didn't matter anymore. "How many rapes did I say?" she asks an interviewer. "I forget."

But her story—told so coldly and unemotionally—is hard for anyone else to shake from memory. She was raped by a trucker her first night hitchhiking away from her Iowa family. "Picked up by the cops in New York City . . . Sent home . . . Sent to a mental hospital . . . Split out West . . . Hooked up with a pimp . . . Massage parlors . . . Nude dancing . . ." Sixteen years old and getting money in the only way she knew how. "So what?" she asks. "I'd already lost my virginity, so who cares?"

The outlook for youngsters like Jan is grim indeed. "By far the largest percentage of the one-in-four kids we fail are those who support themselves through prostitution," admits Veronica Reed, director of San Francisco's Huckleberry House youth center. "I can't think of any kid who has been a prostitute for any length of time—and I'm talking weeks—who ever went home and stayed home."

The social service workers are not the only ones who

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know how vulnerable they become as commodities in the sex industry of prostitution. These kids hit the bus at 11:00 p.m. and find no one to get them," says C. body else will."

The p

Life for a runaway can almost be terrifying for her parents to keep from happening. Yet, in most places immediate action from police is required to wait twenty-four hours before they begin looking for a police are hampered by the young runaways, since soon at the age of sixteen, and finding missing persons.

In addition to contacting police, parents should do if a child has disappeared, call the National Center for Missing and Exploited Children. That parents call their child, but to let them know that they'd like the child know he's safe." That way, the child can get home, can find out what's happened through the grapevine.

It may also help to contact other parents who find other parents who are frightened or feel guilt, anger and frustration. "I guess my only way to help is to be as a mother. No one else can



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admits one mother. Happily, her son, John, returned on his own two days later, and both subsequently went for counseling to help thaw their icy relationship. "My husband blamed me when John left," his mother recalls. "I'd said things in rage, like 'If you can't follow the rules here, find someplace else to live.' I don't know why I said that, except maybe to hurt his feelings."

Such exchanges are not uncommon today—in fact, a number of parents are under so much stress that they unwittingly drive their children out of the house. "The parents we see today from all walks of life are more helpless and exhausted than ever before," says Minneapolis runaway counselor Casey Ladd. "They used to struggle to hang onto their kids. Now they don't have the energy to fight that and their economic battles, too."

A desperate last resort

In most cases, the act of running away is a cry for help, but too often it goes unheeded—especially when parents are preoccupied with their own problems. Even when runaways return home, an estimated fifteen to twenty percent leave again—sometimes as many as ten times. "After a child has left the first time, if the reason that made him run doesn't change, I guarantee he'll run again," says Cynthia Myers of the Runaway Switchboard.

Says 16-year-old Sandy from Minnesota, "There are few kids who will leave just for the pleasure of it, just to get out on their own. A lot of times things are really bad in a family . . . a person can only take what's been handed out to them for so long."

In her case, she left because of a stepmother who drank too much, screamed at her and had already driven Sandy's two older brothers away. "She would yell at us, 'Get the hell out of the house. We don't want you here anymore.' I guess I just got sick of hearing that," Sandy. (continued)

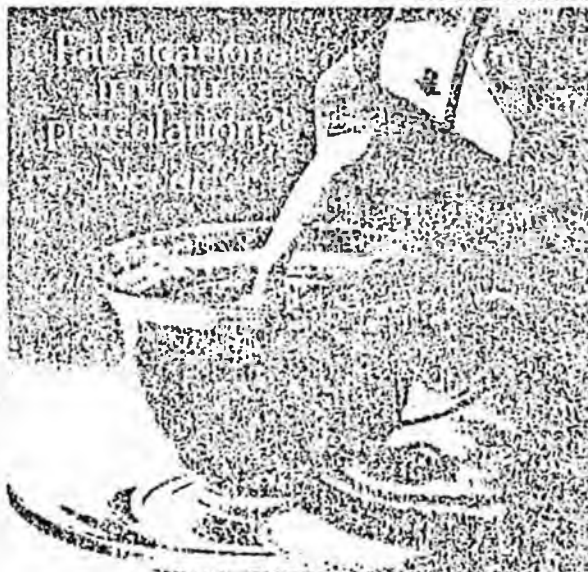
know how vulnerable the runaways are, or how valuable they become as commodities in the \$4-billion-a-year American sex industry of prostitution and pornography. "When these kids hit the bus station we figure we have a half an hour to get them," says Caroline Croft. "If we don't, somebody else will."

The parents' side

Life for a runaway can be a nightmare, but it can be almost as terrifying for his family at home. It's hard for a parent to keep from imagining that the worst has happened. Yet in most places it's almost impossible to get immediate action from police departments, which are often required to wait twenty-four or forty-eight hours before they begin looking for a missing teenager. Even then, police are hampered by their inability legally to detain young runaways, since some state laws "emancipate" teens at the age of sixteen, and by a lack of national cohesion in finding missing persons.

In addition to contacting the police, what can a parent do if a child has disappeared? Cynthia Myers, executive director at the National Runaway Switchboard, suggests that parents call their children's friends, "not to harass them, but to let them know that their child ran away and that they'd like the child to contact home to let everyone know he's safe." That way, a runaway, who may very well be close to home, can hear about a family's concern through the grapevine.

It may also help to contact runaway agencies or youth services in the community—not only for advice, but to find other parents who have gone through the same frightening ordeal. Parents of runaways inevitably experience guilt, anger and helplessness, as well as fear and frustration. "I guess my underlying feeling was that I blew it as a mother. No one I knew had children who ran away,"



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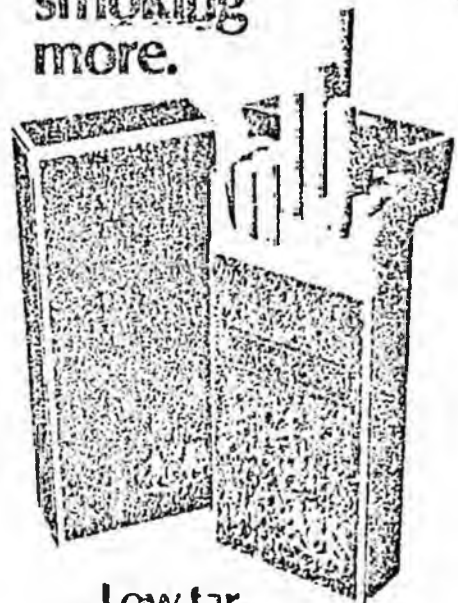
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TEEN-AGE RUNAWAYS
continued

explains sadly. After five months on the road, most of the time with a kind family, she was found and is now being placed in a foster home.

Sandy's experiences are not unusual. A recent report on "homeless" youth for the Senate Judiciary Committee estimated that "pushouts" and "throwaways" comprise as much as a third of all those on the run, and noted that "there is a trend for youngsters to become homeless at an earlier age . . . [even at] eleven and twelve."

These "throwaway" kids aren't from only poverty-stricken families. They come from middle-class suburbia, too, and include:

- Chet, a star high-school athlete whose parents' \$23,000-a-year income was stretched to the breaking point by a mentally ill daughter, and who was told to leave because he was eating more than they could afford.
- Eddie, 17, whose parents locked him out of his home for simply misbehaving.
- Sheera, 17, whose father threw her out when she became pregnant.

DANGER SIGNALS
Spotting a runaway before he runs

According to the National Network of Runaway and Youth Service, (202) 466-4212, there are ten danger signals that may indicate your child is about to run:

- Growing isolation:** The child avoids family gatherings, even at meals, and spends more and more time in his or her room alone.
- Excessive blowups:** Tantrums are common to the turbulent teens, but watch out when the smallest thing repeatedly seems to trigger an explosion of temper.
- Abrupt mood swings:** Take note if a normally sunny teen turns sullen, withdrawn, or angry, even manic without warning.
- Increased violations:** Rules are boundaries against which growing youths must lean or hurl themselves in the act of maturing. But take heed when "border incidents" turn to real rebellion.
- Increased sleeping:** It's normal for adolescents to sleep more than parents think is healthy. But beware sudden marathons that can presage depression or problems they can't manage.
- Diminished communication:** Again, there may be a perfectly good reason why your child clams up. But if you can't think of one, and it persists, pay attention.
- School troubles:** Plunging grades, truancy, class-cutting, disciplinary problems, enduring fallouts with close friends—all can be cries for help that come before bolting.
- Parental stack-blowing:** Are you, not the child, getting unreasonably upset over the smallest issues? Your feelings may be trying to tell you something—a subtle but significant shift in family balance that needs heeding.
- Family crisis:** Death, divorce, illness, the loss of a job, a major move—any of these can disrupt the family constellation and send your child spinning out of orbit.
- Unexplained money or possessions:** Even if they're not stolen, they may be stashed for an impending getaway. (Obviously, individual circumstances should tell you when concern is called for.

• Doug, 17, whose parents have anything more to do after he told them he was go

Assistance program:

Faced with ever-growing social-service workers and gists now find themselves fighting the very existence of their programs. (President Reagan is recommitting thirty-seven percent budget cuts to the federal Division of Runaway Homeless Youth in 1982.) Such programs are further threatened by new rulings that dole out funding on a strict per capita basis. "Our money will be cut just half while Mississippi is doubling its shelter in Florida, where sun and beaches attract more runaways than New York and California. "Yet who runs in Mississippi?"

Unfortunately, the profession of the children of the eighties caught in a hack sawing that unloved, unwanted, emotionally abused and thrown away on the street or detained legally in juvenile facilities with no prospects, as used to happen.

"Locking a child up doesn't help," says Harry F. of the National Juvenile Law in St. Louis. "And in our opinion unconstitutional. It is a very mistake because it increases the danger of harm to the child doesn't deal with the underlying why he's running."

What can be done?

In some ways, the act of runaway often jars everyone in a into realizing that there real problem that can't be ignored lucky families—and teenage the ones who learn this before young people get into serious trouble. "When kids arrive on our doors first thing they usually want is independent, with their own money and job," says Veronica Huckelberry House. "Instead they get in a lot of tough quarters from us."

"We ask them: Are they old enough to earn a living wage? What skills do they have? Do they have things to tide them over in today's pressed job market?"

The questioning often makes realize how ill-prepared they cope with life on their own. Ma then ready to give home a chance.

Some runaways find out on own what dangers they face and to protect themselves.

Like Jessica, a tall, straggly-year-old, whose blond hair falls lightly against her forehead, an

• Doug, 17, whose parents refused to have anything more to do with him after he told them he was gay.

Assistance programs cut

Faced with ever-growing case loads, social-service workers and psychologists now find themselves fighting for the very existence of their programs. (President Reagan is recommending a thirty-seven percent budget cut for the federal Division of Runaway and Homeless Youth in 1982-83.) And such programs are further threatened by new rulings that dole out state funding on a strict per capita basis. "Our money will be cut just about in half while Mississippi is doubled," laments a veteran shelter director from Florida, where sun and beaches attract more runaways than New York City and California. "Yet who on earth runs to Mississippi?"

Unfortunately, the professionals say, the children of the eighties may be caught in a backwash that will see unloved, unwanted, emotionally crippled runaways and throwaways let loose on the street or detained illegally in juvenile facilities with delinquents, as used to happen.

"Locking a child up certainly doesn't help," says Harry F. Swanger of the National Juvenile Law Center in St. Louis. "And in our opinion it's unconstitutional. It is a very serious mistake because it can increase the danger of harm to the child and it doesn't deal with the underlying issue of why he's running."

What can be done?

In some ways, the act of running away often jars everyone in a family into realizing that there really is a problem that can't be ignored. The lucky families—and teenagers—are the ones who learn this before the young people get into serious trouble. "When kids arrive on our doorstep, the first thing they usually want is to be independent, with their own apartment and job," says Veronica Reed of Huckleberry House. "Instead, what they get is a lot of tough questions from us."

"We ask them: Are they old enough to earn a living wage? What salable skills do they have? Do they have savings to tide them over in today's depressed job market?"

The questioning often makes them realize how ill-prepared they are to cope with life on their own. Many are then ready to give home another chance.

Some runaways find out on their own what dangers they face and learn to protect themselves.

Like Jessica, a tall, attractive 17-year-old, whose blond hair feathers lightly against her forehead, and who

talks thoughtfully with her hands folded on her lap and her feet propped casually on a desk of a South Dakota Girls' Club, where she now counsels other potential runaways.

She was 16 last year, when she left her father's home because of the "pressure" of her parents' divorce and their bitter arguments over whom she should live with.

One afternoon she packed her jewelry, makeup, clothes and stuffed monkey into paper bags. Then she and her 18-year-old friend, Lucy, took off. After a week with Lucy's boyfriend, the two girls headed 300 miles from their hometown to Sioux Falls, South Dakota. And there, Jessica saw how her story could have ended.

"Everybody thinks it'll really be a lot of fun to run away—that you won't be under the supervision of your parents or teachers. They think you can get by easy, but they don't realize that it's a big world out there. My parents always told me that when I was growing up, and I found out for myself."

Jessica doesn't like talking about her experience. Her voice is soft and hesitant. "I met a lot of dropouts," she says. "They were dirty... on drugs and booze all the time... and prostituting..."

Her voice trails off, and then she continues. "The prostitutes—many of them were my age and they helped me out, too. They convinced me to go back home, that the street was no place to stay."

A month after she ran, Jessica went home. Her brothers and sisters cried when they saw her, and she realized how much she had missed them. Perhaps best of all, she realized that her father really missed her, too. She smiles. "He told me he loved me... for the first time in my life." **End**

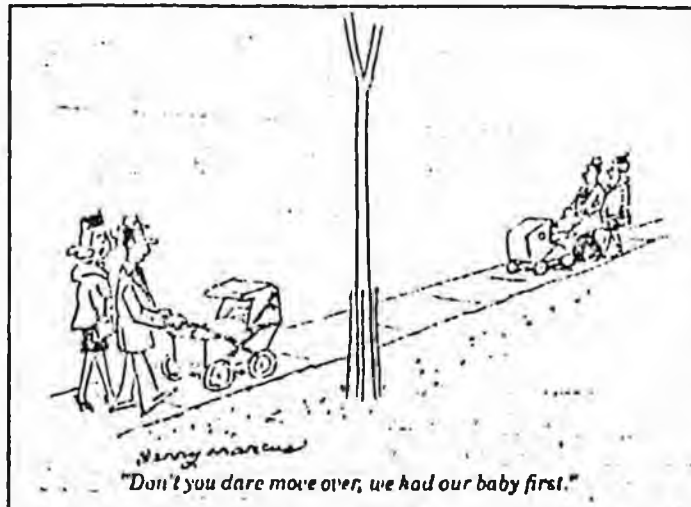
Where to phone for help

National Runaway Switchboard: A 24-hour toll-free hotline, (800) 621-4000. In Illinois, (800) 972-6004. Can suggest agencies in your area that will assist in assessing your situation. Will take your phone number in case your child wants to leave you a message but is afraid a call home might be traced. If you think you know where your child might have gone, it will also provide the name and phone number of runaway shelters in that area.

Parents Anonymous: A 24-hour toll-free hotline in Torrance, California, (800) 421-0353. Set up to help abusive or potentially abusive parents find counseling. Parents who suspect their child has run away because of physical, sexual or emotional abuse will be referred to its nearest chapter.

Toughlove: This movement helps parents set tough bottom lines on acceptable behavior and get rid of useless guilt and helpless anger at teen age rebellion, (215) 257-0421. Their manual, \$5.95, is published by the Community Service Foundation, Box 70, Sellersville, Pa. 18966.

Search: A toll-free hotline in Englewood Cliffs, N.J., (800) 526-4603. A court of last resort for parents who feel their child may be the victim of foul play. For \$90 (\$45 for repeat listings), SEARCH will circulate a photograph and information to law-enforcement agencies, medical and child care facilities throughout the nation in its five-times-a-year, 25,000 circulation registry.



An Endless Parade of Runaway Kids

They may number 1 million a year—frightened, rebellious and often easy prey. Society is trying to help, but only a few can find safe refuge.

Despite scores of programs to help them, thousands of youngsters each year still are joining the rootless, troubled group known as runaway children.

The federal government's General Accounting Office estimates that at least 1 million children a year are absent from their homes. Of these, half are considered "push outs" who are not wanted by their parents. The rest are runaways who, at the average age of 15, turn their backs on anxious families to try a life full of chaos and peril.

The vast majority of runaways—80 percent, according to social workers—return home within two days, before police have included them in missing-persons reports.

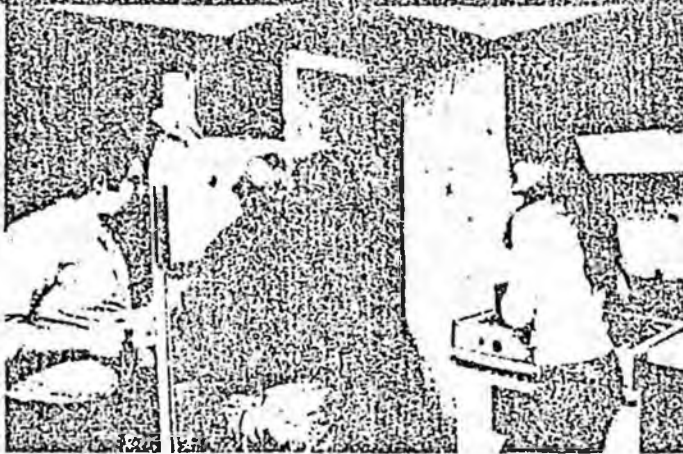
Some 44,000 a year find their way to federally funded shelters, and additional thousands land in jail. Still others stay away from home for weeks, months or years and are numbered among the 18,000 juveniles who make up three quarters of the missing persons listed by the National Crime Information Center.

A drifter's life. As they move from city to city, these youngsters typically fall quickly into patterns of runaway life: Sleeping outdoors, hitchhiking, crashing parties, shoplifting, looking for odd jobs, panhandling or turning to prostitution, pornography or drugs.

"The incidence of criminal activity rises sharply with the length of time a kid is away from home," says Robbie Callaway, executive director of the National Youth Work Alliance in Washington, D.C. Although only 40 percent of runaways report legal troubles before leaving home, Callaway says, almost all children who have been gone more than two weeks get involved in crime, either as perpetrator or victim.

On the road, homeless young people tend to gravitate toward resorts or big cities: San Francisco, Los Angeles and Denver in the West, New York and Florida beach towns in the East.

Sixty percent are girls, and few have any work experience. Some earn tourist-season money at shops and restaurants, but many resort to dealing dope to friends or even to strangers.



Home parents Jerry and Sandy Gibach help a pair of young guests raid the refrigerator at the Open Door, a shelter and counseling center for runaways in Rockville, Md.

"What can a 13-year-old girl do besides show her body?" asks a girl at a youth shelter. "In all my trips, I had one real job. Making randles at the beach. But twice I had guys asking me to pose nude for pictures—\$100 for the first shot, then a bit more later on."

In New York, runaways are the staple of the "Minnesota strip," a stretch of hookers' turf near Times Square that got its name by providing mostly out-of-state boys and girls between the ages of 10 and 20. In Chicago, recruiters at bus stations seek runaways for call-in services offering hired "companions" at rates as high as \$450 a weekend for a boy in his early teens.

Although most young people return home after their first brush with trouble, dramatic incidents show how vulnerable they are. For example—

■ The bones of many runaways were found among the 27 victims linked to Elmer Wayne Henley, an 18-year-old convicted in 1974 as an operator of a homosexual torture ring in Houston.

■ In 1980, Chicago hoodlum John Wayne Gacy was convicted of killing 33 boys and young men, many of them reported to police as runaways.

■ Police are still searching for the bodies of several of the girls reported slain by Gerald Eugene Steno, who told authorities that over some 10 years he killed at least 31 females, mostly hard-to-trace young hitchhikers and prostitutes, in Florida and New Jersey.

Politicians have responded to the runaway problem by pressing for more money and manpower to locate missing children. In October, President Reagan signed a Law authorizing the Federal Bureau of Investigation to take reports about absent youngsters from parents and distribute them electronically to police departments nationwide.

Congress recently increased the funding of programs aimed at runaways from 10 million dollars to 15 million.

Most of the money goes for youth shelters and for telephone hot lines set up to aid young people in major cities.

Typically, a child looking for help is steered to one of the 166 federally funded shelters by the police, church or social-welfare workers. Some agencies send scouts to areas where runaways often gather, and others run newspaper ads containing a child's picture and a toll-free phone number that anyone with information can call.

Within 24 hours after a runaway arrives at a center, counselors try to contact the parents and begin negotiating as to what the young person should do next. Social workers check out with teachers and police any complaints of parental abuse. Within 30 days, the runaway must decide whether to go home, live independently or move to a longer-term institution—usually one of 300 residential schools or group houses that provide a foster family atmosphere.

Sticking point. "The problem in getting through to runaways is that, on the surface at least, most have what look like perfectly good reasons for leaving," says Dr. Martin H. Stem, medical director of Dominion Psychiatric Treatment Center in Falls Church, Va.

Probation officers report that well over half the fugitives who land in juvenile courts come from homes marred by alcoholism, beatings or sexual abuse by fathers or other relatives.

Even so, counselors say that they are encouraged by the progress they can make with youngsters who turn to the shelters. "Usually, running away is a sign that a kid feels a need for a change," says H. B. Kelly Kjeldsen, program coordinator of the Open Door in Rockville, Md. "If you can show them how, and sometimes get the parents involved, it's often gratifying to see the way they respond."

SLICE OF LIFE Lonely

UNHAPPY YOUNG their families a road holds only few and want. Yet taking homeward is often 1 Such was the exp 17, who has a history from her Maryland residential school, sh of life on the run.

I remember when and I hit Daytona, on "speed" that the t en us, and these three in a car.

After two days of I wanted was a shower to one of them—Michael old guy from Ohio. He me to the house he : two others.

While the men we rebuilding piers, I w cook for them. Michael protecting me from keeping me away from where drugs were de were always doing wd when he asked me to was scared because I w I didn't really love him

So I went to a party w drunk and woke up in. When Michael wouldn't I started feeling deep the police and ended shelter. In all, I had been two weeks when my 1 plane ticket and I came

Through five years of, that's how it has always for love but acting plus drink or drug my way t then use seduction to go

The first time I ran a was 13—it was because drinking and stayed ou guy. My parents got tl volved, and things wou plicated I took off. A fri to an abandoned house j near where he lived.

I stayed there a we and cleaning and singing lonely. I slept on the flo to keep warm by wrappt old sheets of plastic left

SLICE OF LIFE

Girl on the Run: "Scared, Lonely, Scheming to Live"

UNHAPPY YOUNGSTERS who flee their families soon find that the road holds only fear, disillusionment and want. Yet taking the first step homeward is often the ultimate test.

Such was the experience of "Lisa," 17, who has a history of running away from her Maryland home. Now in a residential school, she gives this report of life on the run.

BETHESDA, Md.

I remember when my girlfriend and I hit Daytona, Fla., hopped up on "speed" that the truckers had given us, and these three guys pulled up in a car.

After two days of hitchhiking, all I wanted was a shower, so I cozied up to one of them—Michael—25-year-old guy from Ohio. Right off, he took me to the house he shared with the two others.

While the men were out at work rebuilding piers, I would clean and cook for them. Michael responded by protecting me from the others and keeping me away from Main Street, where drugs were dealt and people were always doing weird things. But when he asked me to marry him, I was scared because I was only 15 and I didn't really love him.

So I went to a party without him, got drunk and woke up in an other house. When Michael wouldn't take me back, I started feeling desperate, went to the police and ended up in a youth shelter. In all, I had been in Florida for two weeks when my parents sent a plane ticket and I came home.

Through five years of running away, that's how it has always been: Looking for love but acting phony. Usually I'd drink or drug my way into trouble—then use seduction to get by.

The first time I ran away—when I was 13—it was because I had been drinking and stayed out late with a guy. My parents got the police involved, and things soon got so complicated I took a k. A friend took me to an abandoned house in a cornfield near where he lived.

I stayed there a week, sweeping and cleaning and singing when I was lonely. I slept on the floor and tried to keep warm by wrapping myself in old sheets of plastic left over from

the movers. One night a policeman—Officer Bear I called him—saw me in a parking lot and took me home. I called cops pigs then, but I loved that man because he cared enough to talk about my troubles.

That's what I was looking for—someone to care for me. At first, whenever I ran away I'd say to myself: "Wow, I'm on my own. I can drink and party all I want, take a bong hit [smoke a marijuana pipe] any time I want."

But it wasn't long before I realized how scared, lonely and totally phony I was. I was doing everything to get something—to be loved, to feel secure, to get money or food. I was using people, scheming to live. It was fun at first, but after a while you don't have any friends because people start getting back at you.

I think I ran because I was trying to get away from myself and the crazy way I was living. Also, I didn't feel loved at home, so maybe I would feel loved somewhere else.

My birth wasn't exactly welcome because my father was a chronic alcoholic. My parents divorced when I was 6 months old, and I only saw my father a couple of times before he was killed while being robbed.



My mother remarried when I was 9, but I couldn't stand my stepfather. Without giving it a chance, I downright hated the man because my mom was all I had and it seemed like he was taking her away. I felt very lonely. Both my parents are teachers, and when my mother got home from work I was buried somewhere in the four kids that came with my stepfather.

A few times our brawls were my parents' fault, but usually I'd bait my stepfather. "Come on, hit me, man," I'd say, "so I can take you to court." I was just a punk.

By eighth grade, I had run away twice; started skipping school to go partying, and, even though I have the ability to be an A student, I flunked twice before I reached 10th grade.

No paradise, I kept on running, five times in all, but my life on the road was always the same—too many trashy people, too many drugs, too much promiscuity and drinking.

Usually, when I called my mom, she'd say something like, "I don't agree with what you're doing, and I think you should come home." She was angry, but she knew she didn't have any control over me.

But this last time—six months ago—things were different. When my roommate and I went AWOL from the school where I'm living, we only got as far as Pascagoula, Miss., before the cops pulled the truck over. They arrested the driver for picking up hitchhikers and locked me in a cell that was the real thing—with only an iron toilet, a hard bed and a slot where they pushed in your food.

After the strip search, I was ready to come home. This time, my mother made no attempt to hide the fact that she was angry, and the counselors at the school where I stay have helped me see why I've been unhappy and how I'm responsible for my own actions.

Now I'm finally beginning to realize that I have to stop scheming and start being honest about my feelings in order to gain real love and self-respect. It's also easier to feel that my mom loves me because she now will risk a fight by saying "No."

Most of all, even though I've been through a lot, I don't want to act older than I am any more. I realize that I'm not 25—that I'm just a kid—and that I really do need my parents and good friends.

America's "Throwaway" Children

Unwelcome in their own homes, thousands of youngsters roam the streets. Without job skills, many fall into lives of crime.

A growing share of the 2 million young runaways in America each year turn out instead to be "pushouts."

As divorce becomes more widespread and inflation increases economic stress, more parents are trying to solve their problems by kicking troublesome youngsters out of the house.

The Office of Youth Development of the Department of Health and Human Services, formerly the Department of Health, Education and Welfare, estimates that as many as 28 percent of the current runaway population may have been forced out of their homes by their parents. Some recent examples:

■ Jim, a 16-year-old, middle-class

youth in Ohio, got into a prolonged argument with his father over Jim's refusal to cut the grass. The father ordered him to leave the house and later refused to take him back.

■ Brenda, also 16 and a Midwesterner, had been involved sexually with her stepfather for several years. When her mother discovered this, she told Brenda to leave and never return.

■ After Sammy's mother committed suicide, his stepfather remarried. Sammy, then 15, says that he was "kicked out of the house" and his brother, age 17, told to join the Army.

■ An American Indian couple, both alcoholics, decided to split up, and each insisted that the other take responsibility for their 14-year-old daughter, Barb. Neither agreed to keep her, so Barb wound up living in cars and vacant buildings in Minneapolis.

■ In a stable family in San Francisco, the Latin American father and French mother finally drew the line on a long-standing issue and ordered their 15-year-old son, Jacques, to either "stop being gay" or move out. He moved.

Colu Lester of Huckleberry House in San Francisco counsels a young runaway.

Many thousands of these youngsters are appearing now at the doorsteps of local youth agencies or trying to make it on their own, often with disastrous results. Some wind up disappearing from their families and friends, becoming part of the 17,727 juveniles who are currently listed by the National Crime Information Center as among 22,463 missing persons.

Stephen Bourke, executive director of the National Network of Runaway and Youth Services program in Washington, D.C., puts much of the blame on parents. "It has become fashionable for parents to think of their own needs first," he says. "They separate and don't consider the children's needs. Take care of 'me'—Mommy and Daddy—is their first priority. Movies glorify the man and woman making it on their own. It's the parents who are really running away."

"Overburdened parents." Other authorities emphasize economic reasons. Mike Herron, executive director of Head Start, a runaway shelter in Modesto, Calif., comments: "We are seeing an increase in children running away from home or being pushed out by overburdened parents because the economy contributes to the stress in the family. This is an outgrowth of unemployment and inflation and an economy that forces both parents to work."

The big increase in the nation's divorce rate also gets a good share of the blame, in the view of many social workers. Observes Larry Dye, director of the Office of Youth Development: "When there is reconstitution of a family, when a mother or father takes on a new spouse, the youth often falls through the cracks."

Millions of children are involved, as the ranks of divorced parents continue to grow. Last year, the number of divorces reached 1.117 million, almost twice the 630,000 of a decade earlier. In the same period, the number of divorces per 1,000 couples has increased from 13.4 to 22.8, according to official sources. In the majority of these divorce cases, children are affected to some degree.

Whatever the reasons, the increase in the number of juveniles who are forced out by their parents appear to

be changing the pattern of home children in America's big cities. In Boston, a recent study of 147 clients of Bridge—a runaway-counseling center and shelter for youths—showed that 60 percent had been either thrown out of their homes or abused and forced leave.

As one counselor puts it: "The young people who leave home prematurely today do so for more serious and compelling reasons than they did even a few years ago. The number of 'Huckleberry Finns' on Boston's streets has increased sharply, and the flower children have vanished altogether."

Temporary shelter. Because of growing incidents of pushouts "throwaways," as they are sometimes referred to by city officials, programs that help troubled youth are beginning to focus more on that portion of runaway population. There are 1164 federally funded programs of long shelter and counseling for home youths, and scores of other local projects financed by cities or private organizations set up to do the same. All provide a place for the youngster stay, at least on a temporary basis.

Since few of the pushouts are able

Troubled Teens Speak: "I Wish I Had a Family"

How do runaways and "pushouts" feel about themselves and their families? From a Boston study comes this reaction from troubled youngsters, in their own words—

On parents. "I was never anything to my mother but another kid to feed and throw around when I was small. Then when she thought I was big enough, she told me to get out and not come back. I was 13."

"My father always came home drunk and would wake me up and beat me up. My ma used to cry, and I used to make her coffee after Dad went to sleep, and she used to talk to me and put Band-Aids on my cuts and cry."

"My father does not communicate with me in any way, and if I had a gun, I'd probably kill him."

"My mother has children without any idea of the responsibilities that go along with it. My father screws up people's lives. I don't have a home."

"I want to find my real mother and have her take care of me, and I'd kill my stepmother who is the meanest of all the mean people in this world."

About themselves. "I have no one to talk to at night."

"I get lonesome. I wish I had a family."

"I never stayed with my family after I was 3, and I have a social worker that's not too smart."

"Being a Spanish person, I can't go where I want since I am not welcome."

"No one hasn't cared about me. Life's good things. There was never anything good about it."

"My dog and my 11-year-old brother. And that's absolutely all."

"Spending my time in trouble because then I get a lot of attention."

"I have no fond recollections."

The worst things. "My family did not want me. Been on my own since 11, except for a so-called aunt."

"Living on the street with drugs and violence. But it's better to get beat up by a stranger on the street than by someone you care about at home."

"Being poor. It's awful and degrading to be poor."

"Not having a place to go home to. Not having a family."

NOW YOU'LL



A new available automatic

Remember how Mom used to remind you to wear your boots in the rain? You'll still forget mom.

Well, that same kind of thing happens with seat belts.

And that's the reason Chevy Chevelle announces an available automatic seat and shoulder belt system (not available on Chevy's Scooter). You can't forget it because



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
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Juneau, Alaska 99811
(907) 465-3991

March 11, 1983

MEMORANDUM

TO: Representative Barbara Lacher

FROM: Deborah L. Greenberg, Research Staff

D. L. Greenberg

RE: Runaway and Homeless Youth
Research Request 83-21

Joan Mathews of your staff requested that we prepare a memorandum on runaway and homeless youths in Alaska. In response to your request, this memorandum examines existing laws pertaining to runaway youths and their parents and describes programs currently serving the needs of runaways. We have also attempted to determine the extent to which the State and private nonprofit organizations could more effectively manage the problems of runaway youth, either through expanded programs or by changing the law. Most programs for runaway youths are located in the Anchorage area and we have, therefore, focused our discussion on that area of the state. Finally, we have included a section on other states' programs and federal legislation.

SUMMARY OF FINDINGS

- Currently, it is not a crime or status offense for youths to run away from their legal guardians. The police can pick up runaways but may not incarcerate them unless they have broken a law. They can take them home or to a Department of Health & Social Services office as the youth wishes. The department may provide services for runaway youths who are brought to them by the police. The department also may take emergency custody of a youth if they deem it necessary.
- Parents or legal guardians have limited financial liability of up to \$2,000 for any damages caused by their children after they have run away. Furthermore, they can be required to make contributions to cover costs of their children's welfare after (s)he is taken into custody by the State.
- Parents of runaway youths can request assistance from the police; however, there is little the police can do unless the location of the runaway can be determined easily.

Representative Lacher
March 11, 1983
Page 2

- Both State and nonprofit programs provide services to runaway youths in the state's major population centers. In rural Alaska, there may be nowhere to run or youths may simply turn to neighbors or relatives in their communities.
- The State's Division of Family and Youth Services, DHSS, provides direct services and counseling for runaway youths through their Anchorage, Fairbanks, Juneau, Ketchikan, Nome and Bethel offices.
- Additionally, in the Anchorage area, runaway youth and their families may obtain assistance from two nonprofit organizations: the Family Connection and Alaska Youth Advocates.
- The directors of these two organizations have recommended the establishment of "safe home" or "runaway shelter" facilities to supplement the existing services currently available to runaway youth through nonprofit organizations.
- Two possible changes in existing law were discussed with State and nonprofit agency representatives and with an attorney from the Alaska Bar Association's Family Law Committee:
 - recriminalizing the act of running away; and
 - requiring adults harboring runaways to report to the authorities.
- However, most of the people we consulted felt that the problems of runaway youth and their families could be adequately handled under the current provisions of the law.

EXISTING LAWS AND PROGRAMS

Legal Status of Runaways and State Intervention

Currently, it is not a crime or status offense¹ for a minor to run away from his or her legal guardian. However, a police officer may pick up and detain a minor who is evading the person having legal custody of him:

for the sole purpose of either (1) returning the minor to the person having legal custody of him or (2) if the minor prefers, taking him to an office specified by the Department of Health and Social Services, facility or contract agency of the Department of Health and Social Services where such exists in the community [AS 47.10.140(f)].

¹ a status offense is an act that is a crime if committed by a minor but not a crime if committed by an adult.

Representative Lacher
March 11, 1983
Page 3

Immediately upon detaining a minor under this provision, the police officer must advise him of his right to social services and if known, must also notify the parent or legal guardian.

If a youth is subsequently brought to the Department, then the Department shall:

...furnish the minor with the social services it considers appropriate to protect the well-being of the minor and to preserve his family life if preserving it is considered desirable under the circumstances. If, after assessing the situation, considering the wishes of the minor, and furnishing appropriate social services, the department considers it necessary, the department may take emergency custody of the minor" [AS 47.10.142(c)].

If the Department of Health and Social Services takes a youth under emergency custody, they must notify the youth's parents within 12 hours that he or she is in their care. Alaska law also requires that the department immediately file a petition with the court alleging that the youth is a "child in need of aid" [AS 47.10.142(c)]. "Child in need of aid" is a noncriminal classification including children who are abused, neglected, abandoned, habitually absent from their home or refusing to accept available care [AS 47.10.010(a)].

Within 48 hours after the petition is filed, the court must hold a hearing to determine if there is probable cause to believe that the youth is a child in need of aid. Both the youth and his/her parents or guardians are notified of this hearing and may be present if they are located. If the court finds that there is probable cause to believe that the youth is a child in need of aid, the youth may be temporarily placed in the custody of the DHSS or returned to his/her family, subject to supervision by the department. The court makes further determinations regarding the youth at subsequent hearings [AS 47.10.142(d)(e)].

If the court decides at the preliminary hearing that there is no probable cause to believe that a youth is a child in need of aid, custody is returned to the parents or legal guardians.

Runaways who are in the custody of the Department of Health and Social Services, either temporarily or permanently, may not be incarcerated or institutionalized (e.g., at McLaughlin Youth Center). Alaska's juvenile code only authorizes incarcerating a youth when he or she has violated the law and been adjudged a delinquent minor. (See Attachment A for the statutes concerning runaways).

Parents of Runaway Youths

Options for Parents. Parents can call the police to assist them in looking for their runaway children. In Anchorage parents wishing to report their runaway children to the police must sign a form identifying themselves as the legal and rightful guardian and should furnish photos of the child. If the parents think they know the location of their child, an officer will go to the site. If the police find the youth, the police give them the choice of returning home or being taken to a Department of Health and Social Services (DHSS) office, or one of their contract agencies.

If the parents do not know the whereabouts of the child or if (s)he cannot be found at this location, the relevant information is entered into a computer. Police use the computer file to check whether anyone they pick up matches the runaway's description.

According to Mr. Robert Foster², the sergeant in charge of the Juvenile Section of the Anchorage Police Department, most parents do not report their children as runaways. Any of several factors might discourage parents from seeking police assistance. Parents may understand that there is little the police can do for them unless they know the location of their child. Parents may also be reluctant to involve the police in the matter. There are also parents who don't really care if the child returns home or who may have actively forced him/her to leave.

Liability. Parents or legal guardians of runaway youths are liable for up to \$2,000 for damage caused by their children [AS 34.50.020(a)(b)]. In addition, a court can require that the parents of a youth placed in State custody contribute to the costs of the youth's care. The amount, generally paid monthly, is intended to help cover the cost of food, clothing, health care, and education. The amount is determined on the basis of what the parents would be paying if the youth were living at home. The court may allow or request that the parents maintain health insurance for their children [AS 47.10.120].

Options for Runaway Youth

Youth run away in response to a variety of problems, including:

- violent or sexual abuse at home;
- philosophical differences with their parents or guardians (such as who they may date, what time they should be in at night etc.);

² Mr. Robert Foster, Sergeant in Charge of the Anchorage Police Department Juvenile Section; Anchorage 264-4125.

- personal emotional problems;
- discipline problems;
- temporary crises in the home;
- the family or guardians neglecting, abandoning them or even forcing them out.

According to several professionals we interviewed, most runaway youths are one time runners and eventually return home. Although not documented, all these professionals agree that only a small percent of runaways are habitual or chronic runaways or "homeless youth." Furthermore, they also agree that most youth who run away do not subsequently become involved in criminal or delinquent acts.

Once youths have run away they may turn to a number of sources for direction. These include friends, neighbors, relatives, newly acquired acquaintances, nonprofit organizations and the Alaska Department of Health and Social Services. As noted earlier, runaways may also be picked up by the police. In dealing with runaways, the police, DHSS, and the nonprofit programs have one common underlying purpose: to preserve the family unit and, whenever practical, to expedite the youth's return home (unless it jeopardizes the youth's welfare).

Family Connection. The Family Connection, a private nonprofit organization in Anchorage, provides assistance to runaway youths. According to Mr. Jerry Kaplan³, Executive Director, the agency received 284 calls in 1981 related to runaway and homeless youth programs. Family Connection's program for runaways consists of a crisis unit and temporary foster home placement, ongoing family counseling, and community outreach volunteers who recruit, train, and license volunteer homes. Of the approximately 75 youths placed in temporary foster care programs in the past three years, only two or three have subsequently become involved in acts of delinquency.

According to Mr. Kaplan, Family Connection strives to reunite the family. Most of the runaways they counsel are generally experiencing ephemeral crises in the home, or are having minor discipline problems.

³ Mr. Jerry Kaplan, Executive Director of the Family Connection; 204 E. 5th Ave. Anchorage; 279-0551.

Youths either contact the Family Connection of their own accord, or are brought there by the police who have given them the choice of reporting to a Department of Health and Social Services office, returning home or entering the Family Connection⁴. The Family Connection encounters few habitual runners and has a high success rate of reuniting families. According to Mr. Kaplan, they have seen few repeated occurrences of youth running away. (See Attachment B for additional information on Family Connection.)

Alaska Youth Advocates. Alaska Youth Avocates (AYA) is another non-profit organization providing counseling to runaway youths in the Anchorage area. AYA combines their legal expertise with their practical program experience to help solve the youths' problems. Alaska Youth Advocates gives legal advice to runaways and provides crisis counseling to help runaways determine their most practical and least hazardous course of action. They can be reached twenty-four hours a day for crisis counseling. AYA receives calls primarily from youths who want to know their legal rights.

At AYA, counselors first advise youth of their rights, and then try to determine where the runaway is and whether (s)he is safe. If the runaway is on the street, the counselor tries to help the youth understand his/her possible courses of action and to get the youth to go somewhere safe. First, an AYA counselor tries to assess whether the youth can and will return home. If not, then the next step is to determine whether the youth has responsible friends or relatives to stay with temporarily until the youth can be reunited with his/her family, or be placed somewhere else, i.e. in foster homes or in the State's facility. In urgent situations, if no other option seems feasible, AYA counselors will send runaways to Family Connection (described above) or to a DHSS Division of Family and Youth Services office.

The Anchorage Municipal Youth Commission publishes a booklet entitled "Where Do I Go from Here," which includes a list of resources available to youth. AYA counselors use this booklet as a guide to help refer youths to other organizations that may be useful.

According to Sharon Eggers, Executive Director⁵, AYA also has a street outreach program. Under the outreach program, AYA staff seek out runaways on the streets for the purpose of informing them of their rights and options and making them aware of the resources and help available to them. Outreach staff spend time where youth are, at game rooms,

⁴ The Family Connection was awarded a grant by the State to assist in helping runaways.

⁵ Ms. Sharon Eggers, Executive Director of Alaska Youth Advocates, resigned effective April 1, 1983; 204 E. 5th Ave; Anchorage; 274-6541.

Representative Lacher
March 11, 1983
Page 7

penny arcades, bowling alleys, movie theatres and skating rinks. By developing a rapport with the youths there, the staff become recognized as trustworthy adults who can help. Ms. Eggers conjectured that this program was perhaps the only feasible way to reach the homeless, the "throwaways",⁶ habitual runners and others who would never otherwise come in contact with authorities.

Division of Family and Youth Services, DHSS. The Department of Health and Social Services, Division of Family and Youth Services also provides direct services and counseling for runaway youths through their Anchorage, Fairbanks, Juneau, Ketchikan, Nome and Bethel offices. Each office tries to provide round-the-clock, on-call staff for crisis situations.

The Division's temporary care resources include foster homes (which are recruited and reimbursed by the Division), and emergency shelters and receiving homes, both of which are staffed by the Division in State facilities. According to Mr. Russell Webb⁷, Program Analyst for the Division, 1,207 placements were made in the State's temporary care program in fiscal year 1982.

Practically speaking, the only way in which the Division of Family and Youth Services comes in contact with runaways is when the police bring them to the agency or when youths seek help at their own initiative. Currently, the Division has no program of its own for actively seeking and helping runaways who do not contact the division in one of these ways.

Through grants to municipalities, the Division helps to fund the Family Connection in Anchorage, the Family Focus in Fairbanks and other similar programs throughout the state. John Pugh⁸, Acting Deputy Commissioner of DHSS, believes that these programs, combined with the Department's programs and temporary foster care programs, are effective in assisting their clients.

⁶ "throwaways" is a term that is used to describe youths who have been forced from the home.

⁷ Mr. Russell Webb, Program Analyst; Department of Health and Social Services, Division of Family and Youth Services; Juneau; 465-3170.

⁸ Mr. John Pugh; Deputy Commissioner; Department of Health and Social Services; Juneau, 465-3030.

Representative Lacher
March 11, 1983
Page 8

POSSIBLE CHANGES IN STATE LAWS AND PROGRAMS

In the course of our research, we asked various agency and program representatives to identify possible changes in laws and programs which might help the State provide better assistance to runaway youth and their parent. The suggestions we received are described below; first, in regard to possible program modifications and, secondly, relating to changes in State law.

Adequacy of State Programs for Managing Runaway Youths

As noted in the previous section of this memorandum, the program options available to runaway youths include counseling and foster care placement by the D!SS, Division of Family and Youth Services, and by independent nonprofit organizations (some of which are funded in part by grants from the State). These programs tend to be located in the larger population centers of the state.

The professionals we consulted each favored different types of programs for assisting runaways. However, they all agree that there are many runaway youths who are never reached by the State or a nonprofit organization. Professionals from the nonprofit organizations felt strongly that with more programs, funding and staff, their ability to keep runaway youths off the streets and out of danger could be enhanced.

John Pugh, with DHSS, indirectly acknowledged that many homeless youth remain on the streets without making use of social services, and are never actively pursued by the State. However, in his view, the current law and programs serve to provide safeguards for the most vulnerable individuals in these predicaments. He described the prevention emphasis of the State's existing approach which includes counseling, emergency care, and programs to reunite families. Additionally, the State puts emphasis on its sexual abuse programs, which, according to Mr. Pugh, helps alleviate a fundamental problem often resulting in youths running away.

Mr. Kaplan of the Family Connection noted the difficulty in recent times of finding enough temporary foster homes. In previous years, the agency had fourteen or fifteen temporary foster care homes. Currently, the Family Connection has only five temporary foster homes, placing approximately twelve to twenty youths annually. According to Mr. Kaplan, they could easily place twice as many youths if additional foster homes were available.

As Executive Director for the Family Connection, Mr. Kaplan stated that he would favor development of one or two "safe home programs" for the Anchorage area. Each safe home program would provide short-term (one

Representative Lacher
March 11, 1983
Page 9

to two weeks) emergency shelter, food and care for as many as ten runaway youths. The safe home programs would be managed by trained, paid permanent staff. According to Mr. Kaplan, two safe home programs of this nature would adequately meet their demand for emergency care while they concurrently try to reunite the families.

Sharon Eggers of Alaska Youth Advocates was confident that many more runaways could be helped than currently is the case. She expressed concern that a city the size of Anchorage has no "safe home" shelter similar to the one described by Mr. Kaplan of Family Connection. In her opinion, State emergency shelters should be reserved for the State's abused youths and should not be used by runaways.

Independent of her duties as Executive Director of AYA, Ms. Eggers⁹ is working with a group of other concerned citizens to develop a "runaway shelter" proposal for the Anchorage area. If implemented, Ms. Eggers felt the proposal would provide needed services to runaways. She felt the most important aim of the proposal was to provide a safe place for runaways to stay in order to keep them off the streets.

Under the proposal, runaway youths could enter an emergency home directly and would not need to have parental permission. However, the shelter's staff would notify the parents of the youth's location. The shelter would have trained counselors whose objective would be to help reunite the family, counsel the youth and help the youth choose the best course of action.

Ms. Eggers pointed out that a well-directed runaway shelter could also help alleviate the problems and distress experienced by parents of runaways. Parents would know that their children had other options than the streets. For many parents it would ensure that there is a program which emphasizes reuniting the family without having their children come in contact with the police. Ms. Eggers also noted that a runaway shelter could be designed to provide confidential hot-line counseling whereby runaway youths could call a counselor and have the counselor assure the parents of their safety. Further, parents could call in to counselors and inform them of the situation at home. The additional information and contacts with the parents would enhance the ability of the counselor to assess the situation and reunite the family.

⁹ Ms. Sharon Eggers, Anchorage: 337-3775.

Possible Changes in State Law

In our research, we discussed the following two possible changes in State law with various agency and program representatives:

- recriminalizing the act of running away; and
- requiring adults harboring runaways to report to the authorities.

Recriminalization. Prior to 1973, running away was a crime. In 1973 the law changed and juveniles who could come under court authority fell into three categories: delinquent, child in need of aid, and status offenders. At this time, running away was classified as a status offense. In 1977, a law was passed decriminalizing the act of running away altogether. At this point juveniles were grouped into only two categories, "delinquents" and "children in need of aid." These categories are currently in effect. As noted previously, a youth who has run away and not broken any laws can be considered a "child in need of aid."

According to John Pugh, the recriminalization of runaways (i.e. making it a status offense for a youth to run away) would give the authorities the power to physically detain runaways until an appropriate course of action could be determined. Mr. Pugh explained that this would be most advantageous in assisting habitual runaways who often do not stop running long enough to seek help. However, Mr. Pugh emphasized that the percent of youths in this category is small and that recriminalizing running away would be detrimental to the majority of runaway youths.

Recriminalizing the act of running away would obligate the State and the police to detain youths for indefinite periods of time. Mr. Pugh highlighted the lack of existing detention facilities for runaways. He stated that McLaughlin Youth Center in Anchorage was not adequately equipped for this purpose. Further, he saw little merit in institutionalizing runaways with juvenile delinquents. According to Mr. Pugh, most youths who run away do not subsequently become engaged in acts of delinquency, but might be prone to do so if exposed to delinquent peers while being detained by the State.

Mr. Max Gruenberg, an attorney with the Alaska Bar Association's Family Law Committee¹⁰, supported the idea of recriminalizing the act of running away. In Mr. Gruenberg's experience, most runaways are discipline problems and "chronic liars" regarding abuse or neglect by their

¹⁰ Mr. Max Gruenberg, Attorney, Alaska Bar Association, Family Law Committee; Anchorage 276-6844

Representative Lacher
March 11, 1983
Page 11

parents. Mr. Gruenberg described the frustration experienced by parents who can not automatically enlist the authority of the State to regain control of their children. In his experience as an attorney working for parents, most runaway youths are chronic runners and temporary foster care programs only serve as "honeymoon" periods before the youths flee again.

According to Mr. Gruenberg, a statute making runaways status offenders would give the State greater control over habitual runaways. Mr. Gruenberg explained that recriminalizing the act of running away serves the same purpose as the two traditional uses of bail: guaranteeing the youth's appearance in court, and ensuring protection of the community.

Based on the Family Connection's experience with these youths, Mr. Kaplan believes that a law recriminalizing running away would only further penalize youths who have already been subjected to unpleasant circumstances beyond their control. Furthermore, it might necessitate detaining runaway youths with delinquents, who according to Mr. Kaplan, potentially serve as bad influences.

According to Ms. Sharon Eggers, Executive Director of Alaska Youth Advocates, there are as many runaways now as there were when it was a criminal offense for youths to run away. In her opinion, reversing the law will not curtail the numbers of youth who run.

Requiring adults to report to the authorities. The State officials we interviewed did not favor amending the statutes to require adults harboring runaway youths to report to the authorities. Mr. Pugh pointed out that there are two types of adults who harbor runaway youths. First, there are those who are responsible and looking out for the youth's welfare who would be inclined to report to the authorities in any event. Secondly, there are those who harbor runaway youths for illicit purposes, and in no event would they report their activities. Furthermore, Mr Pugh felt that such a requirement would be difficult to enforce.

Ms. Yvonne Walker, former acting director of the Division of Family and Youth Services, emphasized that often a youth finds shelter and care in the home of a close relative or neighbor and that these informal networks often provide the best short and long-term alternatives for youths. Particularly in communities of rural Alaska that are not large enough to warrant special programs for runaways, these informal networks are frequently the youths' only option. A statute requiring adults to report to the authorities might discourage these liaisons and working networks, according to Ms. Walker.

Representative Lacher
March 11, 1983
Page 12

The advantage of such a requirement is the possibility of reassuring parents of their children's safety and whereabouts. Mr. Gruenberg of the Family Law Committee, suggested that a statute requiring the reporting of runaways would discourage adults from sheltering runaway youths, and thereby increase the pressure and the likelihood that these youths would return home. Further, Mr. Gruenberg stated that in instances where adults were known to harbor runaways, the parents or the State could use such a requirement to bring the adult into court and order the return of that youth to his or her rightful guardian.

Mr. Kaplan of the Family Connection, felt that a statute requiring adults to report the runaway youths they harbor would be useful for tracking youths, and ensuring their safety. However, he hoped such a requirement would not discourage responsible adults from harboring runaway youths.

In summary, the primary advantages of a statute incorporating this requirement is the possibility of monitoring the whereabouts and safety of runaway youths. Additionally, there is the potential of deterring youth from running because other adults might be more reluctant to harbor them. The other advantage of requiring adults harboring youths to report to the authorities is that it would provide a tool to prosecute adults who will not release runaway youths.

The disadvantage of a statute incorporating this requirement is that it may discourage informal arrangements between runaway youths and responsible neighbors or relatives. This informal network may be the only practical option for many runaway youths, especially in rural areas.

FEDERAL LEGISLATION AND OTHER STATE PROGRAMS

The Federal Runaway and Homeless Youth Act was enacted in 1974. The goals of the act are to serve the needs of youth during the runaway episode, to reunite the youth and their families, to strengthen family relationships, and to help the youth determine a wise course of future action. Further, the act makes grants and training available to community-based programs. Currently, the Family Connection in Anchorage is the only organization in Alaska to receive a grant under this act. (See Attachment C for more information on the Federal law and program.)

We spoke with Ms. Michele Magri, Project Manager of Youth Services, from the National Conference on State Legislatures. Ms. Magri provided us with a table depicting the grants awarded to each state in fiscal year 1981, as well as the number of programs in each state and in Puerto Rico

Representative Lacher
March 11, 1983
Page 13

that received these grants (see Attachment D). Ms. Magri emphasized the lack of information on the different states' programs, and noted that the states are not always aware of what local programs are operating within their boundaries. Ms. Magri did, however, agree to release a draft report she is preparing on this topic, (see Attachment E). Her draft report is the best available source of information on other states' programs and legislation for runaways and homeless youths.

I hope this information has been useful to you. Please feel free to contact us if you are interested in further research on this topic.

DLG:SB/sj

Attachments:

A---Alaska Statutes Covering Runaway Youths

B---Information on The Family Connection

C---An Article from "State Legislatures" on Runaway Youths & the Federal Runaway & Homeless Youth Act
The Federal Runaway Youth Act
The Runaway Youth Act of New York, the only State which has developed a law in response to the Federal Act.

D---States Awarded Federal Grants for Runaway Youth Programs

E---NCSL Draft Report on Other States' Runaway Programs & Legislation

ATTACHMENT A
Alaska Statutes Covering Runaway Youths

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§ 47.10.010 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.10.010

(12) "third-party payments" means payments of medical expenses related to a catastrophic illness by sources other than the applicant or the committee, including but not limited to state and federal medical assistance programs, private health insurance, employment-related health insurance, military health insurance, workers' compensation, violent crimes compensation, Indian Health Service of the United States Department of Health, Education and Welfare, and awards in legal actions. (§ 1 ch 107 SLA 1978; § 60 ch 94 SLA 1980)

Effect of amendments. — The 1980 amendment substituted "workers' compensation" for "workmen's compensation" in paragraph (12).

Chapter 10. Delinquent Minors and Children in Need of Aid.

NOTES TO DECISIONS

Cited in Flores v. Flores, Sup. Ct. Op. No. 1875 (File No. 3832), 598 P.2d 893 (1979).

Article 1. Children's Proceedings.

Section

- 10. Jurisdiction
- 142. Emergency custody and temporary placement hearing

Sec. 47.10.010. Jurisdiction. (a) Proceedings relating to a minor under 18 years of age residing or found in the state are governed by this chapter, except as otherwise provided in this chapter, when the court finds the minor

(1) to be a delinquent minor as a result of violating a criminal law of the state or of a municipality of the state; or

(2) to be a child in need of aid as a result of

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

- (i) both parents,
- (ii) the surviving parent, or
- (iii) one parent if the other parent's rights and responsibilities have been terminated under AS 47.10.080 or voluntarily relinquished;

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

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

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

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

(F) the child having suffered substantial physical abuse or neglect as a result of conditions created by the child's parent, guardian or custodian.

(b) When a minor is accused of violating a traffic statute or regulation, a traffic ordinance or regulation of an incorporated municipality, a fish and game statute or regulation under AS 16 or a parks and recreational facilities statute or regulation under AS 41.20, excepting a statute the violation of which is a felony, the procedure prescribed in AS 47.10.020 — 47.10.090 may not be followed, except that a parent, guardian or legal custodian shall be present at all proceedings. The minor accused of a traffic offense, a fish and game statute or regulation violation under AS 16 or parks and recreational facilities violation under AS 41.20 shall be charged, prosecuted, and sentenced in the district court in the same manner as an adult.

(c) In a controversy concerning custody of a minor, the court may appoint a guardian of the person and property of a minor and may order support from either or both parents. Custody of a minor may be given to the Department of Health and Social Services, and payment of support money to the department may be ordered. (§ 4 art I ch 145 SLA 1957; am § 1 ch 76 SLA 1961; am §§ 1, 2 ch 110 SLA 1967; am § 1 ch 64 SLA 1969; am § 6 ch 104 SLA 1971; am §§ 7, 8 ch 63 SLA 1977; am § 1 ch 104 SLA 1982)

Effect of amendments. — The 1982 amendment, effective July 1, 1982, added subparagraph (2)(F) to subsection (a).

Editor's notes. — Section 7, ch. 110, SLA 1967, as amended by § 80, ch. 69,

SLA 1970, provides: "In exercising its jurisdiction under AS 47.10, the superior court may designate district judges and magistrates as masters under Civil Rule 53."

criminal offense of 18 years, he is no the benefits of the State. Sup. Ct. 24, 576 P.2d 1352

court's jurisdiction subsection (a) nor to extend the section to newly arriving between the birthdays. Henson No. 1590 (File No. 5).

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(c) The sum collected from a parent under this section shall be directly credited to the general fund of the state. (§ 13 art I ch 115 SLA 1957; am § 1 ch 31 SLA 1959; am § 1 ch 141 SLA 1959; am § 23 ch 63 SLA 1977)

Effect of amendment. — The 1977 aid" for "dependent minor" in two places in amendment substituted "child in need of" the first sentence of subsection (a).

Sec. 47.10.130. Detention. No minor under 18 years of age who is detained pending hearing may be incarcerated in a jail unless assigned to separate quarters so that the minor cannot communicate with or view adult prisoners convicted of, under arrest for, or charged with a crime. When a minor is detained pending hearing, his parent, guardian, or custodian shall be notified immediately. (§ 14 art I ch 145 SLA 1957)

A detention which was twice continued by the master of the children's court for a total period of six days exemplifies a usurpation of judicial power. In re P.H., Sup. Ct. Op. No. S57 (File No. 1538), 504 P.2d S37 (1972).

Sec. 47.10.140. Temporary detention and detention hearing. (a) A peace officer may arrest a minor who violates a law or ordinance in his presence, or who he reasonably believes is a fugitive from justice. A peace officer may continue a lawful arrest made by a citizen. He may have the minor detained in a juvenile detention facility if in his opinion it is necessary to do so to protect the minor or the community.

(b) A peace officer who has a minor detained under (a) of this section shall immediately, and in no event more than 12 hours later, notify the court, the minor's parents or guardian, and the Department of Health and Social Services of the officer's action. The department may file with the court a petition alleging delinquency before the detention hearing.

(c) The court shall immediately, and in no event more than 48 hours later, hold a hearing at which the minor and his parents or guardian if they can be found shall be present. The court shall determine whether probable cause exists for believing the minor to be delinquent. The court shall inform the minor of the reasons alleged to constitute probable cause and the reasons alleged to authorize his detention. The minor is entitled to counsel and to confrontation of the witnesses against him.

(d) If the court finds that probable cause exists, it shall determine whether the minor should be detained pending the hearing on the petition or released. It may either order the minor held in detention or order him to be released to the custody of a suitable person pending the hearing on the petition. If the court finds no probable cause, it shall order the minor released and close the case.

(e) Except for temporary detention pending a detention hearing or temporary detention under (f) of this section, no minor may be detained except by court order.

(f) A peace officer may detain a minor who is evading the person having legal custody of him if the minor is not otherwise subject to arrest or detention under (a) of this section, for the sole purpose of either (1) returning the minor to the person having legal custody of him or (2) if the minor prefers, taking him to an office specified by the Department of Health and Social Services, facility or contract agency of the Department of Health and Social Services where such exists in the community. Immediately upon detaining a minor under this provision, the peace officer shall advise him of his right to social services under AS 47.10.142(b), and, if known, the peace officer shall advise the person having the legal custody of the minor of his detention.

(g) No minor who is detained under (f) of this section may be detained in a jail or other facility unless kept out of contact with adult persons convicted or accused of a crime. No minor may be detained in a jail or other detention facility which has not been approved by the Department of Health and Social Services before detention of the minor. (§ 15 art I ch 145 SLA 1957; am § 3 ch 118 SLA 1962; am § 2 ch 100 SLA 1971; am § 6 ch 104 SLA 1971; am §§ 1, 2 ch 128 SLA 1972)

Detention orders neither based on invalid. In re P.H., Sup. Ct. Op. No. 857 competent testimony nor accompanied by (File No. 1533), 504 P.2d 837 (1972). the required statement of facts are

Sec. 47.10.142. Emergency custody and temporary placement hearing. (a) The Department of Health and Social Services may take emergency custody of a minor upon discovering any of the following circumstances:

- (1) the minor has been abandoned;
- (2) the minor has been grossly neglected by his parents or guardian, as "neglect" is defined in AS 47.17.070(5), so that immediate removal from his surroundings is, in the determination of the department, necessary to protect his life;
- (3) the minor has been abused, as "abuse" is defined in AS 47.17.070(1), so that immediate medical attention is necessary, in the determination of the department.

(b) A minor who has left home and is evading the person having legal custody of him may obtain the services of the department. The department shall assess the situation and furnish the minor with the social services it considers appropriate to protect the well-being of the minor and to preserve his family life if preserving it is considered desirable under the circumstances. If, after assessing the situation, considering the wishes of the minor, and furnishing appropriate social services, the department considers it necessary, the department may take emergency custody of the minor.

(c) When a child is taken into custody under (a) or (b) of this section, the department shall immediately, and in no event more than 12 hours later unless prevented by lack of communication facilities, notify the

47.10.085

M.O.W.
File No.

Ct. Op.
P 2d 534
No 2491
(1982)

App. Op.
(1982)

Op. No.
(1982)

Residual

§ 47.10.090 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.10.142

Sec. 47.10.090. Records.

NOTES TO DECISIONS

Cited in M.O.W. v. State. Ct. App. Op.
No. 95 (File No. 4846), P 2d (1982).

Sec. 47.10.142. Emergency custody and temporary placement hearing. (a) The Department of Health and Social Services may take emergency custody of a minor upon discovering any of the following circumstances:

- (1) the minor has been abandoned;
- (2) the minor has been grossly neglected by his parents or guardian as "neglect" is defined in AS 47.17.070(5), so that immediate removal from his surroundings is, in the determination of the department, necessary to protect his life;
- (3) the minor has been abused, as "abuse" is defined in AS 47.17.070(1), so that immediate medical attention is necessary, in the determination of the department;
- (4) the minor has been sexually abused under circumstances listed in AS 47.10.010(a)(2)(D).

(b) A minor who has left home and is evading the person having legal custody of him may obtain the services of the department. The department shall assess the situation and furnish the minor with the social services it considers appropriate to protect the well-being of the minor and to preserve his family life if preserving it is considered desirable under the circumstances. If, after assessing the situation, considering the wishes of the minor, and furnishing appropriate social services, the department considers it necessary, the department may take emergency custody of the minor.

(c) When a child is taken into custody under (a) or (b) of this section, the department shall immediately, and in no event more than 12 hours later unless prevented by lack of communication facilities, notify the parents or the person or persons having custody of the child and the court of the action and file with the court a petition alleging that the child is a child in need of aid.

(d) The court shall immediately, and in no event more than 48 hours after being notified unless prevented by lack of transportation, hold a hearing at which the minor, if his health permits, and his parents or guardian, if they can be found, shall be permitted to be present. The court shall determine whether probable cause exists for believing the minor to be a child in need of aid, as defined in AS 47.10.290(8). The court shall inform the minor, and his parents or guardian if they can be found, of the reasons given as constituting probable cause and the reasons given as authorizing his temporary placement.

(e) If the court finds that probable cause exists it shall order the minor committed to the department for temporary placement, or order him returned to the custody of his parents or guardian subject to the department's supervision of his care and treatment. If the court finds no probable cause it shall order the minor returned to the custody of his parents or guardian. (§ 3 ch 100 SLA 1971; am § 6 ch 104 SLA 1971; am § 24 ch 63 SLA 1977; am § 2 ch 104 SLA 1982)

Effect of amendments. — The 1982 amendment, effective July 1, 1982, added paragraph (4) to subsection (a).

Article 2. Juvenile Institutions.

Sec. 47.10.200. Releasing juveniles after commitment.

NOTES TO DECISIONS

Jurisdiction over probation revocation proceedings. — The Department of Health and Social Services has the authority to conduct revocation proceedings when it has granted the probation allegedly violated, as a corollary to its power under this section to grant probation. However, until such time as the department chooses to establish procedures regarding probation revocation, jurisdiction over such cases will remain in the superior court. In re L.C. v. State, Sup. Ct. Op. No. 2277 (File Nos. 4401, 4411), 625 P.2d 839 (1981).

Hearing. — The requirement in Children's Rule 12(a) of a disposition hearing applies to a court-ordered revocation of a juvenile delinquent's administratively granted probation. In re L.C. v. State, Sup. Ct. Op. No. 2277 (File Nos. 4401, 4411), 625 P.2d 839 (1981).

The hearing in connection with a juvenile delinquent's probation revocation must be broader than merely determining probable cause that probation conditions are violated. In re L.C. v. State, Sup. Ct. Op. No. 2277 (File Nos. 4401, 4411), 625 P.2d 839 (1981).

Article 3. Care of Children.

Sec. 47.10.230. Powers and duties of department over care of child.

NOTES TO DECISIONS

Quoted in E.A. v. State, Sup. Ct. Op. No. 2289 (File Nos. 4687, 4870), 623 P.2d 1210 (1981).

Article 4. General Provisions.

Sec. 47.10.290. Definitions.

NOTES TO DECISIONS

Quoted in N.P.A. v. State, Sup. Ct. Op. No. 2005 (File No. 4618), 604 P.2d 599 (1979).

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25.20.030, which requires each child to
maintain his parents when they are poor
and unable to work and maintain them-
selves. In re Estate of Pushruk, Sup. Ct.
Op. No. 1398 (File No. 2974), 562 P.2d 329
(1977).

Although AS 25.20.030 establishes a
duty running between parent and child
under specific factual circumstances, it
does not create a right of action in the
parent against a third-party tort-feasor.
Nor does it establish dependency as a
matter of law. In re Estate of Pushruk,
Sup. Ct. Op. No. 1398 (File No. 2974), 562
P.2d 329 (1977).

Stepchildren. — Because of the lack of
precision in the language of this section,
the status of stepchildren as potential
beneficiaries is not clear. Brown v. Estate
of Jonz, Sup. Ct. Op. No. 1808 (File Nos.
3216, 3228), 591 P.2d 532 (1979).

Superior court's ruling excluding the
nonadopted stepchildren from recovery
was not plainly erroneous, and therefore
supreme court did not review the court's
instruction, unobjected to at trial, that the
word "heir" included deceased's widow and
daughter, with no mention of the
stepchildren. Brown v. Estate of Jonz, Sup.
Ct. Op. No. 1808 (File Nos. 3216, 3228), 591
P.2d 532 (1979).

Decedent's divorced wife and
nonadopted stepson were "dependents"
under this section where the factual
findings of the trial court which were sup-
ported by the evidence not only indicated
the close familial relationship of the wife
and stepson to the deceased, but also their
actual dependency upon him for support.
Greer Tank & Welding, Inc. v. Boettger,
Sup. Ct. Op. No. 2065 (File Nos. 4457,
4495), 609 P.2d 548 (1980).

Article 8. Removal of Disabilities of a Minor.

Section

590. Removal of disabilities of minority

Sec. 09.55.590. Removal of disabilities of minority. (a) A minor
who is a resident of this state and is at least 16 years of age, who is
living separate and apart from his parents or guardian, capable of
self-support and of managing his own financial affairs, may petition
the superior court to have the disabilities of minority removed for
limited or general purposes.

(b) A minor may institute this petition under this section in his own
name.

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

- (1) the name, age, and residence address of the petitioner;
- (2) the name and address of each living parent;
- (3) the name and address of the guardian of the person and the
guardian of the estate, if any;
- (4) the reasons why removal would be in the best interest of the
child; and
- (5) the purposes for which removal is sought.

(d) The petitioner must obtain the consent of each living parent or
guardian having control of the person or property of the petitioner. If
the person who is to consent to the petition is unavailable or his
whereabouts are unknown, or if a parent or guardian unreasonably
withholds consent, the court, acting in the best interest of petitioner,
may waive this requirement of consent as to that parent or guardian.

(e) The court may appoint an attorney or a guardian ad litem to
represent the interests of the petitioner at the hearing.

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

(g) Except for specific constitutional and statutory age requirements for voting and use of alcoholic beverages, a minor whose disabilities are removed for general purposes has the power and capacity of an adult, including but not limited to the right to control himself or herself, the right to be domiciled where he or she desires, the right to receive and control his or her earnings, to sue or to be sued, and the capacity to contract. (§ 2 ch 233 SLA 1976)

Article 9. Domestic Violence.

Section	Section
600. Injunctive relief in case involving domestic violence	625. Service of process
610. Emergency injunctive relief in cases involving domestic violence	630. Notification to law enforcement agencies
620. Forms for filing petition	640. Definitions

Cross references. — As to domestic violence police training, see AS 18.65, art. 6.

Editor's notes. — Section 5, ch. 139, SLA 1980, provides: "Section 1 of this Act has the effect of changing Rule 3, Rules of Civil Procedure, by enacting a provision that allows a court to proceed upon the filing of a petition rather than a complaint,

and Rule 76, Rules of Civil Procedure, by enacting a provision that allows a court to accept for filing petitions which are handwritten in part. Section 1 of this Act also has the effect of changing Rule 65, Rules of Civil Procedure, by enacting a provision that establishes an alternate procedure for obtaining orders for relief from domestic violence."

Sec. 09.55.600. Injunctive relief in cases involving domestic violence. (a) A person who is subjected to domestic violence may petition a superior court for injunctive relief restraining the infliction of further domestic violence against the petitioner by the respondent.

(b) Upon receiving a petition under (a) of this section, the superior court shall schedule a hearing and shall provide at least 10 days notice to the respondent of the hearing and of the respondent's right to appear and to be heard either in person or by attorney. If, at the hearing, the superior court finds that the petitioner has been subjected to domestic violence by the respondent, the superior court may issue any order it determines to be necessary for the protection of the health, safety or welfare of the petitioner or of a minor child in the care of the petitioner. An order under this subsection may include provisions which

(1) restrain the respondent from subjecting the petitioner to domestic violence;

The interest to be protected is personal to the wife, for she suffers a loss of her own when the care, comfort, companionship, and solace of her spouse is denied her. *Schreiner v. Frunt*, Sup. Ct. Op. No. 1003 (File No. 1949), 519 P.2d 462 (1974).

Quoted in *Cramer v. Cramer*, Sup. Ct. Op. No. 135 (File No. 290), 379 P.2d 95 (1963).

Chapter 20. Parent and Child.

- Section
 10. Age of majority
 20. Arrival at majority upon marriage
 30. Duty of parent and child to maintain each other
 40. Maintenance and education of minor out of income of his property

- Section
 50. Legitimation by subsequent marriage, acknowledgment in writing or adjudication
 60. Custody of the child

Sec. 25.20.010. Age of majority. A person is considered to have arrived at majority at the age of 18 years, and thereafter has control of his own actions and business and has all the rights and is subject to all the liabilities of citizens of full age, except as otherwise provided by statute. (§ 20-1-1 ACLA 1949; am § 1 ch 37 SLA 1959; am § 5 ch 63 SLA 1977)

Effect of amendment. — The 1977 amendment decreased the age of majority from 19 years to 18 years.

Legislation amending several provisions of the Children's Act was part of an omnibus age-law bill which resolved ambiguities in several codes and generally harmonized all Alaska Statutes with the policy of a 19-year (now 18-year) age of majority. *Davenport v. McGinnis*, Sup. Ct. Op. No. 1049 (File No. 1942), 522 P.2d 1140 (1974).

This section does not carry a broad negative implication. *RLR v. State*, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

Nor imply that infants are incompetent in all things. — The age of majority statute does not imply a legislative judgment that infants are incompetent in all things; it means only that persons above the statutory age minimum are competent in all things except as otherwise provided. *RLR v. State*, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

Stated in *L.A.M. v. State*, Sup. Ct. Op. No. 1249 (File No. 2221), 547 P.2d 827 (1976).

ALR reference. — Statutory change of majority as affecting pre-existing rights or status, 170 ALR 222. S3

Sec. 25.20.020. Arrival at majority upon marriage. A person arrives at the age of majority upon being married according to law, unless he is under the marriageable age of consent as defined in AS 25.05.171(a), in which case he reaches majority upon reaching the marriageable age of consent. (§ 20-1-2 ACLA 1949; am § 100 ch 127 SLA 1974)

Effect of amendment. — The 1974 amendment substituted "person arrives" for "female person is considered to arrive" and added the language beginning "unless he is under the marriageable age of consent" to the end of the section.

Cited in *RLR v. State*, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

Am. Jur. reference. — 27 Am. Jur., Infants, § 5.

Sec. 25.20.030. Duty of parent and child to maintain each other. Each parent is bound to maintain his children when poor and unable to

work to maintain themselves. Each child is bound to maintain his parents in like circumstances. (§ 21-3-1 ACLA 1949)

Cross reference. — As to persons liable for support and burial, see AS 47.25.230.

When parent performs his duty. — The parent performs his duty when he provides for his child whatever is necessary for its suitable clothing and maintenance according to their situation and condition in life. *State v. Langford*, 90 Ore. 251, 176 P. 197 (1918), construing the Oregon statute.

Obligation of father after divorce. — The obligation of the father is, after divorce, exactly the same as it was before dissolution of the marriage contract. *State v. Langford*, 90 Ore. 251, 176 p. 197 (1918), construing the Oregon statute.

The obligation under this section continues after the parents divorce. *Paige v. Paige*, Superior Court, 3rd Jud. Dist., C.A. No. 71-1357 (1972); *McMillan v. McMillan*, Superior Court, 3rd Jud. Dist., C.A. No. 71-1876 (1973).

How obligation measured. — The obligation of the father must be measured with reference to his ability, honestly exercised, and with regard to his financial resources. *State v. Langford*, 90 Ore. 251, 176 P. 197 (1918), construing the Oregon statute.

The support obligation of the husband and wife are equal even though the ability to meet that obligation may not be equal. *Paige v. Paige*, Superior Court, 3rd Jud. Dist., C.A. No. 71-1357 (1972).

A child support decree in a divorce action does not affect the child's right to demand support from either parent, or the child's creditor's right to demand payment for necessities furnished the child, because it does not affect the underlying parental obligation. *Paige v. Paige*, Superior Court, 3rd Jud. Dist., C.A. No. 71-1357 (1972).

The wife or some third party's actually furnishing support is not available as a

defense to the father against the child or his creditors. *Paige v. Paige*, Superior Court, 3rd Jud. Dist., C.A. No. 71-1357 (1972).

Proceedings under AS 09.55.200, et seq., distribute responsibility for child support. — Proceedings pursuant to AS 09.55.200, et seq., are not intended to determine the child's right to support from his parent, but rather are intended to distribute responsibility for child support between parents; thus, the child can independently of a divorce decree proceed against either parent for support in an appropriate case as can creditors of the child who have furnished him necessities. *McMillan v. McMillan*, Superior Court, 3rd Jud. Dist., C.A. No. 71-1876 (1973).

Mother of decedent did not have the right to receive directly the proceeds of the wrongful death action as a statutory beneficiary by virtue of this section, which requires each child to maintain his parents when they are poor and unable to work and maintain themselves. In re *Estate of Pushruk*, Sup. Ct. Op. No. 1398 (File No. 2974), 562 P.2d 329 (1977).

Although this section establishes a duty running between parent and child under specific factual circumstances, it does not create a right of action in the parent against a third-party tort-feasor. Nor does it establish dependency as a matter of law. In re *Estate of Pushruk*, Sup. Ct. Op. No. 1398 (File No. 2974), 562 P.2d 329 (1977).

Am. Jur. and ALR references. — 39 Am. Jur., Parent and Child, §§ 69, 70.

Moral obligation to support, 17 ALR 1307; 79 ALR 1348.

Liability of parent for necessities furnished child, 42 ALR 150.

Parent's duty to support, 121 ALR 176.

Sec. 25.20.040. Maintenance and education of minor out of income of his property. If a minor who has a parent living has property the income of which is sufficient for his maintenance and education in a manner more expensive than the parent can reasonably afford, regard being had to the situation of the parent's family and to all the circumstances of the case, the expenses of the maintenance and education of the child may be defrayed out of the income of his own property, in whole or in part, as shall be judged reasonable by the court, and the charges therefor may be allowed accordingly in the settlement

(b) The sale shall be conducted and the proceeds of the sale shall be applied in the manner provided in §§ 10 — 90 of this chapter, except that property in a state of decay, or that is plainly subject to immediate decay, may be summarily sold by order of a district judge or magistrate, after inspection of it, as provided in this chapter.

(c) The return of the sale shall be made and the proceeds derived from it shall be applied in the manner provided in §§ 60 and 70 of this chapter. (§ 22-7-8 ACLA 1949; am § 3 ch 24 SLA 1966)

Sec. 34.45.090. Fees of officers. The fees allowed to the district judge or magistrate under this chapter are \$3 and to the peace officer the same fees as are allowed by law for sales upon execution and 10 cents a folio for making an inventory of property. (§ 22-7-9 ACLA 1949; am § 3 ch 24 SLA 1966)

Chapter 50. Actions for Injuries to Property Interests.

Section

- 10. Action for injury to the inheritance
- 20. Liability for destruction of property by minors

Sec. 34.50.010. Action for injury to the inheritance. A person seized of an estate in remainder or reversion may maintain a civil action for an injury done to the inheritance, notwithstanding an intervening estate for life or years. (§ 22-1-5 ACLA 1949)

Am. Jur. reference. — 35 Am. Jur.,
Marriage, § 148 et seq.

Sec. 34.50.020. Liability for destruction of property by minors. (a) A person, municipal corporation, association, village, school district or religious or charitable organization, incorporated or unincorporated, may recover damages in a civil action in an amount not to exceed \$2,000 and court costs, from either parent or both parents or the legal guardian or person having the legal custody of an unemancipated minor under the age of 18 years, who maliciously or wilfully destroys real or personal property belonging to the person, municipal corporation, association, village, school district or religious or charitable organization.

(b) A state agency or its agents, including a person working in or responsible for the operation of a foster, receiving, or detention home, or children's institution, is not liable for the acts of unemancipated minors in its charge or custody. (§ 1 ch 98 SLA 1957; am § 1 ch 107 SLA 1967)

ATTACHMENT B
Information of "The Family Connection"

family connection

a youth and family crisis intervention service

640 cordova street
anchorage alaska 99501
(907) 279-3497
crisis and intake line 279-0552

VOLUNTEER HOME PROGRAM DESCRIPTION

PROGRAM STATEMENT

The Volunteer Home Program at Family Connection is a community based project designed to alleviate the immediate shelter needs of runaway and otherwise troubled youth. The program was designed with the belief that if given a specific way to help, concerned community members can be instrumental in solving the human service problems of their community. Operationalizing this belief, Family Connection has recruited, licensed, and trained a network of Volunteer Homes to provide temporary housing, food, and a supportive environment to these adolescents in the Anchorage area. The Volunteer Home not only provides a needed service to troubled youth and their families, but offers the community an effective alternative to unwarranted youth detention.

By providing emergency shelter and family conferences, Family Connection is able to assist families who want to learn new ways to work on family issues. At the point of crisis, families seem more willing to problem-solve. It is Family Connection's intent, therefore, to utilize this crisis as an opportunity to resolve family issues before they demand the intervention of police, courts, corrections, or social services. For youth who need state intervention, the use of a volunteer home enables the youth to remain in the community while a stable long term placement is found by the state.

RECRUITMENT OF VOLUNTEER HOMES

The purpose of recruitment is to identify and secure commitments from emotionally healthy families who are willing to provide temporary shelter in their homes for troubled youth. Families are selected on the basis of their emotional stability, the availability of their time, and their willingness to form a cooperative relationship with Family Connection.

Family Connection staff locate homes through a personalized recruitment strategy called networking. The staff maintain a recruitment network by identifying and contacting community leaders, such as ministers, community council leaders, or community school coordinators who have regular access to a group of people. The

staff person then meets with the community leader (resource person) to explain the program and enlist his/her assistance in recruiting new families. The resource person is asked to identify three to five of the healthiest families in his/her group to give basic information to about the program, and to host an informal gathering of these couples in his/her home. The Family Connection staff person attends the recruitment meeting to thoroughly explain the program, and answer any questions that may emerge. The informal setting of a home encourages full discussion and specifically allows the adults to express their concerns about hosting a run-away. In addition, the invitation being extended by the community leader gives the couples a sense of worth that often encourages a commitment to the program. The support of the Volunteer Home Program by the community leader gives the agency immediate and adequate access into the community and tends to ensure an honest and firm commitment from those families who decide to join the program

Personalized networking maintains an inherent screening process which insures that quality homes are consistantly recruited. Building a recruitment network can be time consuming in the beginning stages. However, the effectiveness of this method is demonstrated by the sustained commitment of the volunteer families, and their willingness to participate in related program projects. For instance, some of the families not only provide emergency shelter, but become involved in training new homes, community education efforts, and serving on the agency's advisory committee. Once a solid core of volunteer homes is established, the greatest resource for recruiting new homes are the homes currently active in the program.

LICENSING OF VOLUNTEER HOMES

In order to safely and legally place youth who are temporarily out of their own homes Family Connection requires that all volunteer families are licensed by the State of Alaska. Although the state has sole authority to license a home, the state has authorized Family Connection to conduct a thorough study of the recruited homes with forms provided by the Division of Social Services Foster Care Licensing. The state, however, reserves the right to approve, maintain, and disapprove all homes for foster care. By licensing a home and conducting an indepth evaluation of the family, Family Connection can begin to identify training needs of the family, note conditions which may affect a placement in their home, and assure clients quality residential services.

Family Connection staff conduct an assessment of a recruited family by taking an indepth family history. The emotional well being of a family is a critical factor in the selection of homes because of the type of support needed by a troubled youth. While interviewing the family, staff evaluate the adult relationship, their methods of discipline and conflict resolution, and the family's management of intense feelings such as anger and affection. The study takes about

three hours to complete and gives the staff invaluable information about making appropriate placements in the future.

In order to be licensed, a home must meet the fire and safety codes specified in the State Foster Care Regulations. During a scheduled home visit, Family Connection staff take a "tour" of the home to insure compliance with the regulations. The state also requires TB tine tests of all family members 16 years of age and older, and medical releases from the adults.

RESPONSIBILITIES AND BENEFITS FOR THE HOMES

The agency regards and treats all volunteers as unpaid staff. Thus, with all staff, the volunteer homes are required to follow the agency's policies and procedures, work cooperatively with other staff, and take advantage of training opportunities. In addition, the homes are required to make a six month commitment to the program, and inform the agency of any changes which would affect their ability to take a placement.

The volunteer homes basic responsibility is to provide food, shelter, and a supportive environment to a troubled adolescent for one to seven days. If necessary, a placement can last longer than seven days if the volunteer family agrees to an extention. The homes are available around the clock to accept placements.

The families are given only one placement a month to protect their well being and prevent a common social service phenomena called "burn out". They may place themselves on "hold" status whenever they are not able to take a placement because of illness, vacations or other circumstances. A family may say "no" to a placement request at any time unforeseeable stresses would make it difficult for them to have a youth in their home. Our experience has shown this option is rarely used and always used appropriately.

While a youth is in placement the supervising staff makes daily contact with the youth and volunteer family either by telephone or direct face to face contact. The agency's policy is to make at least one home visit on the second day of the placement. The volunteer home has access to the caseworker on a 24 hour basis in case of emergency.

We attempt to place youth with a volunteer home in the youth's school district. However, when this is not possible Family Connection staff coordinates transportation with the volunteer family.

After the placement ends the staff meet with the volunteer family to discuss the placement and identify training needs.

Training is one major benefit we provide to the volunteer homes. Because it is such an important component of the program an entire section is devoted to it.

TRAINING SESSIONS

Family Connection requires all new volunteer families to participate in a comprehensive training program. The training sessions serve several purposes: 1) To orient the families to the agency and to create a common value-base and esprit d'corps; 2) To refine and increase skill development in the areas of effective parenting, behavior management, and juvenile justice; and 3) To give the families information on healthy family functioning which will be useful in their personal lives.

The staff at Family Connection has intentionally designed the training sessions to reflect the values, philosophy, and policies of the agency. The agency requires at least one of the adults in a family to attend the total 8 hours of orientation training before we will place a youth in their home. The required training consists of four two hour sessions.

During the first session the staff attempt to create a bond among the families by asking each person to share his/her personal history through a series of values exercises. After the completion of these exercises, the homes have begun to form a cohesive group. During the course of the evening staff stress the volunteer homes' significance within the agency by sharing the agency's history with them and by interrelating the homes role with overall agency purpose, philosophy, and goals. Staff also discuss crucial agency policies such as the importance of the homes' maintaining a supportive, and objective attitude with the youth and confidentiality in working with the youth.

The second and third sessions are titled "How to Live with a Teenager Under Stress". The second session is used to teach skills in active listening, positive reinforcement and behavior management. Staff discuss with the families the need for firm and consistent rules and give the homes some guidelines about how to handle different behaviors they can expect from the youth. The third session focuses on simulated placement situations. Staff use role plays and a multiple choice questionnaire to give the families a clearer idea of potential placement situations. "Seasoned" families join the training team in this session. The addition of experienced families helps the new homes ground their theories and ideas in reality and test them out on folks who "have been there". The new homes tend to evaluate this particular session as the most useful, provocative, and challenging of all the training.

The last session of the required training is a more didactic session on how families function. A trainer from the community is invited to facilitate the session, and covers family dynamics such as the parental coalition, generation boundaries, sex-linked role models, and flexibility in roles.

Additional on-going training is held monthly during the Winter months when placement activity is high. The on-going training fills the dual purpose of training specific skills and of acting as a support group for the foster parents.

PLACEMENT OF YOUTH

Placements are made for two reasons; either to give the family some space and allow the family unit to stabilize, or to give a youth needing state intervention a safe and supportive environment to live in while a longer term placement is secured by the state. Placement requests come from a variety of sources; youth, parents, friends of the family, police, The Division of Social Services, and private agencies. If another agency is involved with the family staff ask the caseworker to attend in order to better coordinate services.

Before a placement is made, both a parent and the youth must give their consent, and the youth must agree to go to school daily, and abide by the rules of the foster family. We have found the commitment of the youth to the placement to be a major key to the success of the placement. All youth are screened in this area before placement is made. The other key to success is the involvement of the family. We encourage the family to participate in family conferences while the youth is in placement. We see families for an average of four counseling sessions during the seven days. Often the counseling which begins during a placement continues after the youth returns home.

The Volunteer Family becomes involved as soon as a placement meeting is scheduled to give them as much advance notice as possible. Staff select the Volunteer Family on the basis of the needs of the youth, the school district they live in, and their availability at the time. The caseworker contacts the family, confirms their availability, and gives them a brief description of the client family, the name, age, and sex of the youth and the school s/he attends. After the placement meeting the volunteer home is given any additional pertinent information and is notified of when the caseworker and youth are expected to arrive.

During the initial meeting between the youth and Volunteer Family the caseworker briefly outlines why the youth is needing a placement. The family and the caseworker review the house rules with the youth, arrange for transportation, and determine the time of the home visit the following day. Family Connection has found this first meeting between the youth and Volunteer Family to be important in setting the tone for the rest of the placement.

CONCLUSION

The Volunteer Home Program at Family Connection is nearing it's third year of operation. The first year of the program was primarily concerned with program planning and development. Full operation then commenced, and the program was refined as needed. A major mile stone for the program was the opening of the Family Connection Intake and Crisis Unit in September of 1978 which made Family Connection a front-line agency and increased the number of placements made significantly.

In Family Connection's experience the most important components in running a successful Volunteer Home Program are the training, support, and philosophy employed in working with the families. Training provides the homes with the opportunity to increase their skills and work more effectively with the youth. Without providing regular support and back-up, Family Connection could not expect the homes to give their continued commitment to the program. The philosophy and practice of regarding volunteers as unpaid staff gives the homes the esteem and integrity needed to fully integrate them into being part of the overall agency team.

Assisting With The Recognition And Development Of Family Strengths

204 E. 5th Ave., Suite 215, Anchorage, Alaska 99501

(907) 279-0551

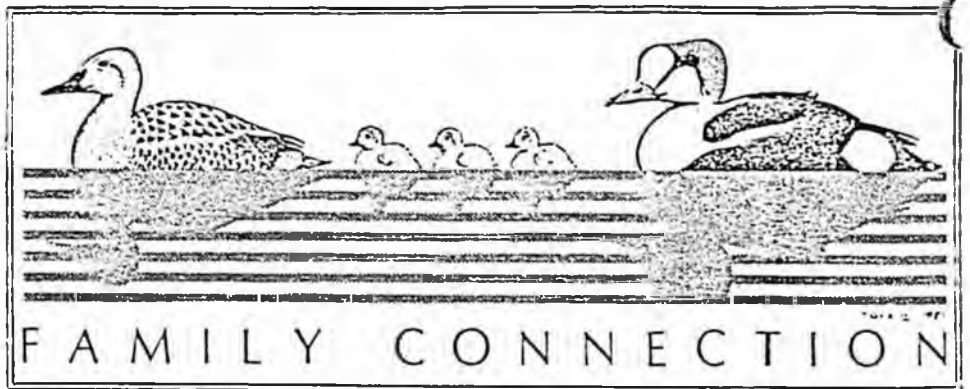
HISTORY

The Anchorage Runaway Youth Project was funded in 1974 under the auspices of Alaska Children's Services and Alaska Youth Advocates with funding from the Federal Youth Development Bureau.

It was one of twenty-six pilot projects funded nationally to study, document and assist the needs of runaway youth. The services, which include emergency shelter, crisis counseling and ongoing family counseling were administrated through several different Anchorage agencies.

In 1976, staff members of the Runaway Project elected to consolidate under one roof and form Family Connection. At that time, the agency was governed by the Anchorage Council on Drug Aid. Federal funding continued and a grant from the State Division of Family and Youth Services provided additional staff.

In September of 1978, State funding increased substantially and Family Connection opened 24 hour crisis services. Family Connection incorporated in 1979, forming its own Board of



Directors which is now an 8 member governing body.

1980 saw the advent of two programs at Family Connection; the federal Youth Development Bureau funded the Families In Transition Project, a demonstration project designed to provide counseling to separating or divorcing families. The State of Alaska also contracted with Family Connection to counsel youth and their families before and after release from McLaughlin Youth Center to prevent recidivism.

Today, Family Connection's services include a 24 hour crisis line, ongoing family counseling, temporary

emergency shelter, counseling for separating or divorcing families, training to professionals, information and referral, and family skills classes.

The agency works closely with the law enforcement system, state social services agencies, schools and correctional institutions to help families in stress and youth in trouble.

Staff members include the Executive Director, Supervisors for Clinical, Intake and Community Units, 5 Family Counselors and a Secretary. Our Volunteer staff program currently has 5 volunteer counselors and volunteer homes which act as emergency shelter for youth.

GROWTH CHART

Name	1974 Anchorage Runaway Youth Project	1976 Family Connection	1977 Family Connection	1978 Family Connection	1979 Family Connection Inc.	1980 Family Connection Inc.	1981 Family Connection Inc.
Staff	1	2	3	3	6	8½	11
Funding	YDB - 100%	YDB - 100%	YDB - 66% DFYS - 34%	YDB - 64% DFYS - 36%	YDB - 32% DFYS - 42% LEAA - 15% DOC - 11%	YDB - 32% DFYS - 38% LEAA - 11% DOC - 15% Client Donations - 4%	YDB - 9% DFYS - 42% LEAA - 15% DOC - 6% Client Donations - 28%
Services	-Counseling -Shelter	-Volunteer Foster Homes -Counseling	-Volunteer Foster Homes -Counseling -Practicum Students	-Volunteer Foster Homes -Counseling -Practicum Students -24 hour crisis line -volunteer counselors -counseling groups	-Volunteer Foster Homes -Counseling -Practicum Students -24 hour crisis line -volunteer counselors -counseling groups -FIT* -Vista -Training to professionals -DOC contract*	-Volunteer Foster Homes -Counseling -Practicum Students -24 hour crisis line -volunteer counselors -counseling groups -FIT* -Vista -Training to professionals -DOC contract*	-Volunteer Foster Homes -Counseling -Practicum Students -24 hour crisis line -volunteer counselors -counseling groups -FIT* -Vista -Training to professionals -DOC contract*

Total youth and families served since 1976 - 4300

Funding Codes:

LEAA - Federal Law Enforcement Assistance Agency
YDB - Federal Youth Development Bureau
DFYS - State Division of Family & Youth Services

*Families In Transition is abbreviated FIT
*State Division of Corrections is abbreviated DOC

DESCRIPTION OF SERVICES

Family Connection is a non-profit family counseling agency whose purpose is to assist with the recognition and development of family strengths. We work with youth between the ages of 10 and 17 and their families who are experiencing difficulties centered around running away, family conflict, school problems, separation and divorce and single parenting. The agency puts a strong emphasis on prevention and is now teaching family skills classes through Anchorage Community Schools to teach members of the community to solve family problems.

Since 1976, Family Connection has worked with over 3,600 youth and their families.

Family Connection involves the whole family as soon as possible. We

help them to solve their own problems with a broad family systems theory orientation. According to the systems theory, a family is a unit with certain system properties. Within the family, relationships are structured in specific ways so that when there is a change or action by one person in the system, there are automatically and inevitably changes in all the members of the system. These changes, in turn, affect the original member. (Kramer, 1978)

Family Connection intervenes with families by identifying the problem and helping the family succeed so that they can resume their normal functioning. In a simplified case, a marital problem between a mother and father could cause their teenage son to be disinterested in spending time at home.

Through their inability to work together, the parents lose control of their son and contact Family Connection with complaints that he won't listen to them, is doing poorly in school and is hanging around with bad companions.

Because of the change in how the parents work together, the son, acting as a barometer for the tension at home has changed his behavior. The Family Counselor would intervene by setting boundaries between parents and children so that parents can work together at providing consistency to their children and also improve their own relationship. The result is an improvement in the son's behavior and the marriage.

VALUES

Family Connection is a value based organization. Our stated values are a consistent basis for our purpose, goals, objectives and functioning.

Family Connection believes:

1. In respecting the integrity of people.
2. In viewing people in the context of their environment.
3. That people have the potential abilities, given adequate resources, to take responsibility



4. That youth should have the option to choose safe shelter.
5. In a family's ability to solve its own problems through the use of efficient, problem-focused services as soon as problems arise.
6. That parental/youth problems are best solved by working with the family system rather than only the individual.
7. That families have the right to immediate, affordable, and quality services.
8. That people have the right to control the flow of private information about themselves.
9. That the agency has a responsibility to advocate when legislation or policies are perceived as affecting clients, services and staff.
10. That regular evaluations improve services.
11. In providing staff with the opportunity to develop their leadership potential, personal and professional growth.
12. In using clients, staff and the community input into agency planning and decision-making.
13. In providing clear lines of accountability.



14. That volunteer staff provide a valuable contribution to the agency and community.
15. That the design and implementation of prevention strategies is an effective approach to healthy functioning.
16. That staff input is a necessary component of the agency's goal setting and program planning.
17. In utilizing a diversity of funding sources without heavy reliance on any one source.
18. In developing and maintaining positive public relationships.
19. That each position in the agency is equally valuable.

STATISTICS January 1, 1981 to December 31, 1981 _____

Referral Sources:

- Self, friends, media, phonebook - 588
- Other community agencies - 281
- Schools - 122
- Division of Family & Youth Service - 65
- McLaughlin Youth Center, Juvenile Probation - 50
- Court Intake - 35
- Police - 26
- Unknown - 174

Presenting Problem (one or more per client)

- Discipline problems - 384
- Runaway - homeless - 282
- Divorce, separation - 215
- School problems - 169
- Marital - 105
- Blended family conflicts - 96
- Juvenile Justice Contact - 88
- Individual emotional problems - 64
- Drug problems - youth - 52
- Other - (includes battering, rape, neglect, adult homelessness, and financial information) - 51
- Health, including pregnancy - 48
- Alleged physical child abuse - 46
- Alcohol problems - parent - 39
- Legal issues - 36
- Emancipation - 32
- Alcohol problem - youth - 27
- Drug problem - parent - 22
- Alleged sexual child abuse - 16
- Death, loss - 11
- Suicide - youth - 11
- Suicide - parent - 8



Photos by Denny Patella

Total number of referrals made to the agency: 1341

Organizational Chart



ATTACHMENT C

- 1) An Article from "State Legislatures" on Runaway Youths
& the Federal Runaway & Homeless Youth Act.
- 2) The Federal Runaway Youth Act.
- 3) The Runaway Youth Act of New York, the only State which
has developed a law in response to the Federal Act.

Education of the Gifted and Talented • Runaway Youth and the States
Improving the Energy Efficiency of Buildings: What the States Can Do

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**Conflict
and
Cooperation**

State-Level Relations in a New Era

The problem of runaway youth was first addressed by local communities and later by the federal government. Now the states are taking a more active role.

Runaway Youth and the States

□ Brenda, a 16-year-old Midwesterner, was sexually involved with her stepfather for years. When her mother discovered this, she told Brenda to leave and never return.

□ Tim, a 16-year-old, middle-class youth in Ohio, got into a prolonged argument with his father over Tim's refusal to cut the grass. The father ordered him to leave the house and later refused to take him back.

□ An American Indian couple, both alcoholics, decided to split up and each insisted that the other take responsibility for their 14-year-old daughter, Barbara. Neither agreed to keep her, so Barbara wound up living in cars and vacant buildings in Minneapolis.



Photos: Dan Fletcher

U

These vignettes offer a wrenching glimpse into the lives of the estimated one million troubled youth who each year run away from home. These are America's pushout and throwaway youth: abandoned, neglected and abused by their parents.

Life on the streets quickly destroys any illusions these youth may have held as they slammed the front door. Hungry, broke, alone, and seeking to escape from parental abuse or indifference, they soon discover that street life brings only further victimization.

Such youth are easy prey for adult exploitation. Many will turn to prostitution when they tire of sleeping in doorways. Some continue drug and alcohol habits, which may lead them into petty crime to support their activities. Still others will get caught up in serious organized crime as "go-fers" or actual participants in exchange for food and shelter.

Many experts believe there is a cyclical process from abused child to runaway to prostitute to juvenile delinquent. It is a problem that may get worse before it gets better, as economic conditions stretch family assistance resources and capabilities to the limit.

The first runaways to command national media and public attention were the "flower children" of the 1960s. They were sometimes portrayed as romantic seekers of experience and community, but the reality of their lives was often harsh. In response to their need for emergency assistance, community-based runaway youth shelters began to emerge. Shelters offered food, medical care, and protection outside of "established systems" which viewed these youth with suspicion and distrust. Although their primary objective was to keep youth off the streets, these early shelters made every attempt to put youth in touch with their families and to help them return home.

By spring 1972, the issue of runaway youth had grown from a collective concern of parents and residents in certain communities to a concern of federal policymakers. Running away had become a common response to family and social pressures, and had reached what a Senate Judiciary Committee in 1973 called "epidemic proportions." The swelling number of runaway youth had begun to overwhelm the volunteer staffs and limited operating budgets of available programs. In response to growing national concern, the National Runaway Youth Program was initiated under the authorization of Title III of the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974 (Public Law 93-415). (For a history and description of this legislation, see page 22.)

At the heart of the JJDP act is the issue of how to remove status offenders—youth who have committed acts that

would not be considered criminal if committed by adults—from involvement with law enforcement and the juvenile justice system. In order to participate in the act and receive federal funding for a variety of juvenile justice programs, states are required to comply with the act by mandating de-institutionalization of status offenders. Title III of the act, which is administered separately by the Youth Development Bureau (YDB) within the Department of Health and Human Services, is the federal instrument for developing community-based alternatives for runaway youth.

In response to this federal initiative, there has been an extraordinarily high level of state legislative activity in the juvenile justice area in recent years. During the last decade, three-quarters of the states have either enacted entirely new codes or made substantial modifications in existing codes affecting children and youth, or both.

The revision of state codes has centered on two main issues: how state services should be organized for effective service delivery, and how youth should be classified or labeled to receive services. The second is a heated issue in the states. The heart of the controversy is a jurisdictional question: whether non-criminal behavior—of which runaways are one example—should be handled in juvenile court where legal mechanisms are used, or by the state child welfare system which emphasizes treatment.

The problem of status offenders still confronts both the juvenile justice system and the social service delivery system. More than 250,000 arrests for status offenses are recorded each year and, although the number of status offenders in secure detention has dropped dramatically from 200,000 in 1975, nearly 50,000 youth were still detained last year.

The key issue is not the mix of funds available to support programs for runaways, but the nature of the state delivery system to youth and their families.

Each day thousands of runaways enter the doors of what are generically referred to as runaway youth programs. Many young people (19 percent) refer themselves for services, having learned of a center from another runaway while on the street, from the program's outreach efforts or through the National Communication System, a toll-free hotline connecting runaways, parents and programs. But the police, courts, probation and other juvenile justice agencies initiate 27 percent of all referrals, indicating that these programs are serving as alternative service programs for status offenders. Protective services, mental health, and other public or private agencies account for 21 percent of referrals, demonstrating that these programs fill community service gaps. Some experts have referred to these youth as the "system spillovers," youth who have become entangled in the web of juvenile justice and child welfare systems and whose needs continue to go unmet.

The Youth Development Bureau has established 169 runaway youth programs nationwide. Although these programs do not constitute all of the runaway youth programs in the country, the YDB programs, however, can be viewed as a successful model. In 1981, through YDB efforts, 133,000 youth received services on a one-time drop-in basis; 45,000 received more extensive services, and the National Communication System handled 200,000 calls from youth and their families.

Runaway youth centers are diverse in terms of structure, ranging from free-standing emergency shelters to multi-purpose youth service agencies. All programs provide the core services, mandated by the Runaway Youth Act, of emergency shelter on a 24-hour, 7-days-a-week basis, counseling, and after-care (follow-up) services to runaway and homeless youth. Program staff members work closely with the family, notifying the family within 72 hours of their child's whereabouts.

The Runaway and Homeless Youth Act

The Runaway and Homeless Youth Act, Title III of the Juvenile Justice Delinquency Prevention Act (PL 93-415), was established in 1974.

The goals of the Runaway Youth Act, as mandated by section 315, are as follows:

- (1) to alleviate the needs of youth during the runaway episode;
- (2) to reunite youth with their families and to encourage the resolution of intrafamily problems;
- (3) to strengthen family relationships and to encourage stable living goals for youth; and
- (4) to help youth decide upon a future course of action.

The Youth Development Bureau (YDB), located within the Administration for Children, Youth, and Families, Office of Human Development Services, has administered the act since its passage. The act authorizes the provision of grants, technical assistance, and short-term training to public and private, non-profit agencies located within the community. Grants are made for the purpose of developing and/or strengthening community-based programs, which provide the core services of temporary shelter, counseling and after-care (follow-up services) to runaway or otherwise homeless youth and their families.

In addition to these project grants, support is also being provided through the

National Communication System, designed to serve as a neutral channel of communication between runaway youth and their families and to refer them to needed services within their communities.

The appropriation for 1982 has not been without its difficulty, as several proposals have been considered by both the Administration and the Department of Health and Human Services, including the incorporation of the Runaway Youth Act into a social service block grant to the states with nearly a 40 percent reduction from the current level of \$10.2 million. It is anticipated that the program will remain a categorical operation within the Youth Development Bureau of Health and Human Services for FY 1983.

The Runaway Youth Act is regarded as an important social service initiative for several reasons:

(1) Framed within the Juvenile Justice Delinquency Prevention Act, the runaway youth legislation provided an impetus for the development and expansion of community-based programs designed to serve status offenders. Thus, non-violent, less serious offenders have been diverted from the courts and inappropriate institutional arrangements.

(2) It is comprehensive in mandating the integration of the family into a wide

network of community-based services designed to meet family needs. It requires attempts at family reunification and stabilization through individual, family counseling, and after-care services.

(3) The Runaway Youth Act provided recognition of the fact that the runaway youth problem was a national and interstate issue.

(4) The act provided funding to ensure that programs exist in each state. These programs are linked together on a state, regional, and national level, providing a mechanism which assists youth in returning to their families. Acting under the authority of the act, YDB facilitates and encourages information and resource sharing among the various programs.

(5) The act provided YDB with the capability to collect data. This collection is the only source of nationwide statistical information on runaway and homeless youth and their families.

(6) Standard model regulations, developed by YDB, provided for program quality and consistency while allowing program flexibility and innovation.

(7) Programs funded by the act were able to use YDB monies to establish their credibility as a recognized federally funded program, using such funds as "seed money" to gather additional, broad-based funding.

Then begins the hard work of attempting to bring about family reconciliation. Program staff increasingly finds that these youth run from two distinct types of homes and families: one which has the potential for reconciliation and the other in which reunification may never be possible because of parental abuse or indifference.

Although the YDB initiative has molded the core structure of the runaway youth program, individual programs have been the primary source of innovation in service delivery design. For example, Diogenes Youth Services in Sacramento, Calif., has developed a program assessment and evaluation tool, the Standard and Peer Review Process (SPRP). It is a two-phase model: The first phase involves a self-assessment by the program, and the second phase consists of on-site peer reviews by trained agency directors and line staff. Based upon four years of work and a set of six youth services standards with over 200 guidelines, SPRP is a cost-effective certification system with the potential to assist states in monitoring and licensing practices.

The Bridge, a Boston program, is renowned for its street outreach work. In addition to street counselors, the Bridge provides a roving medical van staffed by volunteer doctors who provide immediate medical assistance to runaways while providing information on the project's services. Similar examples of innovation may be found in Denver, Cincinnati, and numerous other cities across the country.

While the federal Runaway and Homeless Youth Act continues to be the backbone of runaway youth programs, the states have entered into the service delivery arena.

To date, New York is the only state to have passed specific legislation related to runaway and homeless youth. Passed in 1978, New York's law models the federal Runaway Youth Act, and is administered by the Division of Youth. The statute clarifies the legal status of runaway youth. It also establishes and coordinates procedures and

Illinois is one state that is moving toward an integrated, comprehensive approach rather than a set of categorical responses.

funding mechanisms to expand services through the development of new programs.

This year, New York's Runaway and Homeless Youth Act is being reconsidered. Representative Al Van, chairman of New York's Child Care Committee, said that "even with this existing legislation, we have not been able to solve the overall problem. The runaway problem has been reduced, but the problem of homeless youth seems to be on the increase." In New York City alone, 2,480 runaways and over 3,000 homeless youth were identified last year.

Several states, including Vermont, Florida and Hawaii, have responded to federal cutbacks in funding for runaway youth programs and to arguments for the cost-effectiveness of these programs by earmarking state funds to support programs. State Senator Peter Smith of Vermont, who was one of the key sponsors of this type of effort, believes the state role of support is "the only way to integrate these programs into the community's consciousness."

Wisconsin passed legislation this year that specifically earmarks Title IVB (the federal child welfare program) funds for runaway youth programs. For each of the next two years, \$100,000 has been made available to support existing federally funded programs. This funding replaces lost federal appropriations. Additionally, the law provides \$100,000 per year for a two-year period to non-federal programs that serve runaway youth as a portion of their overall client population. The selection of the Title IVB legislation as a potential revenue source for runaway youth programs was appealing to the legislature and to runaway programs because the money remains administered by a state agency.

Michigan has supported services to runaway youth for the last eight years, providing funds for emergency shelter through the state Department of Social Services. It has utilized federal funds from the Juvenile Justice and Delinquency Prevention Act to develop community-based programs to keep status offenders out of detention facilities. According to Judy Martin of the House Democratic research staff, "The program does work beautifully," but she fears that the loss of federal support will destroy years of effort in gaining the support of juvenile court judges who have come to understand the importance of these programs. It would also mean the collapse of the community-based system that has been established to serve status offenders, as Michigan is a state in severe financial straits and additional state support is unlikely.

As the federal role and support decreases, state support is vital to the preservation of these programs. Perhaps the key issue, however, is not the mix of funds to support programs for runaways, but rather

(continued on page 29)

ACIR's Shannon also sees more user charges, but predicts more areawide taxes to pay for services such as mass transit. But rather than raise their own income or sales taxes, states will allow more local revenue diversification, Shannon believes. "What they'd rather do in the post-Proposition-13 era is throw the locals, except for the school districts, more fiscal rope and let them take the political heat." Several trends are working in local governments' favor, said Shannon. Declining school enrollments will ease pressures on the property tax, and the lingering feelings from the tax revolt will provide more public support for holding the line with unions. According to Shannon, counties will also assume more responsibilities as cities try to get them to pick up such areawide functions as museums and parks.

Solutions to the long-simmering problems between state and local governments will not come quickly or easily, but the determination to find solutions is growing. One observer noted that the current direction of the Reagan Administration is forcing states and localities "to sort things out in a meaningful way. If they're smart, they won't go back to the annexation fights of the 1960s. It's a whole different set of problems now. The problem is not one of revenues between cities and states, but one of how to raise revenues and how to fund services, period." However reluctantly they may acknowledge it, both sides understand that they have no choice but to live together—and that it's time for them to get good at it.



Judy Helfner, former director of public affairs for NCSL, is a free-lance writer and editor based in Washington, D.C.

Runaway Youth

(continued from page 23)

the nature of the state delivery system to youth and their families. The problem is that "categorical" funding restricts and fragments service delivery, and tends to treat individual symptoms, while "comprehensive" funding responds to the multiple needs of youth and allows for a continuum or "package" approach to service delivery.

Illinois is one state that is moving toward an integrated and comprehensive approach as opposed to a categori-

cal response, according to Greg Coler, director of the Illinois Department of Child and Family Services. Since 1978, Governor James R. Thompson and the General Assembly have worked toward reorganizing the state's youth services delivery system.

State Senator Aldo DeAngelis, announcing at a news conference with co-sponsors Senators John D'Arco and Ken Buzbee a bill to accomplish the reorganization, said he believes that the legislation will receive bipartisan support because "it lets communities develop their own systems for dealing with troubled adolescents . . . with the state playing a supportive planning and monitoring role."

In all likelihood, this reorganization will take place in 1982. The intent of the reorganization is to consolidate what Peter Digre, deputy director of the recently created Division for Youth and Community Services, calls the "crazy quilt of categorical programs that have nothing to do with each other; and yet, we're all serving the same kids." In redefining the Illinois state system, Digre explained, "Our goal is to turn everything over to the communities and, in effect, get the state in the position of being a planning, coordinating, standard-setting, and monitoring body."

The division's primary mechanism for consolidation was through a unique "request for proposal" process, which offered incentive grants to local communities to demonstrate their ability to pool all youth services and resources together into one coherent system under one single lead agency. This was not an easy coordination effort as these services (which include mental health, drug treatment, employment, juvenile justice diversion programs, child welfare, and programs for status offenders and runaways) have traditionally operated in solo fashion on the local level.

The requirements were stringent. The service delivery system had to be defined; inter-agency agreements had to be established with every service provider in the system; agreements had to be made to serve all youth who typically enter the juvenile justice and child welfare system; and the juvenile court judges, police, and child welfare field office had to approve the local plan.

The results have been gratifying. The community response was overwhelming, with 52 strong proposals from local agencies, ranging from Catholic charities to mental health centers to the Junior League—enough to set up pro-

grams in one-half of the state when only 18 could be funded. "We have tapped the mother lode of community interest," said Digre.

What the state is buying is not just simple replication of existing programs, but the glue to hold these services together through community case management. Without such a mechanism, children and their families "fall through the cracks" of perhaps a well-meaning but unresponsive maze of community services.

This model of grant-in-aid from the state to the local level provides additional advantages over the more traditional purchase-of-service contracts, which are based on unit costs and eligibility requirements (i.e., one hour of counseling for one income-eligible client). That method complicates both service delivery and administration for community-based programs. For example, the number of runaway youth needing crisis intervention services is difficult to project during any particular month. Additionally, local reimbursement may be based on the classification of children served, and it may not be in the best interest of a child to be run through a court system so that he or she can be reclassified as "dependent" in order to receive services. Cash-flow problems result for agencies that fail to meet the established units of services.

While the grant-in-aid system raises the issue of accountability, the Illinois model, which blends both systems—the high accountability of purchase-of-service contracts with the flexibility and evenness of cash-flow of the grant-in-aid system—offers the best of both worlds.

With the decreasing availability of local, state and federal dollars, the need for a more effectively designed service delivery system for youth and their families has become apparent at every level of government. The growing imbalance between increasing needs and limited fiscal resources almost guarantees either severe restriction of available services or extensive planning for a more effective and efficient service delivery system.

The model being implemented in Illinois may provide an attractive compromise for states wrestling with the delivery of services to youth and their families in the 1980s.



Michele R. Magri is manager of NCSL's Youth Services Project.

RUNAWAY YOUTH ACT

Title III, Federal Law

TITLE III—RUNAWAY YOUTH

SHORT TITLE

Runaway Youth
Act.
42 USC 5701
note.
42 USC 5701.

SEC. 301. This title may be cited as the "Runaway Youth Act".

FINDINGS

SEC. 302. The Congress hereby finds that—

(1) the number of juveniles who leave and remain away from home without parental permission has increased to alarming proportions, creating a substantial law enforcement problem for the communities inundated, and significantly endangering the young people who are without resources and live on the street;

(2) the exact nature of the problem is not well defined because national statistics on the size and profile of the runaway youth population are not tabulated;

(3) many such young people, because of their age and situation, are urgently in need of temporary shelter and counseling services;

(4) the problem of locating, detaining, and returning runaway children should not be the responsibility of already overburdened police departments and juvenile justice authorities; and

(5) in view of the interstate nature of the problem, it is the responsibility of the Federal Government to develop accurate reporting of the problem nationally and to develop an effective system of temporary care outside the law enforcement structure.

RULES

42 USC 5702.

SEC. 303. The Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") may prescribe such rules as he considers necessary or appropriate to carry out the purposes of this title.

PART A—GRANTS PROGRAM

PURPOSES OF GRANT PROGRAM

Localities and
nonprofit
agencies, as-
sistance.
42 USC 5711.

SEC. 311. The Secretary is authorized to make grants and to provide technical assistance to localities and nonprofit private agencies in accordance with the provisions of this part. Grants under this part shall be made for the purpose of developing local facilities to deal primarily with the immediate needs of runaway youth in a manner which is outside the law enforcement structure and juvenile justice system. The size of such grant shall be determined by the number of runaway youth in the community and the existing availability of services. Among applicants priority shall be given to private organizations or institutions which have had past experience in dealing with runaway youth.

ELIGIBILITY

SEC. 312. (a) To be eligible for assistance under this part, an applicant shall propose to establish, strengthen, or fund an existing or

proposed runaway house, a locally controlled facility providing temporary shelter, and counseling services to juveniles who have left home without permission of their parents or guardians.

(b) In order to qualify for assistance under this part, an applicant shall submit a plan to the Secretary meeting the following requirements and including the following information. Each house—

Runaway house, requirements.

(1) shall be located in an area which is demonstrably frequented by or easily reachable by runaway youth;

(2) shall have a maximum capacity of no more than twenty children, with a ratio of staff to children of sufficient portion to assure adequate supervision and treatment;

(3) shall develop adequate plans for contacting the child's parents or relatives (if such action is required by State law) and assuring the safe return of the child according to the best interests of the child, for contacting local government officials pursuant to informal arrangements established with such officials by the runaway house, and for providing for other appropriate alternative living arrangements;

(4) shall develop an adequate plan for assuring proper relations with law enforcement personnel, and the return of runaway youths from correctional institutions;

(5) shall develop an adequate plan for aftercare counseling involving runaway youth and their parents within the State in which the runaway house is located and for assuring, as possible, that aftercare services will be provided to those children who are returned beyond the State in which the runaway house is located;

Aftercare counseling.

(6) shall keep adequate statistical records profiling the children and parents which it serves, except that records maintained on individual runaway youths shall not be disclosed without parental consent to anyone other than another agency compiling statistical records or a government agency involved in the disposition of criminal charges against an individual runaway youth, and reports or other documents based on such statistical records shall not disclose the identity of individual runaway youths;

Records, information or identity, restriction.

(7) shall submit annual reports to the Secretary detailing how the house has been able to meet the goals of its plans and reporting the statistical summaries required by paragraph (6);

Annual reports to Secretary.

(8) shall demonstrate its ability to operate under accounting procedures and fiscal control devices as required by the Secretary;

(9) shall submit a budget estimate with respect to the plan submitted by such house under this subsection; and

Budget estimate.

(10) shall supply such other information as the Secretary reasonably deems necessary.

APPROVAL BY SECRETARY

Sec. 312. An application by a State, locality, or nonprofit private agency for a grant under this part may be approved by the Secretary only if it is consistent with the applicable provisions of this part and meets the requirements set forth in section 312. Priority shall be given to grants smaller than \$75,000. In considering grant applications under this part, priority shall be given to any applicant whose program budget is smaller than \$100,000.

42 USC 5712.

GRANTS TO PRIVATE AGENCIES, STAFFING

Sec. 314. Nothing in this part shall be construed to deny grants to nonprofit private agencies which are locally controlled by private boards or persons but which in other respects meet the requirements of this part and agree to be legally responsible for the operation of the

42 USC 5714.

D

runaway house. Nothing in this part shall give the Federal Government control over the staffing and personnel decisions of facilities receiving Federal funds.

REPORTS

Report to
Congress.
42 USC 5715.

SEC. 315. The Secretary shall annually report to the Congress on the status and accomplishments of the runaway houses which are funded under this part, with particular attention to—

- (1) their effectiveness in alleviating the problems of runaway youth;
- (2) their ability to reunite children with their families and to encourage the resolution of intrafamily problems through counseling and other services;
- (3) their effectiveness in strengthening family relationships and encouraging stable living conditions for children; and
- (4) their effectiveness in helping youth decide upon a future course of action.

FEDERAL SHARE

42 USC 5716.

Non-Federal
share.

Payments.

SEC. 316. (a) The Federal share for the acquisition and renovation of existing structures, the provision of counseling services, staff training, and the general costs of operations of such facility's budget for any fiscal year shall be 80 per centum. The non-Federal share may be in cash or in kind, fairly evaluated by the Secretary, including plant, equipment, or services.

(b) Payments under this section may be made in installments, in advance, or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

PART B—STATISTICAL SURVEY

SURVEY: REPORT

42 USC 5731.

Report to
Congress.

SEC. 321. The Secretary shall gather information and carry out a comprehensive statistical survey defining the major characteristic of the runaway youth population and determining the areas of the Nation most affected. Such survey shall include the age, sex, and socioeconomic background of runaway youth, the places from which and to which children run, and the relationship between running away and other illegal behavior. The Secretary shall report the results of such information gathering and survey to the Congress not later than June 30, 1975.

RECORDS

Disclosure or
transfer, re-
striction.
42 USC 5732.

SEC. 322. Records containing the identity of individual runaway youths gathered for statistical purposes pursuant to section 321 may under no circumstances be disclosed or transferred to any individual or to any public or private agency.

PART C—AUTHORIZATION OF APPROPRIATIONS

42 USC 5751.

SEC. 331. (a) To carry out the purposes of part A of this title there is authorized to be appropriated for each of the fiscal years ending June 30, 1975, 1976, and 1977, the sum of \$10,000,000.

(b) To carry out the purposes of part B of this title there is authorized to be appropriated the sum of \$500,000.

RUNAWAY YOUTH ACT

State of New York

LAWS OF NEW YORK, 1978

CHAPTER 722

AN ACT to amend the social services law and the executive law, in relation to runaway youth, and making an appropriation therefor

Became a law August 7, 1978, with the approval of the Governor. Passed by a majority vote, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Legislative declaration and purpose. The legislature hereby finds and declares that juveniles are running away from home at alarming rates. Runaway youth are without protection and the ordinary means of support, exposed to unnecessary danger and become victims of various illicit businesses which prey upon their vulnerability. This act is designed to establish procedures and services to help protect runaway youth and to alleviate the personal or family situations which present a threat to the health or safety of the youth or the family.

The legislature recognizes that when a youth runs away from home it is symptomatic of some underlying personal or family conflict. The policy of this state is to provide assistance to such persons and to protect and preserve families. The legislature further recognizes, that because of their age and situation, runaway youth are urgently in need of temporary shelter and counseling services. Therefore, it is not only the purpose of this act to reunite runaway youth and their parents, but also to provide appropriate services to help runaway youth cope with their problems.

§ 2. Subdivision one of section three hundred seventy-one of the social services law, as added by chapter six hundred ninety of the laws of nineteen hundred sixty-two, is hereby amended to read as follows:

1. "Child" means a person actually or apparently under the age of [sixteen] *eighteen* years;

§ 3. Subdivision three of section three hundred seventy-one of such law, as added by chapter six hundred ninety of the laws of nineteen hundred sixty-two, is hereby amended to read as follows:

3. "Destitute child" means a child who, through no neglect on the part of its parent, guardian or custodian, is

(a) destitute or homeless, or

(b) in a state of want or suffering due to lack of sufficient food, clothing, or shelter, or medical or surgical care[.], or

(c) a person under the age of *eighteen* years who is absent from his legal residence without the consent of his parent, legal guardian or custodian, or

(d) a person under the age of *eighteen* who is without a place of shelter where supervision and care are available.

§ 4. The executive law is hereby amended by adding a new article nineteen-H to read as follows:

ARTICLE 19-H

RUNAWAY AND HOMELESS YOUTH ACT OF NINETEEN HUNDRED SEVENTY-EIGHT

Section 532. *Short title.*

532-a. *Definitions.*

532-b. *Powers and duties of approved runaway program.*

532-c. *Notice to parent; return of runaway youth to parent; alternative living arrangements.*

532-d. *Powers and duties of the division for youth.*

§ 532. *Short title.* This article shall be known and may be cited as the "runaway and homeless youth act of nineteen hundred seventy-eight".

§ 532-a. *Definitions.* For the purposes of this article the term:

1. "Runaway youth" shall mean a person under the age of eighteen years who is absent from his legal residence without the consent of his parent, legal guardian or custodian.

2. "Homeless youth" shall mean a person under the age of eighteen who is in need of services and is without a place of shelter where supervision and care are available.

3. "Approved runaway program" shall mean any non-residential program approved by the division for youth in consultation with the county youth bureau, or any residential facility which is an authorized agency pursuant to subdivision ten of section three hundred seventy-one of the social services law, and approved by the division for youth in consultation with the county youth bureau, established and operated to provide services to runaway and homeless youth in accordance with the regulations of the state department of social services and the division for youth.

4. "Runaway coordinator" shall mean any person designated by a county whose duties shall include but not be limited to answering inquiries at any time concerning transportation, shelter and other services available to a runaway or homeless youth.

§ 532-b. *Powers and duties of approved runaway program.* 1. Notwithstanding any other provision of law, pursuant to regulations of the division for youth an approved runaway program is authorized to and shall:

(a) provide assistance to any runaway or homeless youth as defined in this article;

(b) attempt to determine the cause for the youth's runaway or homeless status;

(c) explain to the runaway and homeless youth his legal rights and options of service or other assistance available to the youth;

(d) work towards reuniting such youth with his parent or guardian as soon as practicable in accordance with section five hundred thirty-two-c of this article;

(e) assist in arranging for necessary services for runaway or homeless youth, and where appropriate, their families, including but not limited to food, shelter, clothing, medical care, and individual and family counseling. Where the approved runaway program concludes that such runaway or homeless youth would be eligible for assistance, care or services from a local social services district, it shall assist the youth in securing such assistance, care or services as the youth is entitled to; and

(f) immediately report to the local child protective service where it has reasonable cause to suspect that the runaway or homeless youth has been abused or neglected or when such youth maintains such to be the case.

2. The runaway youth may remain in the program on a voluntary basis for a period not to exceed thirty days from the date of admission where the filing of a petition pursuant to article ten of the family court act is not contemplated, in order that arrangements can be made for the runaway youth's return home, alternative residential placement pursuant to section three hundred ninety-eight of the social services law, or any other suitable plan. If the runaway youth and the parent, guardian or custodian agree, in writing, the runaway youth may remain in the runaway program up to sixty days without the filing of a petition pursuant to article ten of the family court act, provided that in any such case the facility shall first have obtained the approval of the county runaway coordinator, who shall notify the county youth bureau of his approval together with a statement as to the reason why such additional residential stay is necessary and a description of the efforts being made to find suitable alternative living arrangements for such youth.

§ 532-c. *Notice to parent; return of runaway youth to parent; alternative living arrangements.* 1. The staff of the program shall, to the maximum extent possible, preferably within twenty-four hours but within no more than seventy-two hours following the youth's admission into the program, notify such runaway youth's parent, guardian or custodian of his or her physical and emotional condition, and the circumstances surrounding the runaway youth's presence at the program, unless there are compelling circumstances why the parent, guardian or custodian should not be so

notified. Where such circumstances exist, the runaway program director or his designee shall either file an appropriate petition in the family court, refer the youth to the local social services district, or in instances where abuse or neglect is suspected, report such case pursuant to title six of article six of the social services law.

2. Where custody of the youth upon leaving the approved program is assumed by a relative or other person, other than the parent or guardian, the staff of the program shall so notify the parent or guardian as soon as practicable after the release of the youth. The officers, directors or employees of an approved runaway program shall be immune from any civil or criminal liability for or arising out of the release of a runaway or homeless youth to a relative or other responsible person other than a parent or guardian.

§ 532-d. Powers and duties of the division for youth. The division for youth with respect to approved runaway youth programs shall:

1. visit, inspect, certify to operate, and make periodic reports on the operation and adequacy of any such facility;

2. maintain a register of runaway and homeless youth programs and runaway coordinates;

3. submit to the governor and legislature an annual report detailing the numbers and characteristics of runaway and otherwise homeless youth throughout the state and their problems and service needs, and

4. develop jointly with the department of social services in consultation with county youth bureaus and organizations or programs which have had past experience dealing with runaway and homeless youth, regulations concerning the coordination and integration of services available for runaway and otherwise homeless youth and prohibiting the disclosure or transferral of any records containing the identity of individual youth receiving services pursuant to this section.

§ 5. Subdivisions two and three of section four hundred twenty of such law are hereby renumbered subdivisions three and four, and a new subdivision two is added to read as follows:

2. Runaway and homeless youth plan; state aid. a. A county may submit to the director of the division for youth a plan for the providing of services for runaway and homeless youth, as defined in article nineteen-H of this chapter. Where such county is receiving state aid pursuant to paragraph a of subdivision one of this section, such runaway and homeless youth plan shall be submitted as part of the comprehensive county plan and shall be consistent with the goals and objectives therein. A runaway and homeless youth plan shall be developed in consultation with the county youth bureau and department of social services, shall be in accordance with the regulations of the director, shall provide for a coordinated range of services for runaway and homeless youth and their families including preventive, temporary shelter, transportation, counseling, and other necessary assistance, and shall provide for the coordination of all available county resources for runaway and homeless youth and their families including services available through the county youth bureau, department of social services, local boards of education, local drug and alcohol programs and organizations or programs which have past experience dealing with runaway and homeless youth. Such plan shall also provide for the designation and duties of the runaway coordinator defined in section five hundred thirty-two-a of this chapter who is available on a twenty-four hour basis and maintains information concerning available shelter space, transportation and services. Such plans may include provision for the per diem reimbursement for residential care of runaway and homeless youth in approved runaway programs which are authorized agencies, provided that such per diem reimbursement shall not exceed a total of thirty days for any one youth.

b. Each county shall submit to the director such additional information as he shall require, including but not limited to:

(1) A description of the current runaway and homeless population including their age, place of origin, family status, service needs and eventual disposition;

(2) A description of the public and private resources available to serve runaway and homeless youth within the county;

(3) A description of new services to be provided and current services to be expanded.

c. The director shall review such plan and may approve or disapprove such plan, or any part, program, or project within such plan, and may propose such modifications and conditions as deemed appropriate and necessary.

d. Counties having an approved runaway and homeless youth plan pursuant to this subdivision shall be entitled to reimbursement by the state for one-half of the entire amount of the expenditures for programs contained in such plan as approved by the director, after first deducting therefrom any federal or other state funds received or to be received on account thereof. A county having an approved runaway and homeless youth plan prior to January first, nineteen hundred eighty may, with the approval of the director and the director of the budget, be eligible to receive reimbursement by the state of up to seventy-five percent of the first year's expenditures for new or expanded services to runaway and homeless youth not previously provided in such county which are contained within such county's initial approved plan. Any such programs shall then be eligible for reimbursement of up to seventy-five percent of the second year's expenditures, sixty percent of the third year's expenditures and fifty percent thereafter. All reimbursement pursuant to this subdivision shall be from and limited to funds appropriated separately for such runaway and homeless youth program purposes by the state, and shall not be included under the limits set in subdivision one of this section. The county's share of the cost of such programs may be met in part by donated private funds, provided that such private funding shall not be more than fifty percent of such county's share.

§ 6. The sum of seven hundred fifty thousand dollars (\$750,000), or so much thereof as may be necessary, is hereby appropriated to the division for youth in the executive department out of any moneys in the state treasury in the general fund to the credit of the local assistance fund not otherwise appropriated, for the purpose of providing state aid pursuant to this act. Notwithstanding any other provisions of law, no expenditures shall be made from this appropriation until a certificate of approval allocating these funds has been issued by the director of the budget and copies of such certificate or any amendment thereto filed with the state comptroller, the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

§ 7. This act shall take effect on the thirtieth day after it shall have become a law

ATTACHMENT D

List of States Awarded Federal Grants for Runaway Youth Programs

TABLE 1

RUNAWAY AND HOMELESS YOUTH CENTERS
FY '81 ALLOCATIONS BY AREA

AREA	ALLOCATION	NUMBER OF PROGRAMS
Alabama.....	\$179,484	2
Alaska.....	23,445	1
Arizona.....	120,336	2
Arkansas.....	101,980	2
American Samoa.....	2,040	0
California.....	990,222	18
Colorado.....	127,475	6
Connecticut.....	130,534	3
Delaware.....	26,515	1
D.C.....	26,515	2
Florida.....	354,889	6
Georgia.....	247,810	4
Guam.....	9,178	0
Hawaii.....	43,851	1
Idaho.....	46,911	1
Illinois.....	514,997	5
Indiana.....	253,929	4
Iowa.....	130,534	2
Kansas.....	102,999	2
Kentucky.....	166,227	1
Louisiana.....	205,999	2
Maine.....	50,990	2
Maryland.....	182,543	4
Massachusetts.....	241,692	6
Michigan.....	435,453	6
Minnesota.....	185,603	2
Mississippi.....	128,494	1
Missouri.....	214,157	4
Montana.....	37,732	1
Nebraska.....	71,386	2
Nevada.....	32,633	1
New Hampshire.....	40,792	1
New Jersey.....	318,176	5
New Mexico.....	64,247	1
New York.....	756,689	10
North Carolina.....	256,989	3
North Dakota.....	30,594	1
Northern Marianas.....	1,220	0
Ohio.....	491,542	6
Oklahoma.....	129,514	3
Oregon.....	111,158	2
Pennsylvania.....	495,621	7
Puerto Rico.....	205,999	2
Rhode Island.....	38,752	1
South Carolina.....	143,791	1
South Dakota.....	32,633	1
Tennessee.....	198,860	3
Texas.....	651,650	12
Trust Territories.....	10,198	0
Utah.....	80,564	1
Vermont.....	22,436	1
Virginia.....	229,454	3
Virgin Islands.....	6,119	0
Washington.....	174,385	7

West Virginia.....	85,663	2
Wisconsin.....	214,157	4
Wyoming.....	22,436	2
TOTALS		
57 Areas	\$10,200,000	169

SOURCE: Federal Register, Feb. 24, 1981, Part VII, Department of Health & Human Services, Office of Human Development Services, Runaway & Homeless Youth Program; Availability of Financial Assistance.

U

ATTACHMENT E

NCSL Draft Report on Other States' Runaway Programs & Legislation



**National
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of State
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New York State Assembly

Executive Director
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DRAFT
February, 1983

**STATE LEGISLATIVE STRATEGIES:
RUNAWAY AND HOMELESS YOUTH**

I. Legislation Enacted

1. New York

In 1978, New York passed the "Runaway and Homeless Youth Act" clarifying the legal status of runaway youth and establishing both procedures and funds to expand services through the development of new programs.

- Runaways are children under 18 years of age
- Administration by State Division of Youth Services
- 30-day stay limitation in emergency shelter; may extend to 60 days without court petition
- Models the federal Runaway and Homeless Youth Act
- Requires county plan and county match

II. Line-Item Appropriation

1. Florida

In 1982, the Florida legislature developed a special line-item appropriation for runaway youth programs to replace lost federal dollars. The Florida Runaway Youth Services Network was instrumental in securing the \$307,000 appropriation.

2. Vermont

Since 1980, the Vermont legislature has supported runaway youth programs through line-item, general fund appropriations.

III. Related Legislation

1. Ohio

In 1982, Ohio passed HB440 creating a two-part, formula-based grant of state aid to counties. Grants may be used for a variety of services for "alleged or adjudicated unruly or delinquent children, or children at risk of becoming unruly or delinquent."

- Requires annual local plan developed by juvenile courts and county commissioners
- Administered by State Division of Youth

2. Louisiana

In 1980, the Louisiana legislature passed Act 452 authorizing start-up funds for new shelter care facilities. The Department of Health and Human Services establishes provider contracts of services also under this legislation.

- Recipients of services must be clients of Department of Health and Human Services

3. California

California's AB90 established the "County Justice System Subvention Programs" in 1978. The program's broad objectives encompass the development, maintenance, and expansion of a range of local, community-based justice programs, including services to juvenile and status offenders. The goal of the program is to decrease the number of state institutional commitments.

- Requires advisory group at state and local levels
- Inter-agency coordination

4. North Carolina

In 1980, the North Carolina legislature established the development of community-based alternatives to eliminate placement of status offenders in state institutions.

- Requires local-level evaluation prior to juvenile court hearing disposition
- Administered by Department of Human Resources
- Formula funding for counties on a matching basis

Related Legislation (continued)

5. Pennsylvania

In 1978, the Pennsylvania legislature established what is now known as Act 148. The basic intent of the Act is to deinstitutionalize children and youth by providing counties with financial incentive to develop and utilize community-based alternatives to institutionalization.

6. Wisconsin

In 1982, Wisconsin passed legislation that earmarks Title IVB (the federal Child Welfare program) funds for runaway youth programs. Funding replaces lost federal appropriations for YDB grantees and establishes funding for additional programs.

Wisconsin also employs what is known as 'Youth Aids'. 'Youth Aids' are capacity-building grants to counties to improve the quality and range of juvenile delinquency and related services.

IV. Other State Strategies

1. Texas

The Texas legislature supported an appropriations rider to the Texas Family Code, setting aside \$4.4 million (biennium FY83/84) to the Department of Human Resources (DHR) to serve runaways and truants. Should the rider secure passage, it is likely the funds will be targeted for new and innovative programs.

Several states, through the Department of Social Services typically, contract out to community-based programs through purchase-of-service agreements or specialized services for runaway youth and their families. This is the most difficult strategy to track because state agencies may not identify such contracts specifically for the runaway youth population.

V. States Considering Runaway and Homeless Youth Legislation

Other states exploring the development of specific runaway and homeless youth legislation include:

1. Florida

See previous contact

2. California

See previous contact

3. New Jersey

Contact: Bob Maloney
Together, Inc.
103 Ellis Street
Glassboro, New Jersey 08028
(609) 445-7392

For further information, including state legislation, contact:

NCSL Youth Services Project
Michele R. Magri
Mary Kay Henderson
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Denver, Colorado 80202
(303) 292-6600

We would also appreciate receiving information to update this report.



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

Pouch Y, State Capitol
Juneau, Alaska 99811
(907) 465-3991

April 13, 1984

MEMORANDUM

TO: The Files

FROM: Heidi Borson Paine *ABP*
Legislative Analyst

RE: Research Request 84-070
Runaway Youth

Representative Barbara Lacher requested that we research some arguments made by the Department of Health and Social Services (DHSS) in a position paper on House Bill 670. House Bill 670, sponsored by Representative Lacher, would have established autonomous runaway and homeless youth programs throughout Alaska. The bill, in essence, was a replica of a New York law which established runaway programs under county jurisdiction.

In the position paper, DHSS maintained that HB 670 proposed procedures regarding the notification and involvement of parents which were inconsistent with other State statutes concerning runaway youth. DHSS was also concerned that the bill would allow the proposed runaway programs to release youth to "other responsible adults" than parents or legal guardians without defining a responsible adult.

To verify the points made in the position paper, I contacted Ed Hein, drafter of HB 670, Russ Webb of DHSS, and Jay Noscwicz, State Director of Runaway and Homeless Youth Programs in New York.

After I explained the incompatibility of the New York law and the Alaska Statutes, Representative Lacher requested assistance in drafting a sponsor substitute for HB 670. Representative Lacher wanted the substitute to require peace officers to search for runaway minors and to mandate the involvement of the Division of Family and Youth Services (DFYS) in runaway cases. First, however, I was asked to research the present practices of police officers and DFYS employees statewide concerning runaway youth. In addition, I was asked to obtain comments from peace officers and DFYS representatives concerning possible changes in the runaway youth statutes. (See Attachment A for a copy of the interview questions and responses.)

I contacted police departments and DFYS offices throughout the state, including those in Anchorage, Mat-Su, Fairbanks, Ketchikan, Kenai and Nome. The telephone interviews indicated that each city handles runaways differently depending on location, size and staff resources.

Memo to the Files
April 13, 1984
Page 2

The Ketchikan Police Department, for example, immediately begins searching for a minor upon receipt of a runaway report. Most of the police departments in other areas issue a general "locate bulletin" to the patrols on duty. As such, the peace officers do not actively search for the runaway, but are given a description of the minor and are instructed to keep an eye out for the minor on their usual rounds.

DFYS services also vary according to the location. For example, the office in Ketchikan offers mainly counseling services or foster care. Whereas, the Anchorage DFYS office contracts with private nonprofit organizations to provide runaway services due to their work overload.

After reviewing these findings, Representative Lacher instructed me to work with Ed Hein in drafting the proposed sponsor substitute, and to contact police departments throughout the state to determine how the implementation of SSHB 670 would affect them. Most of the police departments contacted maintained that they would need additional resources (i.e. money and staff) if they were required to search for each reported runaway.

Ed Hein and I discussed the proposed sponsor substitute and drafted the first version. Upon the direction of Representative Lacher, I presented DFYS representatives with copies of SSHB 670 and solicited their comments on the bill. (See Attachment B for a copy of SSHB 670 and Attachment C for a summary of DFYS comments.)

Neither Russ Webb nor Martha Graumman of DFYS had any strong objections to the proposed substitute, but both of them doubted whether it would meet Representative Lacher's intent to require the police to search for runaways and to increase the level of DFYS services to runaway youth. They pointed out that police are only required to "make reasonable efforts to locate" a runaway in SSHB 670, and noted that, in addition to their present duties, DFYS was only required to notify parents concerning their child's location in the event the police did not detain the child.

After summarizing DFYS comments, I met again with Representative Lacher and Ed Hein. We discussed some possible changes to the legislation and Representative Lacher instructed Mr. Hein to draft a second version of SSHB 670.

HB

Attachments

3/28/84

TOPICS:

1. Adding language in the statutes to require police to search for all runaway youth:
 - It is not necessary to recriminalize running away in order to require the police to search for runaways.
 - All police departments contacted were opposed to mandating searches because of the lack of resources to conduct searches and the belief that many cases involving runaways do not necessitate police involvement.
 - All those contacted maintained that implementing a law requiring searches would be impossible without funding for additional staff persons to conduct the searches.
 - One DFYS representative expressed concern that such a requirement would dissuade parental efforts to locate runaways, and suggested including language requiring parents to search before involving the police.
 - One police chief argued that it should be a responsibility of DFYS to search for runaways since it would be the agency providing follow-up services anyway.

2. Changing the language in AS 47.10.142 from "A peace officer may detain a minor who is evading the person having legal custody over him..." to a police officer shall detain...":
 - A Department of Law representative stated that this requirement might pose some constitutionality questions. It could be argued that if running away is not a crime and if the minor has not committed any offenses then detaining the youth could be restricting his/her constitutional right to liberty.
 - Police departments argued that detaining runaways should not be a mandated function of the police, because running away is not a criminal offense.
 - Some police chiefs argued that detaining a runaway is often unnecessary.
 - How would detain be defined in the statutes?
 - It was argued that if this provision would require language to explain what would happen after the youth was detained (i.e. what is the purpose of detaining the youth?).

3. Requiring persons harboring runaways to report to the authorities:
- It would be necessary to have a clear definition of harboring in the statutes.
 - Should the reports go to the police department or DFYS?
 - It was asserted that this requirement would be very difficult to enforce, especially since harboring a youth is currently not an offense.
 - How would the requirement be enforced? What would be the consequences of noncompliance?
 - Some argued that informal networks (relatives and friends) currently provide the best short and long-term alternatives to runaways, and expressed concern that this requirement would discourage these networks. Reportedly, these networks are especially important in the rural areas.
 - On the other hand, others argued that the requirement would be useful in tracking runaways and reassuring parents of the youth's safety and whereabouts. In addition, it was argued that the requirement would discourage adults from sheltering runaways and thereby increase the likelihood that the youth would return home.

4. Funding runaway and homeless youth shelters:

- All those contacted favored setting aside money for establishing runaway and homeless youth shelters. Shelters to provide temporary care for runaways are not available in those areas we contacted, except in Anchorage where runaways may receive services at a shelter for abused and neglected children.

General Issues:

- All of the agencies we contacted agreed that the underlying problem is one of enforcement and implementation. They contend that even if stricter requirements were legislated, it would be difficult to guarantee their effectiveness due to a lack of funding and staff.
- Presently, there are no regulations outlining what DFYS must do upon receiving a runaway report; however, there are department guidelines for appropriate staff actions.
- Those in the field favor the present situation over mandated actions because of the uniqueness of each case and the varying needs of communities throughout Alaska.

Sources of information: Police Departments and Family and Youth Services Divisions in Mat-Su, Ketchikan, Anchorage, Juneau, and Nome, and the Department of Law.

Hein
4/3/84

IN THE HOUSE

BY LACHER

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 670
IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE - SECOND SESSION

A BILL

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

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

* Section 1. AS 47.10 is amended by adding a new section to read:

Sec. 47.10.141. LOCATING RUNAWAY MINORS. (a) Not later than 24 hours after receiving a written request to locate a minor who is evading the person having legal custody of the minor, a law enforcement agency shall make reasonable efforts to locate the minor. If a peace officer locates the minor and does not detain the minor, the peace officer shall immediately notify the department of the location at which and circumstances under which the minor was found.

(b) Not later than 12 hours after receiving notification under (a) of this section that a minor has been located, the department shall notify the person having legal custody of the minor that the minor has been located.