

**ALASKA**

**LEGISLATURE COMMITTEE FILES**

**1991-1992**

**8672**

**7387**

**SENATE HEALTH EDUCATION & SOCIAL SERVICES**

(19) provide that fair and equitable arrangements shall be made to protect the interests of employees affected by assistance under this Act and shall provide for the terms and conditions of such protective arrangements established pursuant to this section, and such protective arrangements shall, to the maximum extent feasible, include, without being limited to, such provisions as may be necessary for—

(A) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective-bargaining agreements or otherwise;

(B) the continuation of collective-bargaining rights;

(C) the protection of individual employees against a worsening of their positions with respect to their employment;

(D) assurances of employment to employees of any State or political subdivision thereof who will be affected by any program funded in whole or in part under provisions of this Act; and

(E) training or retraining programs;

(20) provide for such fiscal control and fund accounting procedures necessary to assure prudent use, proper disbursement, and accurate accounting of funds received under this title;

(21) provide reasonable assurances that Federal funds made available under this part for any period will be so used as to supplement and increase (but not supplant) the level of the State, local, and other non-Federal funds that would in the absence of such Federal funds be made available for the programs described in this part, and will in no event replace such State, local, and other non-Federal funds;

(22) provide that the State agency designated under paragraph (1) will from time to time, but not less often than annually, review its plan and submit to the Administrator an analysis and evaluation of the effectiveness of the programs and activities carried out under the plan, and any modifications in the plan, including the survey of State and local needs, which it considers necessary;

(23) address efforts to reduce the proportion of juveniles detained or confined in secure detention facilities, secure correctional facilities, jails, and lockups who are members of minority groups if such proportion exceeds the proportion such groups represent in the general population; and

(24) contain such other terms and conditions as the Administrator may reasonably prescribe to assure the effectiveness of the programs assisted under this title.

(b) The State agency designated under subsection (a)(1), after receiving and considering the advice and recommendations of the advisory group referred to in subsection (a), shall approve the State plan and any modification thereof prior to submission to the Administrator.

(c)(1) The Administrator shall approve any State plan and any modification thereof that meets the requirements of this section. Failure to achieve compliance with the subsection (a)(12)(A) requirement within the three-year time limitation shall terminate

any State's eligibility for funding under this part unless the Administrator determines that the State is in substantial compliance with the requirement, through achievement of deinstitutionalization of not less than 75 per centum of such juveniles or through removal of 100 percent of such juveniles from secure correctional facilities, and has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance within a reasonable time not exceeding two additional years.

(2) Failure to achieve compliance with the requirements of subsection (a)(14) within the 5-year time limitation shall terminate any State's eligibility for funding under this part unless the Administrator—

(A) determines, in the discretion<sup>o</sup> of the Administrator, that such State has—

(i)(I) removed not less than 75 percent of juveniles from jails and lockups for adults; or

(II) achieved substantial compliance with such subsection; and

(ii) made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance within a reasonable time, not to exceed 3 additional years; or

(B) waives the termination of the State's eligibility on the condition that the State agrees to expend all of the funds to be received under this part by the State (excluding funds required to be expended to comply with subsections (c) and (d) of section 222 and with section 223(a)(5)(C)), only to achieve compliance with subsection (a)(14).

(3) Except as provided in paragraph (2), failure to achieve compliance with the requirements of subsection (a)(14) after December 8, 1985, shall terminate any State's eligibility for funding under this part unless the Administrator waives the termination of the State's eligibility on the condition that the State agrees to expend all of the funds to be received under this part by the State (excluding funds required to be expended to comply with subsections (c) and (d) of section 222 and with section 223(a)(5)(C)), only to achieve compliance with subsection (a)(14).

(4) For purposes of paragraph (2)(A)(i)(II), a State may demonstrate that it is in substantial compliance with such paragraph by showing that it has—

(A) removed all juvenile status offenders and nonoffenders from jails and lockups for adults;

(B) made meaningful progress in removing other juveniles from jails and lockups for adults;

(C) diligently carried out the State's plan to comply with subsection (a)(14); and

(D) historically expended, and continues to expend, to comply with subsection (a)(14) an appropriate and significant share of the funds received by the State under this part

(d) In the event that any State chooses not to submit a plan, fails to submit a plan, or submits a plan or any modification thereof, which the Administrator, after reasonable notice and opportunity for hearing, in accordance with sections 802, 803, and 804 of title I of the Omnibus Crime Control and Safe Streets Act of 1968,<sup>1</sup> deter-

mines does not meet the requirements of this section, the Administrator shall endeavor to make that State's allotment under the provisions of section 222(a) available to local public and private non-profit agencies within such State for use in carrying out the purposes of subsection (a)(12)(A), subsection (a)(13), or subsection (a)(14). The Administrator shall make funds which remain available after disbursements are made by the Administrator under the preceding sentence, and any other unobligated funds, available on an equitable basis to those States that have achieved full compliance with the requirements under subsection (a)(12)(A) and subsection (a)(13) within the initial three years of participation or have achieved full compliance within a reasonable time thereafter as provided by subsection (c).

(42 U.S.C. 5633)

### PART C—NATIONAL PROGRAMS

#### Subpart I—National Institute for Juvenile Justice and Delinquency Prevention

##### ESTABLISHMENT OF NATIONAL INSTITUTE FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SEC. 241. (a) There is hereby established within the Juvenile Justice and Delinquency Prevention Office a National Institute for Juvenile Justice and Delinquency Prevention.

(b) The National Institute for Juvenile Justice and Delinquency Prevention shall be under the supervision and direction of the Administrator.

(c) The activities of the National Institute for Juvenile Justice and Delinquency Prevention shall be coordinated with the activities of the National Institute of Justice in accordance with the requirements of section 201(b).

(d) It shall be the purpose of the Institute to provide—

(1) a coordinating center for the collection, preparation, and dissemination of useful data regarding the prevention, treatment, and control of juvenile delinquency; and

(2) appropriate training (including training designed to strengthen and maintain the family unit) for representatives of Federal, State, local law enforcement officers, teachers and special education personnel, family counselors, child welfare workers, juvenile judges and judicial personnel, probation personnel, correctional personnel (including volunteer lay personnel), persons associated with law-related education, youth workers, and representatives of private agencies and organizations with specific experience in the prevention, treatment, and control of juvenile delinquency.

(e) In addition to the other powers, express and implied, the Institute may—

(1) request any Federal agency to supply such statistics, data, program reports, and other material as the Institute deems necessary to carry out its functions;

(2) arrange with and reimburse the heads of Federal agencies for the use of personnel or facilities or equipment of such agencies;

(3) confer with and avail itself of the cooperation, services, records, and facilities of State, municipal, or other public or private local agencies;

(4) make grants and enter into contracts with public or private agencies, organizations, or individuals for the partial performance of any functions of the Institute;

(5) compensate consultants and members of technical advisory councils who are not in the regular full-time employ of the United States, at a rate now or hereafter prescribed for GS-18 of the General Schedule by section 5332 of title 5 of the United States Code and while away from home, or regular place of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code for persons in the Government service employed intermittently; and

(6) assist through training, the advisory groups established pursuant to section 223(a)(3) or comparable public or private citizen groups in nonparticipating States in the accomplishment of their objectives consistent with this Act.

(f)(1) The Administrator, acting through the Institute, shall provide technical and financial assistance to an eligible organization composed of member representatives of the State advisory groups appointed under section 223(a)(3) to assist such organization to carry out the functions specified in paragraph (2).

(2) To be eligible to receive such assistance, such organization shall agree to carry out activities that include—

(A) conducting an annual conference of such member representatives for purposes relating to the activities of such State advisory groups;

(B) disseminating information, data, standards, advanced techniques, and program models developed through the Institute and through programs funded under section 261;

(C) reviewing Federal policies regarding juvenile justice and delinquency prevention;

(D) advising the Administrator with respect to particular functions or aspects of the work of the Office; and

(E) advising the President and Congress with regard to State perspectives on the operation of the Office and Federal legislation pertaining to juvenile justice and delinquency prevention.

(g) Any Federal agency which receives a request from the Institute under subsection (e)(1) may cooperate with the Institute and shall, to the maximum extent practicable, consult with and furnish information and advice to the Institute.

(42 U.S.C. 5651)

#### INFORMATION FUNCTION

SEC. 242. The Administrator, acting through the National Institute for Juvenile Justice and Delinquency Prevention, shall—

(1) on a continuing basis, review reports, data, and standards relating to the juvenile justice system in the United States;

(2) serve as an information bank by collecting systematically and synthesizing the data and knowledge obtained from studies and research by public and private agencies, institutions, or

individuals concerning all aspects of juvenile delinquency, including the prevention and treatment of juvenile delinquency; and

(3) serve as a clearinghouse and information center for the preparation, publication, and dissemination of all information regarding juvenile delinquency, including State and local juvenile delinquency prevention and treatment programs and plans, availability of resources, training and educational programs, statistics, and other pertinent data and information.

(42 U.S.C. 5652)

#### RESEARCH, DEMONSTRATION, AND EVALUATION FUNCTIONS

SEC. 243. The Administrator, acting through the National Institute for Juvenile Justice and Delinquency Prevention, is authorized to—

(1) conduct, encourage, and coordinate research and evaluation into any aspect of juvenile delinquency, particularly with regard to new programs and methods which seek to strengthen and maintain the family unit or which show promise of making a contribution toward the prevention and treatment of juvenile delinquency;

(2) encourage the development of demonstration projects in new, innovative techniques and methods to prevent and treat juvenile delinquency;

(3) provide for the evaluation of all juvenile delinquency programs assisted under this title in order to determine the results and the effectiveness of such programs;

(4) provide for the evaluation of any other Federal, State, or local juvenile delinquency program;

(5) prepare, in cooperation with educational institutions, with Federal, State, and local agencies, and with appropriate individuals and private agencies, such studies as it considers to be necessary with respect to the prevention and treatment of juvenile delinquency and the improvement of the juvenile justice system, including—

(A) recommendations designed to promote effective prevention and treatment, particularly by strengthening and maintaining the family unit;

(B) assessments regarding the role of family violence, sexual abuse or exploitation, media violence, the improper handling of youth placed in one State by another State, the effectiveness of family-centered treatment programs, special education, remedial education, and recreation, and the extent to which youth in the juvenile system are treated differently on the basis of sex, race, or family income and the ramifications of such treatment;

(C) examinations of the treatment of juveniles processed in the criminal justice system; and

(D) recommendations as to effective means for deterring involvement in illegal activities or promoting involvement in lawful activities on the part of gangs whose membership is substantially composed of juveniles;

(6) disseminate the results of such evaluations and research and demonstration activities particularly to persons actively working in the field of juvenile delinquency;

(7) disseminate pertinent data and studies to individuals, agencies, and organizations concerned with the prevention and treatment of juvenile delinquency;

(8) develop and support model State legislation consistent with the mandates of this title and the standards developed by the National Advisory Committee for Juvenile Justice and Delinquency Prevention before the date of the enactment of the Juvenile Justice, Runaway Youth, and Missing Children's Act Amendments of 1984; and

(9) support research relating to reducing the excessive proportion of juveniles detained or confined in secure detention facilities, secure correctional facilities, jails, and lockups who are members of minority groups.

(42 U.S.C. 5653)

#### TECHNICAL ASSISTANCE AND TRAINING FUNCTIONS

SEC. 244. The Administrator, acting through the National Institute for Juvenile Justice and Delinquency Prevention is authorized to—

(1) provide technical assistance and training assistance to Federal, State, and local governments and to courts, public and private agencies, institutions, and individuals in the planning, establishment, funding, operation, and evaluation of juvenile delinquency programs;

(2) develop, conduct, and provide for training programs for the training of professional, paraprofessional, and volunteer personnel, and other persons who are working with or preparing to work with juveniles, juvenile offenders, and their families;

(3) develop, conduct, and provide for seminars, workshops, and training programs in the latest proven effective techniques and methods of preventing and treating juvenile delinquency for law enforcement officers, juvenile judges, and other court personnel, probation officers, correctional personnel, and other Federal, State, and local government personnel who are engaged in work relating to juvenile delinquency; and

(4) develop technical training teams to aid in the development of training programs in the States and to assist State and local agencies which work directly with juveniles and juvenile offenders.

(42 U.S.C. 5654)

#### ESTABLISHMENT OF TRAINING PROGRAM

SEC. 245. (a) The Administrator shall establish within the Institute a training program designed to train enrollees with respect to methods and techniques for the prevention and treatment of juvenile delinquency. In carrying out this program the Administrator is authorized to make use of available State and local services, equipment, personnel, facilities, and the like.

(b) Enrollees in the training program established under this section shall be drawn from law enforcement and correctional personnel (including volunteer lay personnel), teachers and special education personnel, family counselors, child welfare workers, juvenile judges and judicial personnel, persons associated with law-related education, youth workers, and representatives of private agencies and organizations with specific experience in the prevention and treatment of juvenile delinquency.

*(42 U.S.C. 5659) Formerly section 248. Redesignated by sec. 637 of Public Law 98-473 (98 Stat. 2120).*

#### CURRICULUM FOR TRAINING PROGRAM

SEC. 246. The Administrator shall design and supervise a curriculum for the training program established by section 245 which shall utilize an interdisciplinary approach with respect to the prevention of juvenile delinquency, the treatment of juvenile delinquents, and the diversion of youths from the juvenile justice system. Such curriculum shall be appropriate to the needs of the enrollees of the training program.

*(42 U.S.C. 5660)*

#### PARTICIPATION IN TRAINING PROGRAM AND STATE ADVISORY GROUP CONFERENCES

SEC. 247. (a) Any person seeking to enroll in the training program established under section 245 shall transmit an application to the Administrator, in such form and according to such procedures as the Administrator may prescribe.

(b) The Administrator shall make the final determination with respect to the admittance of any person to the training program. The Administrator, in making such determination, shall seek to assure that persons admitted to the training program are broadly representative of the categories described in section 245(b).

(c) While participating as a trainee in the program established under section 245 or while participating in any conference held under section 241(f), and while traveling in connection with such participation, each person so participating shall be allowed travel expenses, including a per diem allowance in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed travel expenses under section 5703 of title 5, United States Code. No consultation fee may be paid to such person for such participation.

*(42 U.S.C. 5661)*

#### SPECIAL STUDIES AND REPORTS

SEC. 248. (a) Not later than 1 year after the date of the enactment of the Juvenile Justice and Delinquency Prevention Amendments of 1988, the Administrator shall begin to conduct a study with respect to the juvenile justice system—

(1) to review—

(A) conditions in detention and correctional facilities for juveniles; and

(B) the extent to which such facilities meet recognized national professional standards; and

(2) to make recommendations to improve conditions in such facilities.

(b)(1) Not later than 1 year after the date of the enactment of the Juvenile Justice and Delinquency Prevention Amendments of 1988, the Administrator shall begin to conduct a study to determine—

(A) how juveniles who are American Indians and Alaskan Natives and who are accused of committing offenses on and near Indian reservations and Alaskan Native villages, respectively, are treated under the systems of justice administered by Indian tribes and Alaskan Native organizations, respectively, that perform law enforcement functions;

(B) the amount of financial resources (including financial assistance provided by governmental entities) available to Indian tribes and Alaskan Native organizations that perform law enforcement functions, to support community-based alternatives to incarcerating juveniles; and

(C) the extent to which such tribes and organizations comply with the requirements specified in paragraphs (12)(A), (13), and (14) of section 223(a), applicable to the detention and confinement of juveniles.

(2)(A) For purposes of section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e(b)), any contact, subcontract, grant, or subgrant made under paragraph (1) shall be deemed to be a contract, subcontract, grant, or subgrant made for the benefit of Indians.

(B) For purposes of section 7(b) of such Act and subparagraph (A) of this paragraph, references to Indians and Indian organizations shall be deemed to include Alaskan Natives and Alaskan Native organizations, respectively.

(c) Not later than 3 years after the date of the enactment of the Juvenile Justice and Delinquency Prevention Amendments of 1988, the Administrator shall submit a report to the chairman of the Committee on Education and Labor of the House of Representatives and the chairman of the Committee on the Judiciary of the Senate containing a description, and a summary of the results, of the study conducted under subsection (a) or (b), as the case may be.

(12 U.S.C. 5662)

## Subpart II—Special Emphasis Prevention and Treatment Programs

### AUTHORITY TO MAKE GRANTS AND CONTRACTS

SEC. 261. (a) The Administrator shall, by making grants to and entering into contracts with public and private nonprofit agencies, organizations, institutions, and individuals provide for each of the following during each fiscal year:

(1) Establishing or maintaining community-based alternatives to traditional forms of institutionalization of juvenile offenders.

(2) Establishing or implementing effective means of diverting juveniles from the traditional juvenile justice and correctional system, including restitution and reconciliation projects which test and validate selected arbitration models, such as neighborhood courts or panels, and increase victim satisfaction while

providing alternatives to incarceration for detained or adjudicated delinquents.

(3) Establishing or supporting programs stressing advocacy activities aimed at improving services to juveniles impacted by the juvenile justice system, including services which encourage the improvement of due process available to juveniles in the juvenile justice system, which improve the quality of legal representation of such juveniles, and which provide for the appointment of special advocates by courts for such juveniles.

(4) Developing or supporting model programs to strengthen and maintain the family unit in order to prevent or treat juvenile delinquency.

(5) Establishing or implementing special emphasis prevention and treatment programs relating to juveniles who commit serious crimes (including such crimes committed in schools), including programs designed to deter involvement in illegal activities or to promote involvement in lawful activities on the part of gangs whose membership is substantially composed of juveniles.

(6) Developing or implementing further a coordinated, national law-related education program of—

(A) delinquency prevention in elementary and secondary schools, and other local sites;

(B) training for persons responsible for the implementation of law-related education programs; and

(C) disseminating information regarding model, innovative, law-related education programs to juvenile delinquency programs, including those that are community based, and to law enforcement and criminal justice agencies for activities related to juveniles.

(7) Addressing efforts to reduce the proportion of juveniles detained or confined in secure detention facilities, secure correctional facilities, jails, and lockups who are members of minority groups if such proportion exceeds the proportion such groups represent in the general population.

(b) The Administrator is authorized, by making grants to and entering into contracts with public and private nonprofit agencies, organizations, institutions, and individuals, to develop and implement new approaches, techniques, and methods designed to—

(1) improve the capability of public and private agencies and organizations to provide services for delinquents and other juveniles to help prevent juvenile delinquency;

(2) develop and implement, in coordination with the Secretary of Education, model programs and methods to keep students in elementary and secondary schools, to prevent unwarranted and arbitrary suspensions and expulsions, and to encourage new approaches and techniques with respect to the prevention of school violence and vandalism;

(3) develop, implement, and support, in conjunction with the Secretary of Labor, other public and private agencies, organizations, business, and industry, programs for the employment of juveniles;

(4) develop and support programs designed to encourage and assist State legislatures to consider and establish policies con-

sistent with this title, both by amending State laws, if necessary, and devoting greater resources to effectuate such policies;

(5) develop and implement programs relating to juvenile delinquency and learning disabilities, including on-the-job training programs to assist law enforcement personnel and juvenile justice personnel to more effectively recognize and provide for learning-disabled and other handicapped juveniles;

(6) develop statewide programs through the use of subsidies or other financial incentives designed to—

(A) remove juveniles from jails and lockups for adults;

(B) replicate juvenile programs designated as exemplary by the National Institute of Justice; or

(C) establish and adopt, based upon the recommendations of the National Advisory Committee for Juvenile Justice and Delinquency Prevention made before the date of the enactment of the Juvenile Justice, Runaway Youth, and Missing Children's Act Amendments of 1984, standards for the improvement of juvenile justice within each State involved; and

(7) develop and implement programs, relating to the special education needs of delinquent and other juveniles, which develop locally coordinated policies and programs among education, juvenile justice, and social service agencies.

(c) Not less than 30 percent of the funds available for grants and contracts under this section shall be available for grants to and contracts with private nonprofit agencies, organizations, and institutions which have experience in dealing with juveniles.

(d) Assistance provided under this section shall be available on an equitable basis to deal with female, minority, and disadvantaged juveniles, including juveniles who are mentally, emotionally, or physically handicapped.

(e) Not less than 5 percent of the funds available for grants and contracts under this section shall be available for grants and contracts designed to address the special needs and problems of juvenile delinquency in the Virgin Islands of the United States, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.

(42 U.S.C. 5665)

#### CONSIDERATIONS FOR APPROVAL OF APPLICATIONS

SEC. 262. (a) Any agency, institution, or individual desiring to receive a grant, or enter into a contract, under this part shall submit an application at such time, in such manner, and containing or accompanied by such information as the Administrator may prescribe.

(b) In accordance with guidelines established by the Administrator, each application for assistance under this part shall—

(1) set forth a program for carrying out one or more of the purposes set forth in this part and specifically identify each such purpose such program is designed to carry out;

(2) provide that such program shall be administered by or under the supervision of the applicant;

(3) provide for the proper and efficient administration of such program;

(4) provide for regular evaluation of such program;

(5) certify that the applicant has requested the State planning agency and local agency designated in section 223, if any to review and comment on such application and indicate the responses of such State planning agency and local agency to such request;

(6) attach a copy of the responses of such State planning agency and local agency to such request;

(7) provide that regular reports on such program shall be sent to the Administrator and to such State planning agency and local agency; and

(8) provide for such fiscal control and fund accounting procedures as may be necessary to ensure prudent use, proper disbursement, and accurate accounting of funds received under this title.

(c) In determining whether or not to approve applications for grants and for contracts under this part, the Administrator shall consider—

(1) the relative cost and effectiveness of the proposed program in carrying out this part;

(2) the extent to which such program will incorporate new or innovative techniques;

(3) if a State plan has been approved by the Administrator under section 223(c), the extent to which such program meets the objectives and priorities of the State plan, taking into consideration the location and scope of such program;

(4) the increase in capacity of the public and private agency, institution, or individual involved to provide services to address juvenile delinquency and juvenile delinquency prevention;

(5) the extent to which such program serves communities which have high rates of juvenile unemployment, school dropout, and delinquency; and

(6) the adverse impact that may result from the restriction of eligibility, based upon population, for cities with a population greater than 40,000 located within States which have no city with a population over 250,000.

(d)(1)(A) Programs selected for assistance through grants or contracts under this part (other than section 241(f)) shall be selected through a competitive process to be established by rule by the Administrator. As part of such a process, the Administrator shall announce in the Federal Register—

(i) the availability of funds for such assistance;

(ii) the general criteria applicable to the selection of applicants to receive such assistance; and

(iii) a description of the procedures applicable to submitting and reviewing applications for such assistance.

(B) The competitive process described in subparagraph (A) shall not be required if the Administrator makes a written determination that—

(i) the proposed program is not within the scope of any announcement issued, or expected to be issued, by the Adminis-

trator regarding the availability of funds to carry out programs under this part, but can be supported by a grant or contract in accordance with this part; and

(ii) such program is of such outstanding merit, as determined through peer review conducted under paragraph (2), that the award of a grant or contract without competition is justified; or

(iii) the applicant is uniquely qualified to provide proposed training services as provided in section 244 and other qualified sources are not capable of providing such services, and includes in such determination the factual and other bases thereof.

(C) If a program is selected for assistance without competition pursuant to the exception provided in subparagraph (B), the Administrator shall promptly so notify the chairman of the Committee on Education and Labor of the House of Representatives and the chairman of the Committee on the Judiciary of the Senate. Such notification shall include copies of the Administrator's determination made under such subparagraph and the peer review determination required by paragraph (2).

(2)(A) Programs selected for assistance through grants or contracts under this part (other than section 241(f)) shall be reviewed before selection, and thereafter as appropriate, through a formal peer review process utilizing experts (other than officers and employees of the Department of Justice) in fields related to the subject matter of the proposed program.

(B) Such process shall be established by the Administrator in consultation with the Directors and other appropriate officials of the National Science Foundation and the National Institute of Mental Health. Before implementation of such process, the Administrator shall submit such process to such Directors, each of whom shall prepare and furnish to the chairman of the Committee on Education and Labor of the House of Representatives and the chairman of the Committee on the Judiciary of the Senate a final report containing their comments on such process as proposed to be established.

(3) The Administrator, in establishing the process required under paragraphs (1) and (2), shall provide for emergency expedited consideration of the proposed programs if necessary to avoid any delay which would preclude carrying out such programs.

(e) A city shall not be denied assistance under this part solely on the basis of its population.

(f) Notification of grants and contracts made under this part (and the applications submitted for such grants and contracts) shall, upon being made, be transmitted by the Administrator, to the chairman of the Committee on Education and Labor of the House of Representatives and the chairman of the Committee on the Judiciary of the Senate.

(42 U.S.C. 5665a)

**PART D—PREVENTION AND TREATMENT PROGRAMS RELATING TO  
JUVENILE GANGS AND DRUG ABUSE AND DRUG TRAFFICKING**

**AUTHORITY TO MAKE GRANTS AND CONTRACTS**

**Sec. 281.** The Administrator shall, by making grants to and entering into contracts with public and private nonprofit agencies, organizations, institutions, and individuals, establish and support programs and activities that involve families and communities and that are designed to carry out any of the following purposes:

(1) To reduce the participation of juveniles in drug-related crimes (including drug trafficking and drug use), particularly in elementary and secondary schools.

(2) To develop within the juvenile adjudicatory and correctional systems new and innovative means to address the problems of juveniles convicted of serious drug-related and gang-related offenses.

(3) To reduce juvenile involvement in gang-related activity, particularly activities that involve the distribution of drugs by or to juveniles.

(4) To promote the involvement of juveniles in lawful activities in geographical areas in which gangs commit crimes.

(5) To provide treatment to juveniles who are members of such gangs, including members who are accused of committing a serious crime and members who have been adjudicated as being delinquent.

(6) To support activities to inform juveniles of the availability of treatment and services for which financial assistance is provided under this part.

(7) To facilitate Federal and State cooperation with local school officials to assist juveniles who are likely to participate in the activities of gangs that commit crimes and to establish and support programs that facilitate coordination and cooperation among local education, juvenile justice, employment, and social service agencies, for the purpose of preventing or reducing the participation of juveniles in activities of gangs that commit crimes.

(8) To provide personnel, personnel training, equipment, and supplies in conjunction with programs and activities designed to prevent or reduce the participation of juveniles in unlawful gang activities or unlawful drug activities, to assist in improving the adjudicative and correctional components of the juvenile justice system.

(9) To provide pre- and post-trial drug abuse treatment to juveniles in the juvenile justice system.

(10) To provide drug abuse education, prevention and treatment involving police and juvenile justice officials in demand reduction programs.

(42 U.S.C. 5667)

**APPROVAL OF APPLICATIONS**

**Sec. 282.** (a) Any agency, institution, or individual desiring to receive a grant, or to enter into a contract, under this part shall submit an application at such time, in such manner, and contain-

ing or accompanied by such information as the Administrator may prescribe.

(b) In accordance with guidelines established by the Administrator, each application for assistance under this part shall—

(1) set forth a program or activity for carrying out one or more of the purposes specified in section 221 and specifically identify each such purpose, such program or activity is designed to carry out;

(2) provide that such program or activity shall be administered by or under the supervision of the applicant;

(3) provide for the proper and efficient administration of such program or activity;

(4) provide for regular evaluation of such program or activity;

(5) certify that the applicant has requested the State planning agency and local agency designated in section 223, if any, to review and comment on such application and indicate the responses of such State planning agency and local agency to such request;

(6) attach a copy of the responses of such State planning agency and local agency to such request;

(7) provide that regular reports on such program or activity shall be sent to the Administrator and to such State planning agency and local agency; and

(8) provide for such fiscal control and fund accounting procedures as may be necessary to ensure prudent use, proper disbursement, and accurate accounting of funds received under this title.

(c) In reviewing applications for grants and contracts under this part, the Administrator shall give priority to applications—

(1) based on the incidence and severity of crimes committed by gangs whose membership is composed primarily of juveniles or the incidence of juvenile drug abuse and drug trafficking, in the geographical area in which the applicants propose to carry out the programs and activities for which such grants and contracts are requested; and

(2) for assistance for programs and activities that have the broad support of organizations operating in such geographical areas, as demonstrated by the applicants.

(42 U.S.C. 5667a)

## PART E—GENERAL AND ADMINISTRATIVE PROVISIONS

### AUTHORIZATION OF APPROPRIATIONS

SEC. 291. (a)(1) To carry out the purposes of this title (other than part D) there are authorized to be appropriated such sums as may be necessary for fiscal years 1989, 1990, 1991, and 1992. Funds appropriated for any fiscal year may remain available for obligation until expended.

(2)(A) Subject to subparagraph (B), to carry out part D, there are authorized to be appropriated \$15,000,000 for fiscal year 1989 and such sums as may be necessary for each of the fiscal years 1990, 1991, and 1992.

(B) No funds may be appropriated to carry out part D of this title for a fiscal year unless the aggregate amount appropriated to carry out this title (other than part D) for such fiscal year is not less than the aggregate amount appropriated to carry out this title (other than part D) for the preceding fiscal year.

(b) Of such sums as are appropriated to carry out the purposes of this title (other than part D)—

(1) not to exceed 5 percent shall be available to carry out part A;

(2) not less than 70 percent shall be available to carry out part B; and

(3) 25 percent shall be available to carry out part C.

(c) Notwithstanding any other provision of law, the Administrator shall—

(1) establish appropriate administrative and supervisory board membership requirements for a State agency responsible for supervising the preparation and administration of the State plan submitted under section 223 and permit the State advisory group appointed under section 223(a)(3) to operate as the supervisory board for such agency, at the discretion of the Governor; and

(2) approve any appropriate State agency designated by the Governor of the State involved in accordance with paragraph (1).

(d) No funds appropriated to carry out the purposes of this title may be used for any bio-medical or behavior control experimentation on individuals or any research involving such experimentation. For the purpose of this subsection, the term "behavior control" refers to experimentation or research employing methods which involve a substantial risk of physical or psychological harm to the individual subject and which are intended to modify or alter criminal and other anti-social behavior, including aversive conditioning therapy, drug therapy or chemotherapy (except as part of routine clinical care), physical therapy of mental disorders, electroconvulsive therapy, or physical punishment. The term does not apply to a limited class of programs generally recognized as involving no such risk, including methadone maintenance and certain alcohol treatment programs, psychological counseling, parent training, behavior contracting, survival skills training, restitution, or community service, if safeguards are established for the informed consent of subjects (including parents or guardians of minors).

(42 U.S.C. 5671)

#### ADMINISTRATIVE AUTHORITY

SEC. 292. (a) The Office shall be administered by the Administrator under the general authority of the Attorney General.

(b) Sections 809(c), 811(a), 811(b), 811(c), 812(a), 812(b), and 812(d) of the Omnibus Crime Control and Safe Streets Act of 1968,<sup>1</sup> as so designated by the operation of the amendments made by the Justice Assistance Act of 1984,<sup>2</sup> shall apply with respect to the admin-

<sup>1</sup> (42 U.S.C. 3789 et seq.).

<sup>2</sup> Division II of chapter VI of title II of Public Law 98-473 (98 Stat. 2107), approved October 12, 1984.

istration of and compliance with this Act, except that for purposes of this Act—

(1) any reference to the Office of Justice Programs in such sections shall be deemed to be a reference to the Assistant Attorney General who heads the Office of Justice Programs; and

(2) the term "this title" as it appears in such sections shall be deemed to be a reference to this Act.

(c) Sections 801(a), 801(c), and 806 of the Omnibus Crime Control and Safe Streets Act of 1968,<sup>3</sup> as so designated by the operation of the amendments made by the Justice Assistance Act of 1984,<sup>4</sup> shall apply with respect to the administration of and compliance with this Act, except that for purposes of this Act—

(1) any reference to the Attorney General, the Assistant Attorney General who heads the Office of Justice Programs, the Director of the National Institute of Justice, the Director of the Bureau of Justice Statistics, or the Director of the Bureau of Justice Assistance shall be deemed to be a reference to the Administrator;

(2) any reference to the Office of Justice Programs, the Bureau of Justice Assistance, the National Institute of Justice, or the Bureau of Justice Statistics shall be deemed to be a reference to the Office of Juvenile Justice and Delinquency Prevention; and

(3) the term "this title" as it appears in such sections shall be deemed to be a reference to this Act.

(d) The Administrator is authorized, after appropriate consultation with representatives of States and units of local government, to establish such rules, regulations, and procedures as are necessary for the exercise of the functions of the Office and as are consistent with the purpose of this Act.

(42 U.S.C. 5672)

#### WITHHOLDING

SEC. 293. Whenever the Administrator, after giving reasonable notice and opportunity for hearing to a recipient of financial assistance under this title, finds that—

(1) the program or activity for which the grant or contract involved was made has been so changed that it no longer complies with this title; or

(2) in the operation of such program or activity there is failure to comply substantially with any provision of this title; the Administrator shall initiate such proceedings as are appropriate.

(42 U.S.C. 5673)

#### USE OF FUNDS

SEC. 294. (a) Funds paid pursuant to this title to any public or private agency, organization, or institution, or to any individual (either directly or through a State planning agency) may be used for—

<sup>3</sup> (42 U.S.C. 3782 et seq.).

<sup>4</sup> See note 2 above.

(1) planning, developing, or operating the program designed to carry out this title; and

(2) not more than 50 per centum of the cost of the construction of any innovative community-based facility for fewer than 20 persons which, in the judgment of the Administrator, is necessary to carry out this title.

(b) Except as provided in subsection (a), no funds paid to any public or private agency, or institution or to any individual under this title (either directly or through a State agency or local agency) may be used for construction.

(c)(1) Funds paid pursuant to section 223(a)(10)(D) and section 261(a)(3) to any public or private agency, organization, or institution or to any individual shall not be used to pay for any personal service, advertisement, telegram, telephone communication, letter, printed or written matter, or other device intended or designed to influence a Member of Congress or any other Federal, State, or local elected official to favor or oppose any Acts, bills, resolutions, or similar legislation, or any referendum, initiative, constitutional amendment, or any similar procedure of the Congress, any State legislature, any local council, or any similar governing body, except that this paragraph shall not preclude such funds from being used in connection with communications to Federal, State, or local elected officials, upon the request of such officials through proper official channels, pertaining to authorization, appropriation, or oversight measures directly affecting the operation of the program involved.

(2) The Administrator shall take such action as may be necessary to ensure that no funds paid under section 223(a)(10)(D) or section 261(a)(3) are used either directly or indirectly in any manner prohibited in this paragraph.

(42 U.S.C. 5674)

#### PAYMENTS

Sec. 295. (a) Payments under this title, pursuant to a grant or contract, may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, in such installments and on such conditions as the Administrator may determine.

(b) Except as provided in the second sentence of section 222(c), financial assistance extended under this title shall be 100 per centum of the approved costs of the program or activity involved.

(c)(1) In the case of a grant under this title to an Indian tribe, if the Administrator determines that the tribe does not have sufficient funds available to meet the local share of the cost of any program or activity to be funded under the grant, the Administrator may increase the Federal share of the cost thereof to the extent the Administrator deems necessary.

(2) If a State does not have an adequate forum to enforce grant provisions imposing any liability on Indian tribes, the Administrator may waive State liability attributable to the liability of such tribes and may pursue such legal remedies as are necessary.

(d) If the Administrator determines, on the basis of information available to the Administrator during any fiscal year, that a por-

tion of the funds granted to an applicant under part C for such fiscal year will not be required by the applicant or will become available by virtue of the application of the provisions of section 802 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended from time to time, that portion shall be available for reallocation in an equitable manner to States which comply with the requirements in paragraphs (12)(A) and (13) of section 223(a), under section 261(b)(6).

*(42 U.S.C. 5675)*

#### CONFIDENTIALITY OF PROGRAM RECORDS

SEC. 296. Except as authorized by law, program records containing the identity of individual juveniles gathered for purposes pursuant to this title may not be disclosed without the consent of the service recipient or legally authorized representative, or as may be necessary to carry out this title. Under no circumstances may program reports or findings available for public dissemination contain the actual names of individual service recipients.

*(42 U.S.C. 5676)*

### TITLE III—RUNAWAY AND HOMELESS YOUTH

#### SHORT TITLE

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

*(42 U.S.C. 5701 note)*

#### 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.

*(42 U.S.C. 5701)*

## RULES

**SEC. 803.** The Secretary of Health and Human Services (hereinafter in this title referred to as the "Secretary") may issue such rules as the Secretary considers necessary or appropriate to carry out the purposes of this title.

(42 U.S.C. 5702)

## PART A—RUNAWAY AND HOMELESS YOUTH GRANT PROGRAM

## AUTHORITY TO MAKE GRANTS

**SEC. 311.** (a) The Secretary shall make grants to public and private entities (and combinations of such entities) to establish and operate (including renovation) local runaway and homeless youth centers to provide services to deal primarily with the immediate needs of runaway or otherwise homeless youth, and their families, in a manner which is outside the law enforcement structure and the juvenile justice system.

(b)(1) Subject to paragraph (2) and in accordance with regulations promulgated under this title, funds for grants under subsection (a) shall be allotted annually with respect to the States on the basis of their relative population of individuals who are less than 18 years of age.

(2) Subject to paragraph (3), the amount allotted under paragraph (1) with respect to each State for a fiscal year shall be not less than \$75,000, except that the amount allotted to the Virgin Islands of the United States, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands shall be not less than \$30,000 each.

(3) If, as a result of paragraph (2), the amount allotted under paragraph (1) with respect to a State for a fiscal year would be less than the aggregate amount of grants made under this part to recipients in such State for fiscal year 1988, then the amounts allotted to satisfy the requirements of such paragraph shall be reduced pro rata to the extent necessary to allot under paragraph (1) with respect to such State for the fiscal year an amount equal to the aggregate amount of grants made under this part to recipients in such State for fiscal year 1988.

(4) In selecting among applicants for grants under subsection (a), the Secretary shall give priority to private entities that have experience in providing the services described in such subsection.

(c) The Secretary is authorized to provide on-the-job training to local runaway and homeless youth center personnel and coordinated networks of local law enforcement, social service, and welfare personnel to assist such personnel in recognizing and providing for learning disabled and other handicapped juveniles.

(42 U.S.C. 5711)

## ELIGIBILITY

**SEC. 312.** (a) To be eligible for assistance under section 311(a), an applicant shall propose to establish, strengthen, or fund an existing or proposed runaway and homeless youth center, a locally controlled facility providing temporary shelter, and counseling services

to juveniles who have left home without permission of their parents or guardians or to other homeless juveniles.

(b) In order to qualify for assistance under section 311(a), an applicant shall submit a plan to the Secretary including assurances that the applicant—

(1) shall operate a runaway and homeless youth center located in an area which is demonstrably frequented by or easily reachable by runaway and homeless youth;

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

(3) shall develop adequate plans for contacting the child's parents or relatives 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 and homeless youth center, and for providing for other appropriate alternative living arrangements;

(4) shall develop an adequate plan for assuring proper relations with law enforcement personnel, social service personnel, school system personnel, and welfare personnel, and the return of runaway and homeless youth from correctional institutions;

(5) shall develop an adequate plan for aftercare counseling involving runaway and homeless youth and their families within the State in which the runaway and homeless youth center 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 and homeless youth center is located;

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

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

(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 center under this subsection; and

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

(42 U.S.C. 5712)

## GRANTS FOR A NATIONAL COMMUNICATION SYSTEM

Sec. 313. (a) With funds reserved under subsection (b), the Secretary shall make grants for a national communication system to assist runaway and homeless youth in communicating with their families and with service providers.

(b) From funds appropriated to carry out this part and after making the allocation required by section 366(a)(2), the Secretary shall reserve—

(1) for fiscal year 1989 not less than \$500,000;

(2) for fiscal year 1990 not less than \$600,000; and

(3) for each of the fiscal years 1991 and 1992 not less than \$750,000;

to carry out subsection (a).

(42 U.S.C. 5712a)

## GRANTS FOR TECHNICAL ASSISTANCE AND TRAINING

Sec. 314. The Secretary may make grants to statewide and regional nonprofit organizations (and combinations of such organizations) to provide technical assistance and training to public and private entities (and combinations of such entities) that are eligible to receive grants under section 311(a), for the purpose of assisting such entities to establish and operate runaway and homeless youth centers.

(42 U.S.C. 5712b)

## AUTHORITY TO MAKE GRANTS FOR RESEARCH, DEMONSTRATION, AND SERVICE PROJECTS

Sec. 815. (a) The Secretary may make grants to States, localities, and private entities (and combinations of such entities) to carry out research, demonstration, and service projects designed to increase knowledge concerning, and to improve services for, runaway and homeless youth.

(b) In selecting among applications for grants under subsection (a), the Secretary shall give special consideration to proposed projects relating to—

(1) juveniles who repeatedly leave and remain away from their homes;

(2) outreach to runaway and homeless youth;

(3) transportation of runaway and homeless youth in connection with services authorized to be provided under this part;

(4) the special needs of runaway and homeless youth programs in rural areas;

(5) the special needs of foster care home programs for runaway and homeless youth;

(6) transitional living programs for runaway and homeless youth; and

(7) innovative methods of developing resources that enhance the establishment or operation of runaway and homeless youth centers.

(c) In selecting among applicants for grants under subsection (a), the Secretary shall give priority to applicants who provide services directly to runaway and homeless youth.

(42 U.S.C. 5712c)

## APPROVAL BY SECRETARY

SEC. 316. An application by a State, locality, or private entity for a grant under section 311(a) may be approved by the Secretary only if it is consistent with the applicable provisions of section 311(a) and meets the requirements set forth in section 312. Priority shall be given to grants smaller than \$150,000. In considering grant applications under section 311(a), priority shall be given to organizations which have a demonstrated experience in the provision of service to runaway and homeless youth and their families.

(42 U.S.C. 5713)

## GRANTS TO PRIVATE ENTITIES; STAFFING

SEC. 317. Nothing in this part shall be construed to deny grants to private entities which are fully 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 runaway and homeless youth center. Nothing in this part shall give the Federal Government control over the staffing and personnel decisions of facilities receiving Federal funds.

(42 U.S.C. 5714)

## PART B—TRANSITIONAL LIVING GRANT PROGRAM

## PURPOSE AND AUTHORITY FOR PROGRAM

SEC. 321. (a) The Secretary is authorized to make grants and to provide technical assistance to public and nonprofit private entities to establish and operate transitional living youth projects for homeless youth.

(b) For purposes of this part—

(1) the term "homeless youth" means any individual—

(A) who is not less than 16 years of age and not more than 21 years of age;

(B) for whom it is not possible to live in a safe environment with a relative; and

(C) who has no other safe alternative living arrangement; and

(2) the term "transitional living youth project" means a project that provides shelter and services designated to promote a transition to self-sufficient living and to prevent long-term dependency on social services.

(42 U.S.C. 5714-1)

## ELIGIBILITY

SEC. 322. (a) To be eligible for assistance under this part, an applicant shall propose to establish, strengthen, or fund a transitional living youth project for homeless youth and shall submit to the Secretary a plan in which such applicant agrees, as part of such project—

(1) to provide, directly or indirectly, shelter (such as group homes, host family homes, and supervised apartments) and services (including information and counseling services in basic life skills, interpersonal skill building, educational advance-

rent, job attainment skills, and mental and physical health care) to homeless youth;

(2) to provide such shelter and such services to individual homeless youth throughout a continuous period not to exceed 540 days;

(3) to provide, directly or indirectly, on-site supervision at each shelter facility that is not a family home;

(4) that such shelter facility used to carry out such project shall have the capacity to accommodate not more than 20 individuals (excluding staff);

(5) to provide a number of staff sufficient to ensure that all homeless youth participating in such project receive adequate supervision and services;

(6) to provide a written transitional living plan to each youth based on an assessment of such youth's needs, designed to help the transition from supervised participation in such project to independent living or another appropriate living arrangement;

(7) to develop an adequate plan to ensure proper referral of homeless youth to social service, law enforcement, educational, vocational, training, welfare, legal service, and health care programs and to help integrate and coordinate such services for youths;

(8) to provide for the establishment of outreach programs designed to attract individuals who are eligible to participate in the project;

(9) to submit to the Secretary an annual report that includes information regarding the activities carried out with funds under this part, the achievements of the project under this part carried out by the applicant and statistical summaries describing the number and the characteristics of the homeless youth who participate in such project in the year for which the report is submitted;

(10) to implement such accounting procedures and fiscal control devices as the Secretary may require;

(11) to submit to the Secretary an annual budget that estimates the itemized costs to be incurred in the year for which the applicant requests a grant under this part;

(12) to keep adequate statistical records profiling homeless youth which it serves and not to disclose the identity of individual homeless youth in reports or other documents based on such statistical records;

(13) not to disclose records maintained on individual homeless youth without the consent of the individual youth and parent or legal guardian to anyone other than an agency compiling statistical records or a government agency involved in the disposition of criminal charges against youth; and

(14) to provide to the Secretary such other information as the Secretary may reasonably require.

(b) In selecting eligible applicants to receive grants under this part, the Secretary shall give priority to entities that have experience in providing to homeless youth shelter and services of the types described in subsection (a)(1).

(42 U.S.C. 5714-2)

## PART C—GENERAL PROVISIONS

## ASSISTANCE TO POTENTIAL GRANTEES

SEC. 341. The Secretary shall provide informational assistance to potential grantees interested in establishing runaway and homeless youth centers and transitional living youth projects. Such assistance shall consist of information on—

(1) steps necessary to establish a runaway and homeless youth center or transitional living youth project, including information on securing space for such center or such project, obtaining insurance, staffing, and establishing operating procedures;

(2) securing local private or public financial support for the operation of such center or such project, including information on procedures utilized by grantees under this title; and

(3) the need for the establishment of additional runaway and homeless youth centers in the geographical area identified by the potential grantee involved.

(42 U.S.C. 5714a)

## LEASE OF SURPLUS FEDERAL FACILITIES FOR USE AS RUNAWAY AND HOMELESS YOUTH CENTERS OR AS TRANSITIONAL LIVING YOUTH SHELTER FACILITIES

SEC. 342. (a) The Secretary may enter into cooperative lease arrangements with States, localities, and nonprofit private agencies to provide for the use of appropriate surplus Federal facilities transferred by the General Services Administration to the Department of Health and Human Services for use as runaway and homeless youth centers or as transitional living youth shelter facilities if the Secretary determines that—

(1) the applicant involved has suitable financial support necessary to operate a runaway and homeless youth center or transitional living youth project, as the case may be, under this title;

(2) the applicant is able to demonstrate the program expertise required to operate such center in compliance with this title, whether or not the applicant is receiving a grant under this part; and

(3) the applicant has consulted with and obtained the approval of the chief executive officer of the unit of general local government in which the facility is located.

(b)(1) Each facility made available under this section shall be made available for a period of not less than 2 years, and no rent or fee shall be charged to the applicant in connection with use of such facility.

(2) Any structural modifications or additions to facilities made available under this section shall become the property of the United States. All such modifications or additions may be made only after receiving the prior written consent of the Secretary or other appropriate officer of the Department of Health and Human Services.

(42 U.S.C. 5714b)

## PART D--ADMINISTRATIVE PROVISIONS

## REPORTS

SEC. 361. (a) Not later than 180 days after the end of each fiscal year, the Secretary shall submit a report to the Committee on Education and Labor of the House of Representatives and the Committee on the Judiciary of the Senate on the status and accomplishments of the runaway and homeless youth centers which are funded under part A, with particular attention to—

(1) their effectiveness in alleviating the problems of runaway and homeless 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.

(b) Not later than 180 days after the end of each fiscal year, the Secretary shall submit a report to the Committee on Education and Labor of the House of Representatives and the Committee on the Judiciary of the Senate on the status and accomplishments of the transitional living youth projects which are funded under part B, with particular attention to—

(1) the number and characteristics of homeless youth served by such projects;

(2) describing the types of activities carried out under such projects;

(3) the effectiveness of such projects in alleviating the immediate problems of homeless youth;

(4) the effectiveness of such projects in preparing homeless youth for self sufficiency;

(5) the effectiveness of such projects in helping youth decide upon future education, employment, and independent living; and

(6) the ability of such projects to strengthen family relationships, and encourage the resolution of intra-family problems through counseling and the development of self-sufficient living skills.

(42 U.S.C. 5715)

## FEDERAL SHARE

SEC. 362. (a) The Federal share for the 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 90 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.

(42 U.S.C. 5716)

## RECORDS

SEC. 363. Records containing the identity of individual youth pursuant to this Act may under no circumstances be disclosed or transferred to any individual or to any public or private agency.  
(42 U.S.C. 5731)

## ANNUAL PROGRAM PRIORITIES

SEC. 364. (a) The Secretary shall develop for each fiscal year, and publish annually in the Federal Register for public comment a proposed plan specifying the subject priorities the Secretary will follow in making grants under this title for such fiscal year.

(b) Taking into consideration comments received in the 45-day period beginning on the date the proposed plan is published, the Secretary shall develop and publish, before December 31 of such fiscal year, a final plan specifying the priorities referred to in subsection (a).

(42 U.S.C. 5732)

## COORDINATION WITH ACTIVITIES

SEC. 365. With respect to matters relating to communicable diseases, the Secretary shall coordinate the activities of health agencies in the Department of Health and Human Services with the activities of the entities that are eligible to receive grants under this title.

(42 U.S.C. 5733)

## AUTHORIZATION OF APPROPRIATIONS

SEC. 366. (a)(1) To carry out the purposes of part A of this title there are authorized to be appropriated such sums as may be necessary for fiscal years 1989, 1990, 1991, and 1992.

(2) Not less than 90 percent of the funds appropriated under paragraph (1) for a fiscal year shall be available to carry out section 311(a) in such fiscal year.

(b)(1) Subject to paragraph (2), to carry out the purposes of part B of this title, there are authorized to be appropriated \$5,000,000 for fiscal year 1989 and such sums as may be necessary for each of the fiscal years 1990, 1991, and 1992.

(2) No funds may be appropriated to carry out part B of this title for a fiscal year unless the aggregate amount appropriated for such fiscal year to carry out part A of this title exceeds \$26,900,000.

(c) The Secretary (through the Office of Youth Development which shall administer this title) shall consult with the Attorney General (through the Administrator of the Office of Juvenile Justice and Delinquency Prevention) for the purpose of coordinating the development and implementation of programs and activities funded under this title with those related programs and activities funded under title II of this Act and under the Omnibus Crime Control and Safe Streets Act of 1968,<sup>1</sup> as amended.

(d) No funds appropriated to carry out the purposes of this title—

<sup>1</sup> 42 U.S.C. 3701 et seq.

(1) may be used for any program or activity which is not specifically authorized by this title; or

(2) may be combined with funds appropriated under any other Act if the purpose of combining such funds is to make a single discretionary grant or a single discretionary payment unless such funds are separately identified in all grants and contracts and are used for the purposes specified in this title.

(42 U.S.C. 5751)

## TITLE IV—MISSING CHILDREN

### SHORT TITLE

**Sec. 401.** This title may be cited as the "Missing Children's Assistance Act".

### FINDINGS

**Sec. 402.** The Congress hereby finds that—

(1) each year thousands of children are abducted or removed from the control of a parent having legal custody without such parent's consent, under circumstances which immediately place them in grave danger;

(2) many of these children are never reunited with their families;

(3) often there are no clues to the whereabouts of these children;

(4) many missing children are at great risk of both physical harm and sexual exploitation;

(5) in many cases, parents and local law enforcement officials have neither the resources nor the expertise to mount expanded search efforts;

(6) abducted children are frequently moved from one locality to another, requiring the cooperation and coordination of local, State, and Federal law enforcement efforts;

(7) on frequent occasions, law enforcement authorities quickly exhaust all leads in missing children cases, and require assistance from distant communities where the child may be located; and

(8) Federal assistance is urgently needed to coordinate and assist in this interstate problem.

(42 U.S.C. 5771)

### DEFINITIONS

**Sec. 403.** For the purpose of this title—

(1) the term "missing child" means any individual less than 18 years of age whose whereabouts are unknown to such individual's legal custodian if—

(A) the circumstances surrounding such individual's disappearance indicate that such individual may possibly have been removed by another from the control of such individual's legal custodian without such custodian's consent; or

(B) the circumstances of the case strongly indicate that such individual is likely to be abused or sexually exploited; and

(2) the term "Administrator" means the Administrator of the Office of Juvenile Justice and Delinquency Prevention. (42 U.S.C. 5772)

#### DUTIES AND FUNCTIONS OF THE ADMINISTRATOR

SEC. 404. (a) The Administrator shall—

(1) issue such rules as the Administrator considers necessary or appropriate to carry out this title;

(2) make such arrangements as may be necessary and appropriate to facilitate effective coordination among all federally funded programs relating to missing children (including the preparation of an annual comprehensive plan for facilitating such coordination);

(3) provide for the furnishing of information derived from the national toll-free telephone line, established under subsection (b)(1), to appropriate entities;

(4) provide adequate staff and agency resources which are necessary to properly carry out the responsibilities pursuant to this title; and

(5) not later than 180 days after the end of each fiscal year, submit a report to the President, Speaker of the House of Representatives, and the President pro tempore of the Senate—

(A) containing a comprehensive plan for facilitating cooperation and coordination in the succeeding fiscal year among all agencies and organizations with responsibilities related to missing children;

(B) identifying and summarizing effective models of Federal, State, and local coordination and cooperation in locating and recovering missing children;

(C) identifying and summarizing effective program models that provide treatment, counseling, or other aid to parents of missing children or to children who have been the victims of abduction;

(D) describing how the Administrator satisfied the requirements of paragraph (4) in the preceding fiscal year;

(E) describing in detail the number and types of telephone calls received in the preceding fiscal year over the national toll-free telephone line established under subsection (b)(1)(A) and the number and types of communications referred to the national communications system established under section 313;

(F) describing in detail the activities in the preceding fiscal year of the national resource center and clearinghouse established under subsection (b)(2);

(G) describing all the programs for which assistance was provided under section 405 in the preceding fiscal year;

(H) summarizing the results of all research completed in the preceding year for which assistance was provided at any time under this title; and

(I)(i) identifying each clearinghouse with respect to which assistance is provided under section 405(a)(9) in the preceding fiscal year;

(ii) describing the activities carried out by such clearinghouse in such fiscal year;

(iii) specifying the types and amounts of assistance (other than assistance under section 405(a)(9)) received by such clearinghouse in such fiscal year; and

(iv) specifying the number and types of missing children cases handled (and the number of such cases resolved) by such clearinghouse in such fiscal year and summarizing the circumstances of each such cases.

(b) The Administrator, either by making grants to or entering into contracts with public agencies or nonprofit private agencies, shall—

(1)(A) establish and operate a national 24-hour toll-free telephone line by which individuals may report information regarding the location of any missing child, or other child 13 years of age or younger whose whereabouts are unknown to such child's legal custodian, and request information pertaining to procedures necessary to reunite such child with such child's legal custodian; and

(B) coordinating the operation of such telephone line with the operation of the national communications system established under section 313;

(2) establish and operate a national resource center and clearinghouse designed—

(A) to provide to State and local governments, public and private nonprofit agencies, and individuals information regarding—

(i) free or low-cost legal, restaurant, lodging, and transportation services that are available for the benefit of missing children and their families; and

(ii) the existence and nature of programs being carried out by Federal agencies to assist missing children and their families;

(B) to coordinate public and private programs which locate, recover, or reunite missing children with their legal custodians;

(C) to disseminate nationally information about innovative and model missing childrens' programs, services, and legislation; and

(D) to provide technical assistance and training to law enforcement agencies, State and local governments, elements of the criminal justice system, public and private nonprofit agencies, and individuals in the prevention, investigation, prosecution, and treatment of the missing and exploited child case and in locating and recovering missing children; and

(8) periodically conduct national incidence studies to determine for a given year the actual number of children reported missing each year, the number of children who are victims of abduction by strangers, the number of children who are the

victims of parental kidnappings, and the number of children who are recovered each year; and

(4) provide to State and local governments, public and private nonprofit agencies, and individuals information to facilitate the lawful use of school records and birth certificates to identify and locate missing children.

(c) Nothing contained in this title shall be construed to grant to the Administrator any law enforcement responsibility or supervisory authority over any other Federal agency.

(42 U.S.C. 5773)

#### GRANTS

SEC. 405. (a) The Administrator is authorized to make grants to and enter into contracts with public agencies or nonprofit private organizations, or combinations thereof, for research, demonstration projects, or service programs designed—

(1) to educate parents, children, and community agencies and organizations in ways to prevent the abduction and sexual exploitation of children;

(2) to provide information to assist in the locating and return of missing children;

(3) to aid communities in the collection of materials which would be useful to parents in assisting others in the identification of missing children;

(4) to increase knowledge of and develop effective treatment pertaining to the psychological consequences, on both parents and children, of—

(A) the abduction of a child, both during the period of disappearance and after the child is recovered; and

(B) the sexual exploitation of a missing child;

(5) to collect detailed data from selected States or localities on the actual investigative practices utilized by law enforcement agencies in missing children's cases;

(6) to address the particular needs of missing children by minimizing the negative impact of judicial and law enforcement procedures on children who are victims of abuse or sexual exploitation and by promoting the active participation of children and their families in cases involving abuse or sexual exploitation of children;

(7) to address the needs of missing children (as defined in section 403(1)(A)) and their families following the recovery of such children;

(8) to reduce the likelihood that individuals under 18 years of age will be removed from the control of such individuals' legal custodians without such custodians' consent; and

(9) to establish or operate statewide clearinghouses to assist in locating and recovering missing children.

(b) In considering grant applications under this title, the Administrator shall give priority to applicants who—

(1) have demonstrated or demonstrate ability in—

(A) locating missing children or locating and reuniting missing children with their legal custodians;

(B) providing other services to missing children or their families; or

(C) conducting research relating to missing children; and

(2) with respect to subparagraphs (A) and (B) of paragraph

(1), substantially utilize volunteer assistance.

The Administrator shall give first priority to applicants qualifying under subparagraphs (A) and (B) of paragraph (1).

(c) In order to receive assistance under this title for a fiscal year, applicants shall give assurance that they will expend, to the greatest extent practicable, for such fiscal year an amount of funds (without regard to any funds received under any Federal law) that is not less than the amount of funds they received in the preceding fiscal year from State, local, and private sources.

(42 U.S.C. 5775)

CRITERIA FOR GRANTS

Sec. 406. (a) In carrying out the programs authorized by this title, the Administrator shall establish—

(1) annual research, demonstration, and service program priorities for making grants and contracts pursuant to section 405; and

(2) criteria based on merit for making such grants and contracts.

Not less than 60 days before establishing such priorities and criteria, the Administrator shall publish in the Federal Register for public comment a statement of such proposed priorities and criteria.

(b) No grant or contract exceeding \$50,000 shall be made under this title unless the grantee or contractor has been selected by a competitive process which includes public announcement of the availability of funds for such grant or contract, general criteria for the selection of recipients or contractors, and a description of the application process and application review process.

(c) Multiple grants or contracts to the same grantee or contractor within any 1 year to support activities having the same general purpose shall be deemed to be a single grant for the purpose of this subsection, but multiple grants or contracts to the same grantee or contractor to support clearly distinct activities shall be considered separate grants or contractors.

(42 U.S.C. 5776)

AUTHORIZATION OF APPROPRIATIONS

Sec. 407. To carry out the provisions of this title, there are authorized to be appropriated such sums as may be necessary for fiscal years 1989, 1990, 1991, and 1992.

(42 U.S.C. 5777)

SPECIAL STUDY AND REPORT

Sec. 408. (a) Not later than 1 year after the date of the enactment of the Juvenile Justice and Delinquency Prevention Amendments of 1988, the Administrator shall begin to conduct a study to determine the obstacles that prevent or impede individuals who have legal custody of children from recovering such children from

parents who have removed such children from such individuals in violation of law.

(b) Not later than 3 years after the date of the enactment of the Juvenile Justice and Delinquency Prevention Amendments of 1988 the Secretary shall submit a report to the chairman of the Committee on Education and Labor of the House of Representatives and the chairman of the Committee on the Judiciary of the Senate containing a description, and a summary of the results, of the study conducted under subsection (a).

*(42 U.S.C. 5778)*

## APPENDIX

### ANTI-DRUG ABUSE ACT OF 1988

(Public Law 100-690; 102 Stat. 4181 et seq.)

## TITLE III—DRUG ABUSE EDUCATION AND PREVENTION

### Subtitle B—Drug Abuse Education and Prevention

#### CHAPTER 1—DRUG EDUCATION AND PREVENTION RELATING TO YOUTH GANGS

##### SEC. 3501. ESTABLISHMENT OF DRUG ABUSE EDUCATION AND PREVENTION PROGRAM RELATING TO YOUTH GANGS.

The Secretary of Health and Human Services, through the Administration on Children, Youth, and Families, shall make grants to, and enter into contracts with, public and nonprofit private agencies, organizations (including community based organizations with demonstrated experience in this field), institutions, and individuals, to carry out projects and activities—

(1) to prevent and to reduce the participation of youth in the activities of gangs that engage in illicit drug-related activities

(2) to promote the involvement of youth in lawful activities in communities in which such gangs commit drug-related crimes,

(3) to prevent the abuse of drugs by youth, to educate youth about such abuse, and to refer for treatment and rehabilitation members of such gangs who abuse drugs,

(4) to support activities of local police departments and other local law enforcement agencies to conduct educational outreach activities in communities in which gangs commit drug-related crimes,

(5) to inform gang members and their families of the availability of treatment and rehabilitation services for drug abuse

(6) to facilitate Federal and State cooperation with local school officials to assist youth who are likely to participate in gangs that commit drug-related crimes,

(7) to facilitate coordination and cooperation among—

(A) local education, juvenile justice, employment and social service agencies, and

(B) drug abuse referral, treatment, and rehabilitation programs,

for the purpose of preventing or reducing the participation of youth in activities of gangs that commit drug-related crimes, and

(8) to provide technical assistance to eligible organizations in planning and implementing drug abuse education, prevention, rehabilitation, and referral programs for youth who are members of gangs that commit drug-related crimes.

(42 U.S.C. 11801)

#### EC. 3502. APPLICATION FOR GRANTS AND CONTRACTS.

(a) **SUBMISSION OF APPLICATIONS.**—Any agency, organization, institution, or individual desiring to receive a grant, or to enter into contract, under section 3501 shall submit to the Secretary an application at such time, in such manner, and containing or accompanied by such information as the Secretary may require by rule.

(b) **CONTENTS OF APPLICATION.**—Each application for assistance under this chapter shall—

(1) set forth a project or activity for carrying out one or more of the purposes specified in section 3501 and specifically identify each such purpose such project or activity is designed to carry out,

(2) provide that such project or activity shall be administered by or under the supervision of the applicant,

(3) provide for the proper and efficient administration of such project or activity,

(4) provide for regular evaluation of the operation of such project or activity,

(5) provide that regular reports on such project or activity shall be submitted to the Secretary, and

(6) provide such fiscal control and fund accounting procedures as may be necessary to ensure prudent use, proper disbursement, and accurate accounting of funds received under this chapter.

(42 U.S.C. 11802)

#### EC. 3503. APPROVAL OF APPLICATIONS.

In selecting among applications submitted under section 3502(a), the Secretary shall give priority to applicants who propose to carry out projects and activities—

(1) for the purposes specified in section 3501 in geographical areas in which frequent and severe drug-related crimes are committed by gangs whose membership is composed primarily of youth, and

(2) that the applicant demonstrates have the broad support of community based organizations in such geographical areas.

(42 U.S.C. 11803)

#### EC. 3504. COORDINATION WITH JUVENILE JUSTICE PROGRAMS.

The Secretary shall coordinate the program established by section 3501 with the programs and activities carried out under the Juvenile Justice and Delinquency Prevention Act of 1974 and with

the programs and activities of the Attorney General, to ensure that all such programs and activities are complementary and not duplicative.

*(42 U.S.C. 11804)*

**SEC. 3505. AUTHORIZATION OF APPROPRIATIONS.**

To carry out this chapter, there are authorized to be appropriated \$15,000,000 for the fiscal year 1989 and such sums as may be necessary for each of the fiscal years 1990 and 1991.

*(42 U.S.C. 11805)*

**CHAPTER 2—PROGRAM FOR RUNAWAY AND HOMELESS YOUTH**

**SEC. 3511. ESTABLISHMENT OF PROGRAM.**

(a) The Secretary shall make grants to public and private non-profit agencies, organizations, and institutions to carry out research, demonstration, and services projects designed—

(1) to provide individual, family, and group counseling to runaway youth and their families and to homeless youth for the purpose of preventing or reducing the illicit use of drugs by such youth,

(2) to develop and support peer counseling programs for runaway and homeless youth related to the illicit use of drugs,

(3) to develop and support community education activities related to illicit use of drugs by runaway and homeless youth, including outreach to youth individually,

(4) to provide to runaway and homeless youth in rural areas assistance (including the development of community support groups) related to the illicit use of drugs,

(5) to provide to individuals involved in providing services to runaway and homeless youth, information and training regarding issues related to the illicit use of drugs by runaway and homeless youth,

(6) to support research on the illicit drug use by runaway and homeless youth, and the effects on such youth of drug abuse by family members, and any correlation between such use and attempts at suicide, and

(7) to improve the availability and coordination of local services related to drug abuse, for runaway and homeless youth.

(b) **PRIORITY.**—In selecting among applicants for grants under subsection (a), the Secretary shall give priority to agencies and organizations that have experience in providing services to runaway and homeless youth.

(c) **LIMITATION.**—Grants under this section may be made for a period not to exceed 3 years.

*(42 U.S.C. 11821)*

**SEC. 3512. ANNUAL REPORT.**

Not later than 180 days after the end of a fiscal year for which funds are appropriated to carry out this chapter, the Secretary shall submit to the President, the Speaker of the House of Representatives, and the President pro tempore of the Senate a report that contains—

(1) a description of the types of projects and activities for which grants were made under this chapter for such fiscal year,

(2) a description of the number and characteristics of the youth and families served by such projects and activities, and

(3) a description of exemplary projects and activities for which grants were made under this chapter for such fiscal year.

*(42 U.S.C. 11822)*

#### SEC. 3513. AUTHORIZATION OF APPROPRIATIONS.

(a) **AUTHORIZATION.**—Subject to subsection (b), to carry out this chapter, there are authorized to be appropriated \$15,000,000 for fiscal year 1989 and such sums as may be necessary for each of the fiscal years 1990 and 1991.

(b) **LIMITATION.**—No funds are authorized to be appropriated for a fiscal year to carry out this chapter unless the aggregate amount appropriated to carry out title III of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5701-5751) for such fiscal year is not less than the aggregate amount appropriated to carry out such title for the preceding fiscal year.

*(42 U.S.C. 11823)*

#### SEC. 3514. APPLICATIONS.

(a) **SUBMISSION OF APPLICATION.**—Any State, unit of local government, (or combination of units of local government), agency, organization, institution, or individual desiring to receive a grant, or enter into a contract, under this chapter shall submit an application at such time, in such manner, and containing or accompanied by such information as may be prescribed by the Federal officer who is authorized to make such grant or enter into such contract (hereinafter in this chapter referred to as the "appropriate Federal officer").

(b) **CONTENTS OF APPLICATION.**—In accordance with guidelines established by the appropriate Federal officer, each application for assistance under this chapter shall—

(1) set forth a project or activity for carrying out one or more of the purposes for which such grant or contract is authorized to be made and expressly identify each such purpose such project or activity is designed to carry out,

(2) provide that such project or activity shall be administered by or under the supervision of the applicant,

(3) provide for the proper and efficient administration of such project or activity,

(4) provide for regular evaluation of such project or activity,

(5) provide that regular reports on such project or activity shall be sent to the appropriate Federal officer, and

(6) provide for such fiscal control and fund accounting procedures as may be necessary to ensure prudent use, proper disbursement, and accurate accounting of funds received under this chapter.

*(42 U.S.C. 11824)*

#### SEC. 3515. REVIEW OF APPLICATIONS.

(a) **CONSIDERATION OF FACTORS.**—In reviewing applications submitted under this chapter, the appropriate Federal officer shall consider—

(1) the relative cost and effectiveness of the proposed project or activity in carrying out purposes for which the requested grant or contract is authorized to be made,

(2) the extent to which such project or activity will incorporate new or innovative techniques,

(3) the increase in capacity of the State or the public or nonprofit private agency, organization, institution, or individual involved to provide services to address the illicit use of drug by runaway and homeless youth,

(4) the extent to which such project or activity serves communities which have high rates of illicit drug use by juvenile (including runaway and homeless youth),

(5) the extent to which such project or activity will provide services in geographical areas where similar services are unavailable or in short supply, and

(6) the extent to which such project or activity will increase the level of services, or coordinate other services, in the community available to eligible youth.

(b) **COMPETITIVE PROCESS.**—(1) Applications submitted under this chapter shall be selected for approval through a competitive process to be established by rule by the appropriate Federal officer. As part of such a process, such officer shall publish a notice in the Federal Register—

(A) announcing the availability of funds to carry out this part,

(B) stating the general criteria applicable to the selection of applicants to receive such funds, and

(C) describing the procedures applicable to submitting and reviewing applications for such funds.

(2) As part of such process, each application referred to in subsection (a) shall be subject to peer review by individuals (excluding officers and employees of the Department of Justice and the Department of Health and Human Services) who have expertise in the subject matter related to the project or activity proposed in such application.

(c) **EXPEDITED REVIEW.**—The appropriate Federal officer shall expedite the consideration of an application referred to in subsection (a) if the applicant demonstrates, to the satisfaction of the officer, that the failure to expedite such consideration would prevent the effective implementation of the project or activity set forth in such application.

(42 U.S.C. 11825)

## Subtitle C—Miscellaneous

### SEC. 3601. DEFINITIONS.

Unless otherwise defined by an Act amended by this title, for purposes of this title and the amendments made by this title—

(1) the term "community based" has the meaning given it in section 103(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603(1)),

(2) the term "controlled substance" has the meaning given it in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)).

(8) the term "controlled substance analogue" has the meaning given it in section 102(32) of the Controlled Substances Act (21 U.S.C. 802(32)),

(4) the term "drug" means—

(A) a beverage containing alcohol,

(B) a controlled substance, or

(C) a controlled substance analogue,

(5) the term "Director" means the Director of the ACTION Agency,

(6) the term "illicit" means unlawful or injurious,

(7) the term "institution of higher education" has the meaning given it in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)),

(8) the term "public agency" has the meaning given it in section 103(11) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603(11)),

(9) the term "Secretary" means—

(A) the Secretary of Education for purposes of subtitle A (other than section 3201),

(B) the Secretary of Agriculture for purposes of the amendments made by section 3201, and

(C) the Secretary of Health and Human Services for purposes of subtitle B,

(10) the term "State" has the meaning given it in section 103(7) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603(7)),

(11) the term "treatment" has the meaning given it in section 103(15) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603(15)), and

(12) the term "unit of general local government" has the meaning given it in section 103(8) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603(8)).

(42 U.S.C. 11851)

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## TITLE VII—DEATH PENALTY AND OTHER CRIMINAL AND LAW ENFORCEMENT MATTERS

\* \* \* \* \*

### Subtitle F—Juvenile Justice and Delinquency Prevention

\* \* \* \* \*

#### CHAPTER 4—MISCELLANEOUS

##### SEC. 7295. INVESTIGATION AND REPORT BY THE COMPTROLLER GENERAL.

(a) INVESTIGATION.—Not later than 180 days after the date of the enactment of the Juvenile Justice and Delinquency Prevention Amendments of 1988, the Comptroller General of the United States shall begin to conduct an investigation of the extent to which—

(1) valid court orders, and

(2) court orders other than valid court orders, are used in the 5-year period ending on December 31, 1988, to place juveniles in secure detention facilities, in secure correctional facilities, and in jails and lockups for adults.

(b) REPORT.—(1) Not later than 3 years after the date of the enactment of the Juvenile Justice and Delinquency Prevention Amendments of 1988, the Comptroller General shall submit a report to the chairman of the Committee on Education and Labor of the House of Representatives and the chairman of the Committee on the Judiciary of the Senate containing a description, and a summary of the results of the investigation conducted under subsection (a).

(2) In such report, the Comptroller shall specify separately with respect to secure detention facilities, secure correctional facilities, and jails and lockups for adults—

(A) the frequency with which juveniles were confined,

(B) the length of confinement of juveniles, and

(C) the types of conduct of juveniles for which confinement was imposed,

as a result of the enforcement of court orders of the 2 types described in paragraphs (1) and (2) of subsection (a).

(c) DEFINITIONS.—For purposes of this section—

(1) the term “juvenile” means an individual who is less than 18 years of age,

(2) the term “secure correctional facility” has the meaning given it in section 103(13) of the Juvenile Justice and Delinquency Prevention Act of 1974 (41 U.S.C. 5603(13)),

(3) the term “secure detention facility” has the meaning given it in section 103(12) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603(12)), and

(4) the term “valid court order” has the meaning given it in section 103(16) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603(16)).

(42 U.S.C. 5617 note)

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FISCAL NOTE

No. 3

II Version: CSS.B 59(SA)

(S) Publish Date: 2-11-91

STATE OF ALASKA  
1991 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
 Title: "An Act to establish the Alaska  
 Interagency Task Force on the Homeless;...  
 Sponsor: Senator Fahrenkamp  
 Requestor: Senator Fahrenkamp

Department Affected: Legislative Affairs Agency  
 BRU: Legislative Council  
 Component: Council and Subcommittees

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	50.9	0	0	0	0	0
TRAVEL	7.2	0	0	0	0	0
CONTRACTUAL	8.0	0	0	0	0	0
SUPPLIES		0	0	0	0	0
EQUIPMENT		0	0	0	0	0
LAND & STRUCTURES		0	0	0	0	0
GRANTS, CLAIMS		0	0	0	0	0
MISCELLANEOUS		0	0	0	0	0
<b>TOTAL OPERATING</b>	<b>66.1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	66.1	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

POSITIONS:

FULL-TIME	1	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary)

see attached page.

Prepared By: Pamela A. Stoops, Director  
 Division: Administrative Services

*Pamela A. Stoops*

Phone: 465-3850  
 Date: 2/8/91

Approved By: Warren W. Endicott, Executive Director  
 Agency: Legislative Affairs Agency

*Warren W. Endicott*

Date: 2/8/91

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

It is anticipated the Alaska Interagency Task Force on the Homeless will need staff assistance as follows:

#### PERSONAL SERVICES

Researcher - Range 17A

\$3,006 x 12 months=	\$36,072
\$36,072 x 41% benefits	\$14,835
	<u>\$50,907</u>

50.9

#### TRAVEL

It is anticipated there will be 2 meetings of the Alaska Interagency Task Force on the Homeless. Travel for the majority of the sixteen members will be absorbed within their existing travel budgets. Travel is being requested for the following members of the task force: two members from the Alaska Coalition for the Homeless and two members, one each from two communities that have an identified homeless population. Also travel for above mentioned staff.

2 meetings x 4 task force members & 1 staff at 3 days each	
airfare - 2 meetings x 5 individuals = 10 airfares	
10 airfares x \$435=	\$4,350
per diem - 2 meetings x 5 individuals= 10	
10 x 3 days per diem= 30	
30 x \$95=	<u>\$2,850</u>
	<u>\$7,200</u>

7.2

#### CONTRACTUAL

Phones and postage - \$500 a month x 12 months= \$6,000

6.0

Advertising - advertising of public notice of meetings - \$1,000

1.0

Printing - of report - \$1,000

1.0

FISCAL NOTE

No. 1  
 Bill Version: CSSB 59 (SA)  
 (S) Publish Date: 2-11-91

STATE OF ALASKA  
 1991 LEGISLATIVE SESSION

Revision Date: 2/8/91 Department Affected: Office of the Governor  
 Title: "An Act to establish the Alaska Interagency Task Force on the Homeless;.." BRU: Commissions and Special Offices  
 Component: Alaska Interagency Task Force on the Homeless  
 Sponsor: Senator Fahrenkamp  
 Requestor: Senate State Affairs COMPONENT SERIAL NO. 

N	A		
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	n/a	n/a	n/a	n/a	n/a	n/a
PART-TIME						
TEMPORARY						

Estimate of current year impact: none

ANALYSIS: (Attach a separate page if necessary.)  
 Task Force has been placed under the jurisdiction of the legislative council and therefore has no fiscal impact on the Office of the Governor

Prepared By: Michael A. Nizich, Director *Michael A. Nizich* Phone: 465-3616  
 Division: Division of Administrative Services Date: 2/8/91  
 Approved by Commissioner: D. Max Hodel, Chief of Staff *D. Max Hodel*  
 Agency: Office of the Governor Date: 2/8/91

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

# Alaska State Legislature

SENATOR BETTYE FAHRENKAMP  
CHAIRMAN, RESOURCES COMMITTEE  
119 N. CUSHMAN STREET, SUITE 201  
FAIRBANKS, ALASKA 99701  
OFFICE (907) 452-4882  
HOME (907) 456-2899



Senate

WHILE IN JUNEAU  
PO. BOX V  
JUNEAU, ALASKA 99811  
CAPITOL, ROOM 125  
OFFICE (907) 465-3834  
HOME (907) 780-6027

## MEMORANDUM

TO: All Senators  
FROM: Senator Bettye Fahrenkamp  
DATE: April 5, 1991  
SUBJECT: CS SB 59 (Finance)  
An Act to establish the Alaska Interagency Task Force on the Homeless; efd.

---

### **BILL SUMMARY:**

- \* Establishes an 18-member task force made up of federal, state, municipal and non-profit providers of services to the homeless and legislators.
- \* Charges the task force with collecting and disseminating information relating to the homeless, recommending ways to reduce duplication of services, recommending ways to improve programs to assist the homeless, and studying and reporting on how to best establish a field network of professional and technical expertise to assist those serving the homeless.
- \* Requires a preliminary report to the Legislature at the beginning of session in 1992, and a final report on June 30, 1992 (the date on which the task force is terminated).

### **FISCAL IMPACT:**

\$66.1 FN from Legislative Affairs Agency; Zero FNs from Governor and H&SS

### **PREVIOUS COMMITTEE ACTION:**

State Affairs: DO PASS Rodey, Duncan, Pourchot, Fischer

HESS: DO PASS Sturgulewski, Hoffman, Fischer

Finance: DO PASS Pourchot, Duncan, Adams, Hoffman, Uehling

**DEPARTMENT POSITION:** Supported by Governor; also supported by the Alaska Coalition for the Homeless and the Municipality of Anchorage

### **ABOUT THE BILL:**

Homelessness is a complicated issue. It is not just about being without shelter. To quote a recent report by the Council of State Governments, "The diversity of factors contributing to homelessness requires combinations of temporary shelter, social services, physical and mental health programs, long-term housing, community development and institutionalization." This bill recognizes the difficulty of coordinating services to the homeless. The federal government and numerous states have found a council or task force to be an effective way to better use limited resources to combat homelessness.

# Alaska State Legislature

SENATOR BETTYE FAHRENKAMP  
CHAIRMAN, RESOURCES COMMITTEE  
119 N. CUSHMAN STREET, SUITE 201  
FAIRBANKS, ALASKA 99701  
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Senate

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HOME (907) 780-6027

## MEMORANDUM

TO: Senator Arliss Sturgulewski, Chair  
Senate Health, Education and Social Services Committee

FROM: Senator Bettye Fahrenkamp

DATE: February 21, 1991

SUBJECT: CS SB 59 (State Affairs)  
"An Act to establish the Alaska Interagency Task Force on the Homeless; efd"

---

### BILL SUMMARY:

- \* Establishes a 16-member task force made up of federal, state, municipal and non-profit providers of services to the homeless.
- \* Charges the task force with collecting and disseminating information relating to the homeless, recommending ways to reduce duplication of services, recommending ways to improve programs to assist the homeless, and studying and reporting on how to best establish a field network of professional and technical expertise to assist those serving the homeless.
- \* Requires a preliminary report to the Legislature at the beginning of session in 1992, and a final report on June 30, 1992 (the date on which the task force is terminated).

\*\*\*\*\*

Homelessness is a complicated issue. It is not just about being without shelter. To quote a recent report by the Council of State Governments, "The diversity of factors contributing to homelessness requires combinations of temporary shelter, social services, physical and mental health programs, long-term housing, community development and institutionalization."

This bill recognizes the difficulty of coordinating services to the homeless. The federal government and numerous states have found a council or task force to be an effective way to better use limited resources to combat homelessness.

Senate Bill 59 has the support of the Alaska Coalition for the Homeless, the Municipality of Anchorage, and the Governor. In your packets you will find excerpts from some of the source documents I used in drafting this bill, and I would be happy to provide you with more information if you wish. I strongly urge your support for SB 59.

SENATE STATE AFFAIRS COMMITTEE

Dear Mr. Chair and Committee Members

Senate Bill 59 is an example of the the first rung on the ladder of sucessful solutions to this devastating condition of Homelessness

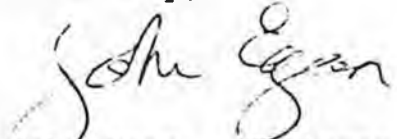
The concept of a State Interagency Council on The Hcmeless is not new nor is it uncommon. Aside from The federal organization headed by Jack Kemp, most states have some typr of similar council within their governments that allows the agencies with the resources to talk directly with one another.

This model is also demonstrated through the Alsaka Coalition for The Homeless which conjoins advocates, service providers and concerned citizens around the state. This group has made homelessness it's priority and share their hands-on experience with others. Two members of the Coalition have been indicated to serve on this Council.

Great success in solving thje problem of homelessness will not come unless everbody - the governments, the non-profit providers, and the business/housing sector - understands all the issues involved and only when all these groups work from the same base of accurate information.

As chairman of The Alaska Coalition for the Homeless, I fully support this bill and its intent to finally bring the reality of the problems AND the solutions to homelessness to the state level.

Sincerely,



John Egan, Chairman  
Alaska Coalition For The Homeless

- States should act immediately to identify and use available resources to meet the emergency needs of the homeless.

*Regardless of policy and procedural complications, and irrespective of personal predicament, each state's homeless population must be provided with food, clothing, shelter and medical care as an initial step toward remedying homelessness. With diminishing federal assistance, states will have to assume increasing responsibility as domestic policy-makers and support service providers. As such, states will have to act as the pivotal point for supporting, and collaborating with, local governments, non-profit organizations and the private sector in addressing the immediate needs of their homeless.*

- States must determine the causes of their homelessness problem and the characteristics of their homeless populations.

*It is critical that states recognize homelessness as a complex problem with many causes and diverse characteristics, and understand that each state's homeless population is unique. Many persons are homeless as a result of a series of overlapping personal crises, rather than a single problem, such as mental illness, unemployment or the unavailability of affordable housing. Each state must assess the nature and composition of its homeless constituency before it can decide what must be done to remedy the problem.*

- States must examine the scope of their homelessness problem and determine the size and growth rates of their homeless populations.

*It is critical that states develop reliable methods for gathering primary data at the state and*

*local levels, rather than extrapolating information from national reports or limited local case studies. Given the complex, diverse and changing nature of homelessness as a policy problem, it is unlikely that inferences, generalizations and statistical models will prove useful tools for states as they attempt to remedy and prevent homelessness. Moreover, in most states, the size and diversity of their homeless populations will determine whether the most effective remedies and preventive measures for homelessness are by way of policy-making, procedural adjustments or a combination of these processes.*

- States should identify the fiscal, informational and organizational resources in a variety of areas (employ-

## Policy Recommendations

**ment, housing, mental health care, social services and education) that are being used or could be used to help reduce and prevent homelessness.**

*The resulting inventory of resources should be used to diversify funding sources; gather data from public, private and non-profit sources; and coordinate communication among those groups, organizations and agencies. It is important that states maintain these networks and resource inventories in order to react intelligently to changes in the causes of homelessness, as well as the homeless populations themselves.*

Continued on page 26

*from the CSG report, "Homelessness in the States"*

# Alaska State Legislature

SENATOR BETTYE FAHRENKAMP  
CHAIRMAN, RESOURCES COMMITTEE  
119 N. CUSHMAN STREET, SUITE 201  
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## MEMORANDUM

TO: All Senators

FROM: Senator Bettye Fahrenkamp

DATE: February 20, 1991

SUBJECT: Municipality of Anchorage Task Force on Emergency Shelter and the Homeless Final Report

---

In response to several inquiries about statistics about homelessness in Alaska, you will find attached the final report of the Municipality of Anchorage Task Force on Emergency Shelter and the Homeless. This excellent report is full of good information and statistics, such as:

- \* 60% of the white males in shelters are veterans.
- \* 45% of Alaska Native males in shelters are veterans.
- \* Abused Women's Aid in Crisis (AWAIC) has a 52 bed capacity, but as many as 63 women and children have been housed at one time; they had a 27% increase in shelter services provided in 1990 over 1989.
- \* At the Association for Stranded Rural Alaskans, 75% of their clients were referred by hospitals and 15% were receiving out-patient medical care. ASRAA helped 305 people obtain shelter in FY90. Referrals are up 25% over last year.
- \* 1,000 people are on the waiting list for low income housing in Anchorage.
- \* There is no central plan for solving Anchorage's homeless problems, nor a clearinghouse for statistics and resources regarding the homeless.

I hope that you will find the information in this report useful as we consider the needs of Alaska's homeless during this legislative session. Please call me if I can provide further information.

# STATE OF ALASKA

**OFFICE OF THE GOVERNOR**

*OFFICE OF MANAGEMENT AND BUDGET*

WALTER J. HICKEL, GOVERNOR

P.O. BOX AM  
JUNEAU, ALASKA 99811-0199  
PHONE: (907) 465-3568

Hickel Administration Position on CSSB 59 "An Act to establish the interagency task force on the homeless."

Governor Hickel recognizes the serious problem of homelessness in Alaska's cities and towns and that state government has a role in any solution. He is also committed to reducing the number of permanent boards, commissions and councils funded by state government. Therefore the administration endorses the approach taken in CSSB 59, which establishes the "Alaska Interagency Task Force on the Homeless" to be funded for one year as opposed to earlier versions which would have established a longer-term "council."

**MUNICIPALITY OF ANCHORAGE**

**TASK FORCE ON EMERGENCY SHELTER  
AND THE HOMELESS**

**FINAL REPORT**

**DECEMBER, 1990**



**TOM FINK, MAYOR**



December 10, 1990

Tom Fink, Mayor  
Municipality of Anchorage  
P.O. Box 196650  
Anchorage, Alaska 99519-6650

Dear Mayor Fink:

On November 16, 1990, you convened the Task Force on Emergency Shelter and the Homeless. Today, we are pleased to present you with our Final Report.

The Report is divided into seven main sections as follows:

- Background
- Characteristics of the Homeless Population in Anchorage
- Definitions
- Findings of Testimony Presented
- Recommendations for Immediate Action (within 60 days)
- Short-Term Recommendations (within 60-180 days)
- Long-Term Recommendations (180+ days)

We have completed our task and gained a heightened awareness of who the homeless are and have gained some understanding of their plight. It has opened our eyes, and we thank you for the experience.

We suggest the Municipality promote a public awareness campaign to inform the general public of what we have learned - that not all homeless people fit the stereotype of the "skid row street drunk." Such an understanding may help some of the non-profits that are leasing HUD homes in residential neighborhoods with the hopes of providing housing to those who need it. Members of the Task Force indicated a willingness to assist the Municipality with some type of Speaker's Bureau on this subject.

Mayor Fink  
Page 2

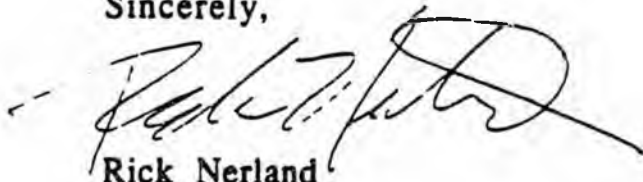
We recognize that our recommendations do not come without a price tag and that, if carried out, the Municipality would need to commit the resources to spearhead a coordinated community approach to dealing with the problems of the homeless. We hope that such a commitment will be made.

We also want to acknowledge our appreciation to the staff of the Department of Health and Human Services who kept us on course during the short life of this Task Force. Betsy Kanago's ability to organize and synthesize our thoughts and recommendations was especially helpful.

We look forward to reviewing the Municipality's progress in addressing our community's homeless problems. Please be assured of our continued interest.

Again, thank you for this opportunity to serve the Municipality of Anchorage.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Nerland", written over a horizontal line.

Rick Nerland  
Chairman

Task Force on Emergency Shelter and the Homeless

**MUNICIPALITY OF ANCHORAGE**

**TASK FORCE ON EMERGENCY SHELTER  
AND THE HOMELESS**

**FINAL REPORT**

**DECEMBER, 1990**



**TOM FINK, MAYOR**

**MUNICIPALITY OF ANCHORAGE  
MAYOR'S TASK FORCE ON EMERGENCY SHELTER AND THE HOMELESS  
DECEMBER, 1990**

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## MUNICIPALITY OF ANCHORAGE MAYOR'S TASK FORCE ON EMERGENCY SHELTER AND THE HOMELESS

### BACKGROUND

The Task Force on Emergency Shelter and the Homeless was convened by Mayor Tom Fink in response to a request from providers of services to the homeless. They asked for the Municipality's help in resolving the current emergency shelter bed shortage. The Mayor asked the Task Force to determine the extent of the homeless problem in Anchorage, and to recommend possible solutions to the problem.

On November 16, the Task Force members received testimony from 34 individuals and agency representatives who were asked to respond to four questions:

- Who are the homeless?
- What is the cause of their homelessness?
- What specific immediate action do you recommend to respond to homelessness?
- What long term solutions do you recommend to respond to homelessness?

The Task Force was generally impressed with the testimony received and with the quantity and quality of services already being offered to the homeless in Anchorage. It appears that the homeless population has simply outgrown existing facilities and resources, thus causing the current crisis.

The problem of homelessness deals with more than just the lack of housing. Homeless people also need a variety of other services in order to break out of the cycle of homelessness, and to raise their standard of living and income-earning potential. Similar support services are needed for the near-homeless, those who are marginally educated and marginally employed but who have their own housing at the moment.

Enabling programs tend to perpetuate the problems of the homeless, while self-help programs foster feelings of self-worth. Homeless people should be encouraged to make use of their carpentry, plumbing and other building skills to make housing units habitable. Likewise, landlords should be encouraged to use the homeless "talent pool" when making housing improvements.

Although a precise determination of Anchorage's homeless population is impossible, it is possible to make a reasonable estimate based on the number of persons served by existing shelters, IF two assumptions are made:

- 1) Most of the homeless persons in Anchorage at one time or another use the existing shelter system; and
- 2) The existing homeless shelters do not have significant overlapping clientele (i.e., some are only for individuals, some have age qualifications, and some are for women with children).

Based on these assumptions, it is estimated that there are more than 4200 people who have experienced or will experience homelessness in Anchorage in 1990.

Homelessness has been a problem in Anchorage for almost as long as the town has existed. The Salvation Army opened the first emergency shelter, McKinnell House, forty years ago. Over the years, McKinnell House has provided extensive food, clothing, and alcohol and drug treatment services to disadvantaged Anchorage clients. Catholic Social Services has provided emergency services for more than twenty years and currently operates the Brother Francis Shelter for single men and women, and Clare House for women and children. Local churches sponsor the Anchorage Rescue Mission and other services. Bean's Cafe and the Association for Stranded Rural Alaskans in Anchorage are examples of further community efforts directed toward the homeless.

In addition to some anticipated growth, several other factors are believed to have contributed to the number of homeless in 1990. These include the recent demolition of hundreds of units of low-cost housing which were determined to be substandard. Also, the overall rise in Anchorage's population has led to higher rents and fewer housing units being available and affordable to low-income people. The homeless population now includes many individuals and families who were able to live financially independently as recently as a few months ago.

Data collected over the years indicate that Anchorage's homeless population has grown steadily and substantially during the past decade. The number of families and women with children needing housing has grown more than any other subgroup within the homeless population during this period. Clare House had a 29.2% increase in client nights in FY90 compared to FY89. McKinnell House converted two 9-bed dormitories into three family rooms, and the Anchorage Rescue Mission has added two family rooms. By comparison, the total number of client nights at Brother Francis Shelter only increased 15.3% between FY89 and FY90.

The homeless often live brutal, debilitating, stressful lives of hardship. They are subject to violence, weather-related illnesses (pneumonia, frostbite, gangrene), tuberculosis and other contagious diseases, alcohol and drug-related illnesses, and mental anguish. Perhaps the scars of homelessness will later be felt most by the children who, while homeless, often show little interest in school, signs of depression, and a propensity for suicide.

The societal causes of homelessness are complex, ranging from the disintegration of the traditional family structure to failures in this country's care of the mentally ill and provision of welfare for the very poor. It is the loss of affordable housing, though, that immediately precipitates homelessness. Many advocates for the homeless maintain that only when appropriate, affordable housing is secured will the once-homeless respond to the social services they need so badly, such as job training, mental or physical health care, and life skills training.

### **CHARACTERISTICS OF THE HOMELESS POPULATION IN ANCHORAGE**

Indications are that the homeless population is not one homogeneous group. Rather, it is comprised of many subgroups which may be categorized as single men, single women, single parents with children, unwanted and runaway children, and families. It also includes the elderly, the chronically and seriously mentally ill, alcohol and other drug abusers, and the disabled.

The homeless population in Anchorage includes all racial groups, but is primarily comprised of Caucasians, Alaska Natives and Blacks. However, the percentage of Alaska Natives and Blacks in the homeless population is disproportionately high compared to the percentage of Alaska Natives and Blacks in Anchorage's general population.

Economically, it is estimated that about 30% of the homeless population seen at the Brother Francis Shelter could afford to pay for low-cost housing if it were available. Many of the homeless are marginally employable with no transportation, while others are low skilled chronically unemployed. A growing number of the homeless are transient job seekers new to Anchorage. Some are newly unemployed with limited or severely depleted resources. More and more are recently homeless because of raised rental housing costs.

Educationally, many of the homeless are marginally educated and others are functionally illiterate.

It is estimated that about 70% of those who use the Brother Francis Shelter and 85% of those who use the Anchorage Rescue Mission are substance abusers.

Chronically and seriously mentally ill people also make up a portion of Anchorage's homeless population. The deinstitutionalization movement which began 25 years ago affected commitment laws. Today, many people who need institutionalization the most are often not required to get help. Nor do many of them want help. Their refusal comes in part from the nature or symptoms of their illness: grandiose thinking, delusions of invincibility, paranoid schizophrenia, refusal to comply with treatment or take medication, or an inability to function in or qualify for existing service settings. Locally, as well as nationally, it is estimated that 33% of the homeless population falls into this category.

Medical and health problems are often associated with homelessness. For some, insurmountable medical bills force them into poverty and homelessness. For others, marginal income and lack of medical insurance cause them to not get treatment for medical problems, leading eventually to disability or incapacity and a resultant loss of income and affordable housing. Still others are brought to Anchorage from throughout the State for medical treatment, but lack the resources to return to their homes, so they become part of Anchorage's homeless population for indefinite periods of time. They are temporarily homeless due to circumstance.

Dysfunctional families are a major contributor to the homeless population in Anchorage. Unwanted or runaway children often find themselves on the street without a place to call home. Domestic violence and abuse often cause women and their children to leave permanent residences and seek safe shelter elsewhere.

## DEFINITIONS

### HOMELESS

The following definitions are derived from federal law:

A "homeless individual" is anyone who lacks a fixed, regular, and adequate nighttime residence.

An individual may be considered "homeless" even if that individual has a primary nighttime residence, if that "residence" is:

- a. A supervised publicly or privately operated shelter designed to provide temporary living accommodations, including welfare hotels, congregate shelters, and transient housing for the mentally ill;
- b. An institution that provides a temporary residence for individuals intended to be institutionalized; or
- c. A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

### EMERGENCY SHELTER

A place where an individual or individuals can seek temporary nighttime shelter from the weather and the dangers of the street for a few days to a few weeks. Ideally, during the time that someone is in an emergency shelter, the longer-term needs of each individual will be identified, such as income support, job training, mental health services, and permanent housing. Typically in an emergency shelter, there is no sense of permanency or privacy; there is little space to store belongings; and there are few opportunities to establish connections in a social atmosphere that could change at any time. Once in an emergency shelter, it may be hard for a person to "move up" into transitional or permanent shelter because the demand for such housing exceeds the availability. If the emergency shelter has a time limit on a person's stay, that person may, once again, wind up on the street. If not, emergency shelter, by default, may become quasi-permanent housing.

### TRANSITIONAL HOUSING

This is housing that is designed to suit individual needs as much as possible, and it provides the link between an emergency shelter and permanent housing. Ideally provided for three to six months, such housing can take the form of apartments, shared facilities (such as group homes or single-room-occupancy units), duplexes for families, or single family housing. It is temporary in nature and is used while permanent housing arrangements are pending. Ideally in such a setting, individuals will receive appropriate support services and will be provided with the help and skills needed to become financially self-supporting. Usually, individuals are encouraged to contribute to their housing costs. Federally supported transitional housing cannot be provided to an individual for more than 18 months.

**SUPPORTIVE HOUSING**

This is longer-term housing which could be made available indefinitely. It is typically more homelike than transitional housing, and the services provided may be more intense, depending on the population served. People with like needs will often be grouped in a supportive housing setting, with support services offered on-site on a regular basis. For many, this will become a permanent residence. This type of congregate care may also be referred to as a residential group home or semi-independent living. Individuals may or may not contribute to their own housing costs.

**LOW-COST HOUSING**

This is affordable housing for people on low incomes which may or may not be subsidized. It provides independent living situations for individuals and families, and it may range from single-room-occupancy housing units to apartments to group homes to single or multiple family houses.

## FINDINGS OF TESTIMONY PRESENTED

The following "findings" were derived from testimony presented to the Task Force by agency representatives and private individuals. The Task Force has not verified the statistics or representations of "fact" as presented but, for the most part, has no reason to doubt their validity.

### EMERGENCY SHELTERS

- The demand for emergency shelter is far greater than the supply of available beds. More women with children and families need shelter than ever before.
- Shelters are not housing, yet more people are staying longer in shelters than ever before. They have become quasi-housing for many of the homeless.
- 60% of the White males in shelters are veterans; 45% of Alaska Native males in shelters are veterans. Alaska has the highest number of veterans per capita in the U.S..
- The Brother Francis Shelter, operated by Catholic Social Services, can accommodate 200 people in a warehouse setting; additionally, on an emergency basis, up to 50 women will be provided nighttime shelter at Bean's Cafe. The San Francisco House, adjacent to the Brother Francis Shelter, can accommodate 12-15 seniors.
- McKinnell House, operated by the Salvation Army, provides emergency shelter, meals, and some support services to individuals and families. Capacity varies depending on the number and composition of families, although the maximum allowed capacity is 45. There are 4 family rooms, one women's dormitory with 7 beds, and a men's dormitory with 6 beds. An area set aside as a play area for residents and their children can be used as another family room. Applicants for shelter must demonstrate active efforts to help themselves by seeking employment or, if unable to work, by applying for public assistance.
- Clare House, operated by Catholic Social Services, provides emergency shelter and meals for women and their children. Assistance in seeking employment, independent living situations, and other community services is also provided. Clare House has one 32-bed dormitory for women and children, and a separate 4-bed room for families. In September, they turned away 24 women and 47 children; in October, they turned away 12 women and 48 children.
- Abused Women's Aid in Crisis (AWAIC) provides shelter and a safe living environment for women and their children who are in danger of becoming or are victims of domestic violence. Their facility has a 52-bed capacity, but as many as 63 women and children have been housed at one time. Residency is limited to five weeks. They had a 27% increase in shelter services provided in 1990 over 1989.

- Since 1972, the Alaska Youth and Parent Foundation has provided residential and outpatient services to youth and families at risk. A 5-bed shelter facility accommodates runaway and homeless youth, and a 15-bed facility is available for emergency placement. Shelter residents are offered a day program that teaches life skills to youth not enrolled in school. They serve 1,000 youth per year, of which 250 are homeless. 90% are drug users.
- The Anchorage Rescue Mission, a church-supported service for men and women since 1965, provides shelter and three meals a day. They expect to be fully operational in January of 1991 at their new location on Tudor Road. At that time, they will have the capacity to accommodate 100 people in one men's dormitory, one women's dormitory, and 2 family rooms. Chapel attendance is mandatory.
- Covenant House is operated by the national Covenant House program. It provides a 40-bed shelter for runaway and homeless youth. Meals, outreach, counseling, and other services are provided. Over the past two years, they have served 1200 youth, of which 350 were 18 or older. 1/3 of their clients go back to their homes, 1/3 go to semi-independent or independent living situations, and 1/3 go back to the streets.
- A limited program exists through which hotel and motel operators house the homeless on an emergency basis at free or reduced rates for limited periods of time. There is no mechanism to accept private contributions to help finance such a program.
- Catholic Social Services has eleven programs that serve the homeless. In addition to those already mentioned, the St. Francis House provides emergency relief. They also sponsor an Immigration/Refugee Assistance Program; a pregnancy support group; McCauley Manor, a facility for young, "throwaway" girls; a sliding fee special needs day care program; a special needs respite program; and a sliding fee counseling program.

#### TRANSITIONAL HOUSING

- Eagle Crest is a "dry hotel" operated by the Salvation Army. Although primarily a commercial hotel, approximately 15% of their clientele are people in transition from jail or an alcohol treatment facility. Total capacity is 83. There are 18 single rooms, 9 doubles, 9 triples, and 5 four-person rooms. One single is designated for handicapped use but does not serve that function well. The women's wing has a capacity of 25.
- The Alaska Women's Resource Center operates New Dawn, a residential treatment program for chronic alcoholic and public inebriate women and their children. They have a 10-bed shelter and provide extensive support services to the New Dawn clients, as well as others.
- Southcentral Counseling operates an 18-bed facility for the mentally ill homeless. Ten beds are designated for therapy and rehabilitation, the "half-way house" function; eight are used for short-term respite care to prevent hospitalization. Their transitional Living Center provides supervision for approximately 70 clients living in semi-independent apartments.

- Touchstone is a non-profit agency, started by a group of concerned Christians, which operates a 6-bed residential unit for homeless men. The residents are selected from among the general homeless population. Residents are required to have jobs and to help pay for the operating expenses of the facility. The average length of stay is 4-8 months. During that time, residents develop living skills through a supervised program.
- Jack's Place, in existence for five years, currently serves 230 men per month with food, shelter, and sundry essentials in residences self-managed by the clients. 100 men are turned away each month. 60% of the clients come from the jail system and 85% have a substance abuse problem. Based on AA's 12-step model, the residents are expected to participate in regular meetings which encourage the building of self-pride and self-respect.
- The Alaska Youth and Parent Foundation has recently acquired HUD homes and federal funding for transitional living and drug prevention programs for older homeless youth. Their capacity is 10 beds for the new programs.
- Anchorage has a lack of transitional housing, both single-room-occupancy (SRO) units and family units. These are needed to free up shelter space.
- The consequences of homelessness do not allow many long-term homeless to successfully enter into affordable housing because of the characteristics and survival patterns they develop over many years. Their transition may involve many failures along the way and, for many, cannot be achieved without transitional housing opportunities.
- Abbott Loop Christian Center has 10 homes which it is leasing from HUD for \$1/year. Although each home could serve approximately 4-6 people, they currently have only 6 people living in their homes. In their program, one of the clients in each home will act as a "provider," being a friend to one or two other residents in a self-help environment. Their job is to find other poor people to live in the home, love and respect the other clients, and help them with their strategic and emotional needs. This program has, however, encountered neighborhood opposition to housing the homeless.
- Alaskans Care is an organization that has access to housing but is struggling to find a sponsor that will provide their IRS 501(c)(3) status and liability coverage to Alaskans Care. Their stated mission is to provide resources beyond those provided by public assistance to help the homeless become self-sufficient. These resources would include housing, child care and other support needed to do more than engage in a daily struggle for food and warmth. The Alaskans Care program wishes to provide a drug and alcohol-free living environment, achievement of a first stage life goal over the period of a year, establishment of an extended family-like self-help environment, and safe and affordable housing.

#### SUPPORTIVE HOUSING

- For some of the subgroups of the homeless, especially the mentally ill, the reality is that they may need lifelong services in order to survive outside of institutional settings.

- ASHA administers 30 Section 8 Certificates of Family Participation which are dedicated to high-level functioning chronically ill persons. The certificates provide rental assistance which enables them to attain semi-independent living status through supervised occupancy of privately owned units located throughout the Anchorage area. An additional 100 mentally ill are housed in rental units subsidized by Section 8 Certificates or Vouchers which are not dedicated exclusively for use by the mentally ill.

### LOW-COST HOUSING

- The Alaska State Housing Authority (ASHA) is the only public housing authority in Alaska. In Anchorage, they have the capacity to assist with 569 units for conventional low rent, 137 units for Section 8 new construction, and 1,456 units for Section 8 existing fair market rentals. Programs are funded through HUD and, since they have no State funding, they are subject to federal regulations. 1,000 people are on their waiting list for housing assistance in Anchorage. The current housing problems in Anchorage are from diminished stock of public housing due to owners who have abandoned their property, demolition of single room hotels, low cost rentals being taken off line, and recent increases in rental rates.
- Affordable low-cost housing is needed, but there is also a need for good strategies and a coordinating agency to bring it all about.
- ASHA has a surplus of Section 8 Certificates which can help families pay for housing, but there are not enough landlords who will accept them. Also, there is a gap between the maximum amount of rent that ASHA can pay and the actual rental rates now being charged.
- Non-fiscal issues which must be dealt with include zoning, siting, incentives to developers and landlords, neighborhood attitudes, building standards and codes, and coordination of communication among housing and service providers and funding agencies and institutions.
- Eligibility standards for housing assistance, as well as other support services such as Medicaid, are obstacles that restrict client access to resources.

### COMMUNITY RESOURCES/INVOLVEMENT

- Bean's Cafe is a non-profit organization, adjacent to the Brother Francis Shelter, that provides two hot meals and a snack daily, as well as day shelter and limited social services for homeless and impoverished people in Anchorage. They served over 272,485 hot meals and sandwiches in FY90. In 1985, they served an average of 385 meals in a day. In 1990, they served 393 people at one meal recently.
- The Association for Stranded Rural Alaskans in Anchorage (ASRAA) is a non-profit organization established to prevent rural people from becoming stranded and victimized in Anchorage. They help individuals and families who are in Anchorage primarily due to medical emergencies, obtain shelter, local transportation, and return air fare. ASRAA helped 305 people obtain shelter in FY90. Last year, 75% of their clients were referred by hospitals and 15% were receiving out-patient medical care. Some were domestic violence victims fleeing from rural areas for safety. Current referrals are up 25% over last year.

- The Municipality of Anchorage maintains an Emergency Services Office to assist people in crisis to find shelter and other emergency assistance. This office uses Stewart B. McKinney Emergency Shelter Grant Program money to provide emergency services to persons in need of temporary shelter or who need emergency rental and utility assistance. Between May, 1989 and April, 1990, 1,549 people, including 724 children, were served by this program.
- There are many dysfunctional families in Anchorage, and homelessness seems to go from one generation to the next. Many abused and neglected children grow up and become part of the homeless population.
- Homelessness in Anchorage is a statewide and federal problem, not just a local problem.
- Better case management is needed at ASHA to reduce their waiting list and at Public Assistance to reduce the number of evictions.
- Community resources and support services are needed for all of the subgroups identified among the homeless population. To name a few, these subgroups include families with children, single men and women, youth, the elderly, the disabled, the chronically and seriously mentally ill, alcoholics and addicts, dual-diagnosed mentally ill, runaways, throwaways, abused children and women, veterans, the illiterate, the chronically unemployed, stranded, medically indigent. The nature of the support services and the intensity of the application need to fit the subgroup. Some services may be short and intense, while others will be of long duration and low-level intensity.
- There is no integrated approach to the homeless problem in Anchorage, and no broad-based community involvement and support. There are no partnerships which move beyond coalitions and networking to lobby for, provide legal action for, or coordinate service strategies or financing for the homeless.
- Networking resources and services is complex in Anchorage when eligibility criteria do not match, i.e., detox is considered complete at the Clitheroe Center after 90 days, but JTPA requires 6 months of sobriety to qualify for job training.
- As agencies successfully help and treat alcoholics and the homeless, service needs will be created elsewhere within the community's service system. These impacts and demands should be planned for.
- There is inadequate life skills training, training in how to find and keep a job, and training on how to be a good tenant in the schools. There are also inadequate opportunities for adults to receive such training.
- There is no central plan for solving Anchorage's homeless problems, or a clearinghouse for statistics and resources regarding the homeless.
- There is no inventory of the money and facilities already available to help the homeless in Anchorage. There may be some duplication of services and there may be ways to consolidate services to make available funds go further.

- Government approval agencies which deal with programs for the homeless have not met to identify barriers to moving ahead, and to facilitate solutions to the problems of the homeless.
- Programs which offer training and rehabilitation for the homeless are underutilized. Better utilization could lead to job skills so that the homeless might become employed and be able to afford their own housing. Private sector involvement is essential to provide jobs for the homeless.
- The lack of affordable, accessible day care is encountered by many low-income people.
- Existing and expanded literacy programs need to be more accessible to the homeless so that they can become more employable. Many of the homeless are marginally educated and marginally employable. Their skills need to be improved so they can improve their standard of living.

#### CHURCH AND CIVIC INVOLVEMENT

- There are many churches, religious and civic organizations already providing services to the homeless, but there is no available inventory of who is doing what.
- The Interfaith Clearinghouse is a coalition of about 50 religious and other organizations in the community that network with community social service agencies to provide basic human needs not covered by other programs.

#### FINANCIAL ISSUES

- There are intricate and complex mechanisms that must be gone through to access and apply for financial resources to provide transitional and low-cost housing for the homeless. There is a need for the process to be made simpler, and for coordination among funding agencies and institutions.
- The mission of the Alaska Housing Finance Corporation (AHFC) is to develop and implement fiscally responsible policies and programs that innovatively anticipate housing needs and provide financing to meet those needs statewide. They have the means and expertise to help package, leverage and facilitate financing.
- The federal government acknowledged its responsibility to fulfill a role in meeting basic human needs by passing the Stewart B. McKinney Homeless Assistance Act in 1987. This Act established several programs, some of which are administered by HUD. HUD programs include the Emergency Shelter Grants Program, Section 8 Moderate Rehabilitation Assistance Program for SRO dwellings, and three grant programs. 5 homeless providers in Alaska just received \$1.5 million in grants. HUD also initiated their \$1/year lease program for qualifying non-profit groups who are homeless providers. 32 properties are under lease statewide now. The lease is renewable at the same rate for up to three years, after which the property may be purchased for 10% under the fair market value or returned to HUD.

- Anchorage Neighborhood Housing Services (ANHS) has been operating since 1982. They forge public/private partnerships to provide affordable housing. They target housing as well as neighborhood revitalization projects through various financing and program strategies. So far, they have leveraged \$39 million into Spenard, Government Hill, and Nunaka Valley. They can assist with financing packaging and with strategies for both short term and longer term housing solutions.
- There is a growing body of literature on all sorts of financial practices and packages for solutions to homelessness. Some require long-term commitments.
- Social Services Block Grant funding is needed to fund services to the homeless. There is no stable funding for agencies which deal with the homeless.
- Current welfare regulations prohibit people from saving money, so they can never get far enough ahead to have two month's rent for an apartment, plus money for utility deposits.
- There are many federal and private sources of funds available to deal with problems associated with the homeless. Local agencies need this information so that they can form coalitions to cooperatively apply for the funds.
- Health care problems can lead to homelessness if people do, not have adequate medical insurance coverage.

#### TRANSPORTATION FOR THE HOMELESS

- Many people find themselves homeless in Anchorage because they lack the funds to return to their homes elsewhere. Many come here for medical reasons or the lure of a job which does not materialize, but then cannot afford the plane fare to return to their homes.
- Most homeless people cannot afford public transportation.

#### ALCOHOL AND HOMELESSNESS

- Existing rehabilitation programs for alcohol and other drug problems are not adequate to meet the need. Alcohol and other drugs are often contributing factors to homelessness.
- There are now insufficient facilities for public inebriates.
- A change in the current involuntary commitment laws for public inebriates could have an impact on the homeless population.
- It is estimated that 70% of the Brother Francis Shelter clients suffer from addictions of one kind or another, mostly alcoholism.
- Over the last 12 months, the 6th Avenue Jail has housed 600 inebriated people brought to them under Section VIII of the Alaska Statutss, which states that a person may be housed in a correctional facility for a period of up to 12 hours as a place of last resort.

- 40%-60% of the people served by the Salvation Army programs are second generation chemically dependent, with third generation children at risk for the same.
- 36% of the adults served by Clare House during FY90 had substance abuse problems.
- There are inadequate secure facilities for substance abusers and detox clients who do not meet the criteria for institutionalization or incarceration.

## RECOMMENDATIONS FOR IMMEDIATE ACTION (within the next 60 days)

### EMERGENCY SHELTERS

- The Municipality should determine which minimum fire and life safety criteria must be met and which could be waived so that emergency housing can be provided when needed. This could allow churches, schools, homes, and other public and private buildings to be used as emergency shelters. Criteria for the various subgroups within the homeless population must be determined. Such subgroups include but are not limited to single men, single women, single parents with children, families, youth, the elderly, the disabled, alcohol and other drug users and abusers, the chronically and seriously mentally ill.
- It must be determined how much more emergency shelter space is required for each subgroup within the homeless population now and projected into the future; also, what is or could be made available to meet those needs on a short-term basis.

### LOW-COST HOUSING

- It is critical that the Municipality immediately encourage H.U.D. Secretary Kemp to raise the fair market rent limits for Section 8 Certificates in Anchorage. Landlords should be encouraged to accept the Certificates for both family and individual housing units.

### COMMUNITY RESOURCES/INVOLVEMENT

- A 24-hour "Homeless Hot-Line" should be established within an existing agency so that 1) individuals in need of emergency shelter or low-cost housing will have a central place to call to receive up-to-date information about where available housing is located; 2) landlords will have a central place where they can list available shelter spaces or housing units; and 3) private citizens can list any available space in their homes. The Hot-Line phone number should be easy to remember and it should be widely publicized.
- Existing volunteer coordinating efforts should be expanded to include homeless issues, so that private citizens can volunteer to be on call to provide services to homeless and low-income people as needed. Such services might include transportation to job interviews or medical appointments, or the provision of clothing, food or shelter.
- The Anchorage School District should immediately implement the AVAIL program. This non-traditional high school program is for homeless "street kids," to encourage them to complete high school so that their chances of securing meaningful employment and becoming financially independent are increased.
- The Municipality should encourage and/or convene a meeting of the Alaska State Housing Authority, Alaska Housing Finance Corporation, H.U.D., Neighborhood Housing Services, banking institutions, insurance agencies, landlord associations, homebuilders associations, and other public and private agencies to discuss viable financing options for the renovation, rehabilitation, and construction and provision of emergency shelters, transitional housing, supportive housing, and low-cost housing.

### CHURCH AND CIVIC INVOLVEMENT

- Churches and religious and civic organizations are a good source of volunteers for working with homeless individuals and families, and may be a source of housing. These groups should be invited to participate in helping to solve the problems of the homeless; they should be given a list of specific ways in which they could contribute, i.e., by mentoring, providing emergency shelter for the homeless, or providing counseling services.
- A survey should be taken to determine what services are already being provided in the community for the homeless, and that information should be disseminated widely.

### FINANCIAL ISSUES

- The Municipality should encourage hotel and motel operators to provide short-term housing for the homeless on an as-needed and as-available basis at reduced rates.
- The Municipality should consider waiving the bed tax on those occasions when local hotel and motel operators offer housing for the homeless at free or reduced rates.
- The Municipality should encourage the development of an "Inn-Keepers Fund" to help offset the difference between what an individual can afford to pay and agreed-upon reduced hotel/motel room rates. Donations from the private sector should be solicited for this fund, and the fund should be administered by the Anchorage Daily News' Neighbor to Neighbor Fund, the Homeless Coalition, United Way, or other qualified agency.
- The Mayor and Assembly should actively lobby the Governor and Legislature to restore the full Social Services Block Grant funding through a supplemental appropriation, and to continue full SSBG funding in the future. This would allow social service agencies to continue providing needed services to the homeless and other low-income people.

### TRANSPORTATION FOR THE HOMELESS

- The Municipality should explore various methods by which homeless people can receive free or reduced-cost local transportation to available lodging, medical appointments, job interviews, etc. This might include the distribution of more free bus passes, or reimbursement for the use of taxis or private vehicles.

## SHORT-TERM RECOMMENDATIONS (within 60 - 180 days)

### EMERGENCY SHELTERS

- Determine what is or could be made available to meet the projected needs for emergency shelter space by the various subgroups of the homeless population next winter and into the future. Such subgroups include but are not limited to single men, single women, single parents with children, families, youth, the elderly, the disabled, alcohol and other drug users and abusers, the chronically and seriously mentally ill.

### TRANSITIONAL HOUSING

- Determine how much and what kind of transitional housing is needed for each subgroup within the homeless population. Determine what is or could be made available to meet these needs on a short-term and long-term basis. Abandoned buildings which have been closed because of minor building code violations or other reasons but which could be used to provide housing if they were made habitable should be included in this inventory; reasons for closure should be noted.
- Determine how many of the existing spaces in emergency shelters are filled by people who use the shelters as long-term housing because of the current lack of transitional or low-cost permanent housing.

### SUPPORTIVE HOUSING

- Determine how much and what kind of supportive housing is needed for each subgroup within the homeless population. Determine what is or could be made available to meet these needs on a short-term and long-term basis. Abandoned buildings which have been closed because of minor building code violations or other reasons but which could be used to provide housing if they were made habitable should be included in this inventory; reasons for closure should be noted.

### LOW-COST HOUSING

- Determine how much and what kind of low-cost housing is needed for each subgroup within the homeless population. Determine what is or could be made available to meet these needs on a short-term and long-term basis. Abandoned buildings which have been closed because of minor building code violations or other reasons but which could be used to provide housing if they were made habitable should be included in this inventory; reasons for closure should be noted.

### COMMUNITY RESOURCES/INVOLVEMENT

- During the current housing crisis, the Municipality should assume an oversight/coordination role to bring together various agencies in the community which are offering or could offer services to the homeless and near-homeless, to ensure that all that can be done, is being done.

- The Municipality should sponsor a workshop to which representatives are invited from potentially involved public and private agencies, such as H.U.D., Alaskans Care, the Alaska Youth and Parent Foundation, Jack's Place, churches, the university, etc. The purpose of this workshop would be to encourage their participation in sponsoring transitional and low-cost housing such as the H.U.D. \$1/year housing rental program, and the provision of related support services to those so housed.
- All area churches, religious and civic organizations should be sent a letter listing agencies and programs, both public and private, which are available to help those in need.
- The Municipality should convene a meeting of all regulatory and approval agencies to identify and remove barriers which might otherwise prevent the construction or maintenance of low-cost housing units. Representatives from the financial and insurance industries should also be included.
- The Municipality should help link needs with services and should provide service providers with information about available resources.
- The "Homeless Hot Line" should be placed in a physical location that has walk-in accessibility to the homeless.

#### FINANCIAL ISSUES

- The Mayor and Assembly should consider tax and other incentives, such as the provision of land, which would encourage landlords and developers to provide low-cost housing, both in the form of family units and single-room-occupancy units.
- The Municipality should support funding requests to ASHA and other agencies and institutions made by public and private agencies to provide housing for homeless and low-income people.
- Local banks should be encouraged to address Anchorage's emergency shelter and low-cost housing challenges in their programs to comply with the Community Reinvestment Act.
- The Municipality should actively lobby the Governor and Legislature to continue and increase funding statewide to provide health and human services to homeless and low-income people.

#### TRANSPORTATION FOR THE HOMELESS

- The airlines and National Guard should be encouraged to provide return transportation to their hometowns for patients and their families who are brought to Anchorage at government expense for medical care. Such transportation should be provided at free or reduced fares. The Association for Stranded Rural Alaskans in Anchorage's (ASRAA's) efforts in this regard should be supported, and Native Corporations and the Indian Health Service should be encouraged to further underwrite these return transportation costs.

## LONG-TERM RECOMMENDATIONS (180+ days)

### EMERGENCY SHELTERS

- In addition to the provision of emergency shelters where people can sleep at night, additional indoor space is needed where homeless people can spend time during the day. The provision of such facilities should be encouraged.

### COMMUNITY RESOURCES/INVOLVEMENT

- Existing volunteer coordinating efforts should expand to include homeless issues, so that private citizens can volunteer to be on call to provide services to homeless and low-income people as needed; such services might include transportation to job interviews or medical appointments, or the provision of clothing, food or shelter.
- The Municipality should continue to help link needs with available services in the community, and should help service providers obtain information about available resources.
- The Municipality should encourage, support and collaborate with community agencies which provide counseling, financial counseling, medical and social services to low-income people so that they will not become homeless.
- The Municipality should encourage the provision and accessibility of literacy programs, job training and job seeking skills training, and counseling services to homeless and low-income people.

### CHURCH AND CIVIC INVOLVEMENT

- Churches and religious organizations should be encouraged to provide or continue providing services to help resolve the problems of the homeless and near-homeless.
- Civic organizations should be encouraged to provide continuing services to help resolve the problems of the homeless and near-homeless.

### FINANCIAL ISSUES

- The Municipality should support funding requests to ASHA and other agencies and institutions made by public and private agencies to provide housing for homeless and low-income people.
- The Municipality should provide tax and other incentives, including the provision of land, to landlords and developers who provide emergency shelter, transitional housing, supportive housing and low-cost housing, both in the form of family units and single-room-occupancy housing.
- The Municipality should lobby the Governor and Legislature to provide full funding for the Social Services Block Grant Program in FY 92.

- In the best interest of the Municipality, a fair settlement of the Alaska Mental Health Enabling Act litigation should be encouraged and lobbied for by the Municipality. Such a settlement must include provisions for fair compensation to the Mental Health Trust, and adequate guarantees that the Trust is enforceable and will be administered properly, including determining and meeting the necessary expenses of the mental health program. Such a settlement would help pay for needed services to homeless individuals suffering from a psychiatric illness, the mentally retarded and defective, chronic alcoholics with psychosis and senile people suffering from major mental illness.

#### **TRANSPORTATION FOR THE HOMELESS**

- The Municipality should explore and implement various methods by which homeless people can be provided with airfare to return to their homes outside of Alaska if they are left homeless in Anchorage because of lost job opportunities and have insufficient resources to afford housing here. Perhaps the establishment of a Travelers' Aid Society could be explored.

#### **ALCOHOL AND HOMELESSNESS**

- The Municipality should encourage the establishment of a sufficient number of beds in a sleep-off center to accommodate all those who need such a facility. Such a facility should offer homeless alcoholics a way out of the cycle of chemical dependence and provide the first step in a continuum of treatment opportunities.

## 1990 TASK FORCE ON THE HOMELESS

<b>Rick Nerland, Chairman</b>	274-9553 FAX 274-9990	President Nerland/Mystrom & Associates 808 E Street Anchorage, Alaska 99501
<b>Barbara Brown</b> (Courier)	257-4200 257-4270	Director of Community Relations Anchorage Daily News 1001 Northway Drive Anchorage, Alaska 99508
<b>Lynn Caswell</b>	562-4483 FAX 563-0020	Executive Director United Way of Anchorage P.O. Box 102052 341 W. Tudor Rd - #106 Anchorage, Alaska 99510-2052
<b>Al Fleetwood</b>	274-0744	Consultant 3336 Princeton Way Anchorage, Alaska 99508
<b>Peggy Gonzalez</b>	277-1000 FAX 274-3342	Charter College 2221 E. No. Lights Blvd - #120 Anchorage, Alaska 99508
<b>JoAnn Goyne</b>	562-2813	Deputy Executive Director Alaska State Housing Authority P.O. Box 230329 624 W. Intl Airport Road Anchorage, Alaska 99523-0329
<b>Dorothy Larson</b> (Rosanne Turner)	274-3611 (272-7529)	Vice-President, AFN (Cook Inlet Tribal Council) (670 W. Fireweed Lane) (Anchorage, Alaska 99503)
<b>Wayne Mabry</b>	344-1223 FAX 344-1612	Operations Manager Alaska Telecom, Inc. 6623 Brayton Drive Anchorage, Alaska 99507
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<b>Lisa Murkowski</b>	276-1726 FAX 258-2426	Attorney Hoge & Lekisch 437 E Street - Suite 500 Anchorage, Alaska 99501
<b>Harry Rosenfeld</b>	338-1836	Rabbi Congregation Beth Shalom 7525 E. Northern Lights Blvd. Anchorage, Alaska 99504

**MUNICIPALITY OF ANCHORAGE  
MAYOR'S TASK FORCE ON EMERGENCY SHELTER AND THE HOMELESS  
TOM FINK, MAYOR**

**SCHEDULED MEETINGS**

**Friday, November 16, 1990**

8:30 AM - 5:00 PM Loussac Library - Assembly Chambers

Convene; receive testimony from selected agencies and the public; identify any additional information needed

**Monday, November 26, 1990**

1:30 PM - 4:30 PM 825 L Street - 4th Floor Conference Room

Discuss testimony and data received; begin deliberations about short-term and long-term solutions

**Thursday, November 29, 1990**

1:30 PM - 4:30 PM 825 L Street - 4th Floor Conference Room

Continue discussion and deliberations

**Thursday, December 6, 1990**

1:30 PM - 4:30 PM 341 W. Tudor - #106, United Way

Finalize findings and recommendations for submission to the Mayor

**MUNICIPALITY OF ANCHORAGE  
MAYOR'S TASK FORCE ON EMERGENCY SHELTER AND THE HOMELESS  
TOM FINK, MAYOR**

**FRIDAY, NOVEMBER 16, 1990  
9:00 AM - 5:00 PM  
LOUSSAC LIBRARY - ASSEMBLY CHAMBERS**

**AGENDA**

**MORNING**

- 9:00 Mayor Tom Fink - Charge to the Task Force  
Robert A. (Bert) Hall - Overview/History and Rationale  
for the Municipality's Involvement  
Rick Nerland, Task Force Chair - Introductory Remarks  
Brother Francis Shelter and Bean's Cafe
- 9:35 Chief of Police
- 9:40 Department of Corrections - 6th Avenue Jail
- 9:45 Salvation Army
- 9:55 Clare House
- 10:05 MOA Emergency Services / Interfaith Clearinghouse
- 10:15 AWAIC Battered Women's Shelter
- 10:25 Veteran's Administration
- 10:35 BREAK
- 10:45 Fairview Community Council
- 10:55 Southcentral Counseling Center Crossover House
- 11:05 Alaska Psychiatric Institute
- 11:15 Association for Stranded Rural Alaskans in Anchorage
- 11:25 Jack's Place
- 11:35 Abbott Loop Christian Center/Anchorage Baptist Temple
- 11:45 Anchorage Rescue Mission
- 11:55 LUNCH BREAK

**AFTERNOON**

- 12:30 Covenant House
- 12:40 Alaska Youth and Parent Foundation
- 12:50 Alaskans Care
- 1:00 Coalition for the Homeless
- 1:10 Alaska State Housing Authority
- 1:20 Alaska Housing Finance Corporation
- 1:30 Housing and Urban Development
- 1:40 Anchorage Neighborhood Housing Services
- 1:50 Alaska Women's Resource Center
- 2:00 United Way of Anchorage
- 2:10 Fairview Community Council
- 2:20 BREAK
- 2:35 Cook Inlet Tribal Council
- 2:45 Open period for additional testimony
- 3:30 Task Force meeting

**MANAGEMENT SUMMARY OF TESTIMONY  
MAYOR'S TASK FORCE ON EMERGENCY SHELTER AND THE HOMELESS  
FRIDAY, NOVEMBER 16, 1990  
ASSEMBLY CHAMBERS, LOUSSAC LIBRARY, ANCHORAGE, ALASKA  
prepared by Fred Jenkins, United Way**

**1. MAYOR'S COMMENTS**

Thank you for serving on such short notice. This is a big problem both as it presents itself and as a challenge to find solutions. Your status is important because we want your recommendations to carry weight. I and the Assembly are looking forward to receiving your report. We want you to sift out remarks and give us an answer on how to move within the next thirty days.

**2. TASK FORCE CHAIR COMMENTS**

Purpose of today is to listen, learn and be in a mode of intake. Subsequently, we will be attempting to bring consensus of the task force to this issue. As testimony is given, each panel member is asked to delineate five or six main points that are critical issues that are important to address.

**3. BROTHER FRANCIS SHELTER (BFS)  
STATISTICS INCLUDED IN APPENDIX  
(BOB EATON AND DONNELL POLK)**

Homeless are individuals who are temporarily or permanently without a home for whatever reasons or circumstances. I estimate 70% of BFS clients suffer from addictions of one kind or another. We serve approximately 270 clients of whom most are single, 90% are male and 10% female. Women will be shifted to Bean's Cafe from December through February this year. We try not to turn people away nor limit their length of stay. Long term solutions are transitional living arrangements and liveable, low income housing. 25-30% of BFS clients could pay if low-income housing was available. Disparity of marginal incomes with current rental market keep housing out of reach for many.

I have three statements to offer:

- 1) Look for progress, not perfection
- 2) There is no perfect solution
- 3) There is no single answer or solution

**4. BEAN'S CAFE  
(MAGGIE CAREY)**

Bean's Cafe clients include those in marginal housing, CMI's, marginally employed, job seekers new to Anchorage (recently noted increase of white casual laborers), and a core of chronic substance abusers. Increases in rental costs have increased numbers at Bean's. Block grant veto has affected ability to serve clients. We are groaning under the pressure of a lack of services to buffer us. Bean's opened in 1979. In 1985, we served average of 385 meals in

providing transitional housing for 6-8 months. We should manage funds received by clients to help them build trust accounts for transition to low income residences. Our local churches need to become more involved with the homeless.

**8. CLARE HOUSE  
STATISTICS INCLUDED IN APPENDIX  
(MAUREEN DURSI)**

We provide 24-hour a day emergency shelter recently housing over 40 women and children in a 4,000 square foot house with a total of 6 employees staffing 3 shifts per day, 365 days per year. Also provide food, clothing, essential items as well as casework assistance for accessing housing, jobs, medical services, counseling, etc. Residents are not street people or inebriates; they are "normal" people who have lost their housing. Average length of stay - 15 days. Can stay up to 30 days. In September we turned away 24 women and 47 children; in October turned away 12 women and 48 children. Reasons for homelessness include economics and dysfunctions including domestic violence, CMI, pregnancy, disabilities, substance abuse.

**Immediate actions:** reinstate Clare House vetoed capital funds; increase Clare House staffing; increase number of ASHA housing units and improve case management at ASHA to reduce wait list and at Public Assistance to reduce the number of evictions.

**Long term actions:** transitional housing, early intervention teams to prevent homelessness, affordable child care, life skills curriculum in schools.

**9. MUNICIPALITY OF ANCHORAGE EMERGENCY SERVICES  
STATISTICS INCLUDED IN APPENDIX  
(JOYCE LEE)**

**JOYCE ALSO REPRESENTS INTERFAITH CLEARING HOUSE**

**A. MOA Emergency Services**

We cannot bunch the homeless into one category. Our profile includes men and women, temporarily disabled, individuals with chronic problems, single parent families, and native Alaskans in transition. Many of the clients seen by Emergency Services are those who have come to Alaska seeking jobs or who arrived to an unfulfilled promise of a job. Some are unable to process welfare paperwork or create a household budget. Factors that exacerbate homelessness include recent demolition of low cost housing, increased rents, unrealistic expectations created Outside regarding permanent dividend checks, opening of ANWR and the natural gas pipeline. Immediate responses should be one additional emergency shelter, transitional housing, additional money to subsidize hotel rooms, transportation funds to subsidize homeless who have homes to return to Outside. Long term responses should include life skills training, training in how to find and keep a job, training

# **CORRECTION**

**THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY**

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a day. In 1990, we served 393 at one recent meal. We are comitted to turning no one away. We are the last line of defense for folks. With no relief, we may have to turn people away in January. Our facility also serves as a day shelter. We have agreed to shelter 40-50 women in night shelter to ease pressure on BFS. About 33% of our clients make use of our voluntary social service referral service.

**5. ANCHORAGE POLICE DEPARTMENT (APD)  
(CHIEF KEVIN O'LEARY)**

APD is the final safety net. If Community Service Patrol is not available, which is often the case, complex and time-consuming multiple transports by patrol officers are required trying to find a proper resource for a homeless or inebriate. Not all homeless are inebriates. Inadequate laws and inadequate facilities exemplify the fact that there is no plan to deal with these problems. Where do these people go in the daytime? We need more than housing. We need an economic infrastructure that can absorb the unemployed. 70% of total APD responses involve drugs/alcohol. Last year over 6,000 individuals were transported by APD.

**6. SIXTH AVENUE CORRECTIONAL CENTER  
(SUPERINTENDENT PAUL WEBB)**

Over last 12 months, we have housed 600 people brought to us under Section VIII of the Alaska Statutes which states that a person may be housed in a correctional facility for a period of up to 12 hours as a place of last resort. With no adequate detox center available, APD brings inebriates to us. Some individuals also commit crimes in order to have a place to sleep. Heaviest period of intake for Section VIII is from 11:00 PM to 5:00 AM. This takes incredible medical and corrections staff time. Average length of stay is 6 or 7 hours. Current capacity is 104 beds (recently reduced from 128 because of Cleary Case re: overcrowding lawsuit brought by inmates). Section VIII's take up an average of 5% of space or 5-6 beds. We need to increase bed space in jail, increase available housing, and employment opportunities. We have no employment training programs in my facility.

**7. SALVATION ARMY  
CAPTAIN BOB ANDERSON**

The homeless we serve are men, women, and children in crisis with nowhere to turn. They include chronic travelers with chronic problems, double diagnosed mentally ill, substance abusers, single women on AFDC who cannot afford housing when welfare eligibility excludes males from the household, aged unable to manage on fixed incomes, marginally employable with no transportation, functionally illiterate. 40-60% are second generation chemically dependent with third generation children at risk for the same. Every night, the SA houses over 300 people including 58 men at the Adult Rehab Program, families at McKinnel House, and inebriates in detox. Solutions include quickly stabilizing homeless families and

providing transitional housing for 6-8 months. We should manage funds received by clients to help them build trust accounts for transition to low income residences. Our local churches need to become more involved with the homeless.

**8. CLARE HOUSE  
STATISTICS INCLUDED IN APPENDIX  
(MAUREEN DURSI)**

We provide 24-hour a day emergency shelter recently housing over 40 women and children in a 4,000 square foot house with a total of 6 employees staffing 3 shifts per day, 365 days per year. Also provide food, clothing, essential items as well as casework assistance for accessing housing, jobs, medical services, counseling, etc. Residents are not street people or inebriates; they are "normal" people who have lost their housing. Average length of stay - 15 days. Can stay up to 30 days. In September we turned away 24 women and 47 children; in October turned away 12 women and 48 children. Reasons for homelessness include economics and dysfunctions including domestic violence, CMI, pregnancy, disabilities, substance abuse.

Immediate actions: reinstate Clare House vetoed capital funds; increase Clare House staffing; increase number of ASHA housing units and improve case management at ASHA to reduce wait list and at Public Assistance to reduce the number of evictions.

Long term actions: transitional housing, early intervention teams to prevent homelessness, affordable child care, life skills curriculum in schools.

**9. MUNICIPALITY OF ANCHORAGE EMERGENCY SERVICES  
STATISTICS INCLUDED IN APPENDIX  
(JOYCE LEE)**

**JOYCE ALSO REPRESENTS INTERFAITH CLEARING HOUSE**

**A. MOA Emergency Services**

We cannot bunch the homeless into one category. Our profile includes men and women, temporarily disabled, individuals with chronic problems, single parent families, and native Alaskans in transition. Many of the clients seen by Emergency Services are those who have come to Alaska seeking jobs or who arrived to an unfulfilled promise of a job. Some are unable to process welfare paperwork or create a household budget. Factors that exacerbate homelessness include recent demolition of low cost housing, increased rents, unrealistic expectations created Outside regarding permanent dividend checks, opening of ANWR and the natural gas pipeline. Immediate responses should be one additional emergency shelter, transitional housing, additional money to subsidize hotel rooms, transportation funds to subsidize homeless who have homes to return to Outside. Long term responses should include life skills training, training in how to find and keep a job, training

on how to be a good tenant, and provision of one month's rent following successful completion of training programs.

#### **B. Interfaith Clearinghouse**

A coalition of churches in the community that networks with community social services to provide basic human needs not covered by existing programs. Will provide a "back-up" system. Expecting program to start up by January, 1991, with \$20,000 grant recently received.

#### **10. ABUSED WOMEN'S AID IN CRISIS SHELTER (AWAIC) (NANCY SCHEETZ-FREYMILLER)**

Homeless include four categories:

1. Alcohol related at bottom with no available center for treatment.
2. Deinstitutionalized mentally ill.
3. Those with run of bad luck and no family or resources.
4. Victims of hurt and pain (domestic violence/runaways)

AWAIC sees domestic violence victims. Client services are at same level of "boom years" and peaked in August with 67 women and children in our 52-bed shelter. Present average is 30-40 women and children which is 27% increase over 1989. Estimate 40% of AWAIC clients seek new housing. Shelter stays are increasing in length due to dwindling available housing.

Immediate solution should be development of formalized assessment system to determine nature and severity of homeless individuals' problems. Long term solution is a comprehensive service system that includes referral, treatment and followthrough based on assessment of problems. Specifically, low income housing, detox treatment combined with job training/placement, transitional housing with support services, housing to include SRO/small apartments/1-3 bedroom apartments for families.

Obstacle to housing is unwillingness of landlords to rent to welfare recipients. I know of exciting low income and transitional housing programs Outside. I would like to be involved in finding solutions.

#### **11. DEPARTMENT OF VETERAN'S AFFAIRS (ELAINE CHRISTIAN)**

Elaine preceded her comments with a disclaimer that she is speaking as a private citizen and not necessarily representing the VA's views. Local statistics: 60% of white males in shelters are veterans; 45% of Alaska Native males in shelters are veterans. Alaska has highest number of veterans per capita in U.S. 80% of veterans in Alaska have a mental illness or are dually diagnosed with a substance abuse problem. Most veterans in Alaska plan to stay in the state. About 30% of all veterans will never become independent.

Causes include loss of low income housing, unemployment, non-transferable military skills, decline in value of public assistance payments, reduction in length of hospital stays, increased rents.

Immediate action: Meet basic human needs, promote social re-affiliation, provide transitional support services, adequate health care, outreach to promote early intervention that prevents shelterization syndrome of withdrawal and apathy. Need one agency to develop comprehensive, wholistic service plan for individuals. Services must be time intensive.

Long term solutions: Continuum of social service and housing programs for those willing to end their homelessness; and subsistence services for those not ready or able to participate in advanced programs.

#### **12. FAIRVIEW COMMUNITY COUNCIL (CELESTE BENSON, EDDIE BURSE)**

The future of this issue has been a concern for many years as the area impacted has grown from a tiny component at Ship Creek to a community wide problem today. Fairview feels its way of life is being threatened by the decay that comes with poverty. The basis for our refusal to accommodate a public inebriate center over the past few years has been based on the manner in which the problem has been approached. Alaska Medical Services, Inc., a non-profit has come forward with a concept for a multipurpose homeless service center. This center could be sited on land adjacent to the present BFS/Bean's campus that already has utilities and foundation for a structure that was originally designated for another purpose related to the Alaska Native Medical Center. The center would provide comprehensive services, would be self-supporting from funds provided by facility-based agencies, and would be managed by a Fairview Community-based Board. Capital funding should come from the state. If the Muni commits to this approach, Fairview would agree to site temporary trailers in the area to provide services during construction phase.

#### **13. CROSSOVER HOUSE - SOUTHCENTRAL COUNSELING CENTER (JOHN BAJOWSKI)**

Crossover House serves the seriously mentally ill (SMI) segment of the homeless population. The Anchorage Comprehensive Homeless Assistance Plan estimates there are 400 homeless seriously mentally ill in Anchorage. This is probably a very low estimate since it assumes only 10% of the Anchorage homeless population whereas national estimates place the percentage at 33%, which is more accurate for Anchorage. The homeless seriously mentally ill should also include individuals who may have somewhere to sleep tonight but may not have a permanent place, includes those in transitional programs, supported housing such as board and care facilities, and adult foster care. Causes of homelessness among this population include nature of the illness that can cause isolation,

estrangement, refusal to comply with treatment or take medication, substance abuse, and inability to function in or qualify for existing service settings. Treatment usually requires diagnosis which may be difficult to achieve without cooperation of client.

Approximately 200 SMI have been placed in independent and semi-independent living arrangements in Anchorage. There is a 40 to 1 client/staff ratio.

For this population, housing and support continuum is incomplete and inadequate to meet need. Immediate need for single room occupancy and more residential and case management services. Long term need is to develop economic incentives for neighborhoods and landlords to view this population as viable tenants. Also may need revision of statutes to allow community intervention prior to institutionalization. Failure to intervene can further disenfranchise SMI by lengthening institutionalization. Our society needs to adjust our expectations to a higher degree of tolerance for seriously mentally ill.

#### 14. ALASKA PSYCHIATRIC INSTITUTE (API) (CAROL NISSEN)

Deinstitutionalization movement initiated 25 years ago also limited commitment laws. Thus, those who need institutionalization the most are often not required to get help. Nor do many of them want help. Their refusal comes in part from the nature or symptoms of their illness: grandiose thinking, delusions of invincibility, paranoid schizophrenia. API is often called upon to assist with the homeless. However, we operate in very narrow legal constraints that prohibit providing simple shelter. We attempt to cooperate by networking with other service providers and to lobby for increased services.

Immediate action needed to expand support of current programs. Need to provide more secure settings for substance abusers and detox clients who do not meet criteria for institutionalization or incarceration. The homeless deserve more advocacy from the community. Society will not be served by ignoring this population and we certainly will not avoid future problems by ignoring what exists now.

#### 15. ASSOCIATION FOR STRANDED RURAL ALASKANS IN ANCHORAGE (ASRAA)

Mission of ASRAA is to provide crisis intervention in the form return airfare for stranded rural Alaskans who are usually in Anchorage for medical or emergency reasons. Most have only one-way airfare, including those with government subsidized transportation. Shelter costs and in-town transportation is also provided for those without resources. These are homeless by circumstance. Last year 75% of our clients were referred by hospitals. 15% of our clients are receiving out-patient medical care. Some are domestic violence victims fleeing from rural areas for safety. Current referrals are up 25% over last year. For period July through October we served

almost double clients we served last year same period.

Social service funding should be stabilized as a predictable reality not subject to governmental whims and vetoes. Supplemental funding to address the homeless crisis should be a legislative priority. Existing emergency services should be expanded.

Long term solution should provide transitional housing to free up emergency space. Affordable low cost housing is needed to replace that which was recently demolished. ASHA needs to establish a pool of landlords willing to accept ASHA certificates for subsidized housing and overcome the resistance that exists today among some landlords. We also need to plan for the new/different housing needs that will accompany new site of Alaska Native Hospital near Tudor Road.

**16. JACK'S PLACE  
(GERALD CAMERON AND BILL WILSON)**

Jack's Place has existed for 5 years. Currently serve 230 men per month with food, shelter, and sundry essentials in residences self-managed by clients. We turn away 100 men per month. Deliver about 30,000 pounds of food per month to homeless people. 60% come from jail system and 85% have a substance abuse problem. Environments leading to emotionally disability are the causes of these men's problems. It takes up to five years to fix the damage. They need to be in a family situation like the children they were never allowed to be. Each one needs a sponsor from the community who says "I love that person". We try to connect clients with AA sponsor.

Facility run by Bill is a sixplex at 323 S. Bragaw, housing 37 men with a self help program patterned after AA's twelve-step program. No grant support. Residents are billed monthly. We agree source of many of the problems is alcohol related. Most of our clients come from Brother Francis Shelter. It takes many of them 3 or more jobs to learn how to save money. Our program tries to build self-pride and self-respect which leads to respect for others. Important to let a man know that he is a man and work with him that way on an individual basis.

**17. ABBOTT LOOP CHRISTIAN CENTER  
(DAN AMOS)**

Abbott Loop's HUD Program believes all groups need to work together to heal all parts of the person. Dan used to analogy of not only teaching a person to fish but making sure they can get a license to fish, i.e. comprehensive services. There are different types of needy. We see mostly the legitimate needy. Meeting physical needs is easy. Meeting emotional needs is harder. Our HUD program is home-based, self-managed by clients, one of whom acts as a "provider" in the home and acts as friend to one or two other residents in self-help environment. Their job is to find other poor persons to live in the home, love, respect clients and help them with all needs, both strategic and emotional. We also have several

support groups and lay counselors available to offer supplemental help. We incorporate an AA modality in some of our programs.

We currently have ten homes serving six people. We probably will expand no further than the current ten homes. Each home could serve approximately four to six persons.

A part of our problem is this community is in denial. The fact is when you are not around these people, the problem doesn't exist. We need to see these people.

**18. ANCHORAGE RESCUE MISSION  
STATISTICS INCLUDED IN APPENDIX  
(CLIFF HODGINS)**

Anchorage Rescue Mission has been serving Anchorage since 1965, meeting basic emergency food, clothing and shelter needs of the homeless. We take referrals from various agencies and have good working relationship with APD. This month we averaged 43 persons per night with a high of 54 (48 men and 6 women). Most of those we serve are male, between the age of 19-39 (average age 34), mostly white Americans, mostly unemployed.

Causes are unemployment, eviction, fire. Most appear to be marginally employable and largely for casual labor. We encourage everyone to go to job service on a daily basis.

Immediate actions we have taken is to try to finish remodeling of our new shelter facility (to include two family units) on Tudor; appeal to the Christian community to address the needs of the homeless. By January, 1991. we hope to be able to accommodate our maximum estimated capacity of 100 people.

Long term responses should include job training, family counseling, more severe consequences for drug and alcohol abuse, and less government control over private and church-related attempts to help the homeless, i.e. government funding usually restricts church-related activity.

**19. COVENANT HOUSE  
EXCERPTS FROM A.V.A.I.L PROGRAM IN APPENDIX "A", PAGE #19-2  
(JANE BARNES)**

For Covenant House, the homeless are youth aged 13-17 that we call runaways and youth aged 18-20 that we call homeless. Over past two years we have served 1200 youth of which 350 were 18 or older. Average age of clients is in teens. Like adult homeless, most are substance abusers, poorly educated, marginally employable, in poor health, from dysfunctional homes. They become homeless because they lack independent living skills. Shelter has capacity for 40 and currently houses 20.

1/3 of our clients go back to their home, 1/3 to semi or

independent living situation, 1/3 back to the streets. Our success rate is higher than national average, partly because we work with a younger than average population.

Immediate solutions: expedite opening of AVAIL (an open door store front school downtown). There seems to be no apparent obstacle other than School District approval. Funding may be jeopardized if program does not open soon. Restore block grant funding.

Long term solutions: Increase investment in primary and secondary prevention programs; increase transitional programs that teach independent living skills; develop a full service shelter for the homeless. Generally need more to strengthen families.

#### 20. ALASKA YOUTH AND PARENT FOUNDATION (AYPF)

AYPF has served runaway/homeless youth since 1972. Currently we have one facility with 15 beds for state placements and 5 beds for youth not in state custody. We serve 1000 youth per year of which 250 are homeless. 90% are sexually active and drug users. AYPF recently acquired HUD homes and federal funding for transitional living and drug prevention programs for older homeless youth. Capacity is 10 beds total in new programs.

Typical profile for AYPF is 16 year old male asked to leave another shelter because of rule infractions, does not qualify for DFYS, doesn't want to go home nor does his family want him home, fatigued from life on the street, in poor physical condition, may or may not need mental health services.

Causes include lack of affordable and accessible family therapy, lack of outpatient substance abuse treatment programs, lack of alternative educational programs in Anchorage School District, lack of funding for current adolescent programs, indifference and fear from the community of adolescent homeless and cuts in shelter funding and beds.

Immediate solutions: Employ adolescents, keep them in school, quickly refer families in crisis to therapy, PR awareness campaign on plight of the homeless.

Long term solutions: Adequate funding for family and adolescent programs, alternate educational programs, clearly articulated Municipal public policy on the homeless.

#### 21. ALASKANS CARE (RON PHILLIPS)

Alaskans Care is an organization that has access to housing but is struggling to find a sponsor that will provide their 501 (c)(3) status and liability coverage to Alaskans Care. Alaskans Care has not succeeded in attracting any organization willing to risk the liability exposure attendant on sharing their non-profit status.

Alaskans Care's mission to provide resources beyond that provided

by public assistance to help the homeless become self-sufficient. These resources would include housing, child care, and other support needed to do more than engage in a daily struggle for food and warmth. This additional incremental assistance is needed to overcome the spiral of poverty and homelessness.

The Alaskans Care program wishes to provide a drug and alcohol-free living environment, achievement of a first stage life goal over the period of a year, establishment of an extended family-like self-help environment, and safe and affordable housing.

Immediate solutions: affordable, clean and sober living environment for those living on the street.

Long term solutions: Long term commitment to residency, retraining, and rebuilding of self-confidence as a solution to hopelessness.

22. ALASKA COALITION FOR THE HOMELESS  
ANALYSIS OF THE FEDERAL BUDGET AND THE HOMELESS IN APPENDIX "A", PAGE 22-6

(BARBARA BENNETT)

Undercounting of the homeless is an ongoing concern. No accurate methodology has been established. However, National Coalition for the Homeless estimates an increase of 25% each year in the number of the homeless. National homeless population is represented in approximate thirds of families with children, veterans, and chronically mentally ill.

Causes are political, social, and economic with major impact from withdrawal of government support of housing, marginal wages at the low end of the socioeconomic scale that will not support a household, lack of independent living skills, and the difficulty of saving anything in the exposed environment of emergency shelter.

We need to utilize existing network of programs and provide outlets for additional help from the community. Networking resources and services is complex in Anchorage when eligibility criteria do not match, e.g Detox is considered complete at Clitheroe after 90 days but JTPA requires 6 months sobriety to qualify for job training. Need to broaden public awareness of affordable housing.

Providing affordable housing is the long term solution but comprehensive services for all the subsets of homeless individuals must accompany housing. Anchorage needs a continuum of housing options and supported assistance programs. Alaska also needs to apply for available McKinney Act domiciliary funding for veterans. We need to keep the state legislature informed of the place of origin of homeless served in Anchorage and request adequate assistance to manage a statewide problem concentrated in Anchorage.

We also need volunteers willing to be resource persons and ideally friends to assist formerly homeless people attain the skills of

being a good neighbor and renter.

**23. ALASKA STATE HOUSING AUTHORITY (ASHA)  
(KATHLEEN DEXTER)**

ASHA is the only public housing authority in Alaska. Although we serve statewide, my comments are limited to Anchorage for this testimony. In Anchorage, we have capacity to assist with 569 units for conventional low rent, 137 units for Section 8 new construction, and 1,456 units for Section 8 existing (Fair Market Rentals). Programs are funded through HUD and since we have no state funding for housing, we are subject to federal regulations. The homeless are all the groups former testimony has described. HUD's definition is very specific (see Appendix "A", page 23-1)

Current housing problems in Anchorage are from diminished stock of public housing due to recent housing crisis, owners who have abandoned property, demolition of single room hotels, low cost rentals like Anchorage Sands and Hollywood Vista being taken off line, and recent increases in rental costs. Waiting list in Anchorage is 1,000 people, some of whom eventually lose their certification because of length of wait. Lack of support in community to provide affordable housing.

Immediate solutions: public awareness, outreach, and education to applicants and referring agencies to improve access through successful qualification (currently about 25% of applicants do not qualify); completion of renovation and bringing on line 150 new units called New Willows (scattered around Anchorage) to replace demolished Willows Park (currently 87 are occupied + 39 assigned + 24 open for occupancy hopefully by 12/31/90). ASHA has no funds to acquire and renovate housing.

Long term solutions: Develop single room occupancy (SRO) facilities for single people. Presently achievable but requires coordinated relationship between HUD, the Muni and ASHA. Improve affordability of housing (need increase in fair market valuation of rentals to increase value of certificates for subsidized rents); provide support services to the homeless; review and confirm that Anchorage's Comprehensive Homeless Assistance Plan is accurate and adequately addresses current needs.

**24. ALASKA HOUSING FINANCE CORPORATION (AHFC)  
(MITZI BARKER)**

Mission of AHFC is to develop and implement fiscally responsible policies and programs that innovatively anticipate housing needs and provide financing to meet those needs statewide.

AHFC has been working to develop new approaches to Alaska's unique housing challenges. Our primary means of assistance is to look at what it takes to finance a project, look at the gaps in funding and helping with those gaps i.e., we have the means and expertise to help package, leverage and facilitate financing.

We have forged partnerships with public and non-profit housing providers. Worked with Alaska Dept. of Mental Health and Developmental Disabilities to bring \$.5 million homeless housing. Worked with Alaska Legislature to pass HB 218 (ASHA/AHFC pilot program for Congregate Housing) and SB 150/SB 487 (Senior Housing Bill).

**25. U.S. DEPT. OF HOUSING AND URBAN DEVELOPMENT (HUD)  
(ARLENE PATTON)**

The homeless are not typical Americans. They have special needs and problems. The causes are all of those cited by earlier testimony including failed local or national health and housing policies. HUD will actively assist in helping solve these problems.

The Federal Government acknowledged its responsibility to fulfill a role in meeting basic human needs by passing the Stewart B. McKinney Homeless Assistance Act in 1987. Commonly known as the McKinney Act, it established several programs, some of which are administered by HUD. I will restrict my comments to HUD's programs. Those are: Emergency Shelter Grants Program; Section 8 Moderate Rehabilitation Assistance Program for SRO dwellings, three grants programs (recent award of \$1.5 million to 5 homeless providers in Alaska).

In addition to McKinney Act, HUD initiated \$1 per year lease program for qualifying non-profit groups who are homeless providers. 32 properties are under lease statewide (list in Appendix "A", page 25-8). Lease is renewable at same rate up to three years after which property must be purchased at 10% under fair market or returned to HUD. Copy of lease agreement in Appendix "A", page 25-11.

Immediate action: Examine the issue of the homeless, accurately establish their numbers, locations, and reasons for condition. Legislators need to focus on chronic drug abuse and mental illness problems of most homeless Alaskans.

Long term solutions: Provide adequate temporary shelter and transitional housing while recognizing these are short term strategies. Craft effective long term policy on homelessness through combined effort of non-profits, charities, business, schools, and all levels of government. Provide stable funding for present proven homeless providers while providing additional support for innovative comprehensive support programs.

**26. ANCHORAGE NEIGHBORHOOD HOUSING SERVICES (ANHS)  
TABLES IN APPENDIX "A" ON HOUSEHOLD INCOME AND HOUSING  
APPROPRIATIONS  
(CYNTHIA PARKER)**

ANHS operating since 1982. We forge public/private partnerships to provide affordable housing. We target housing as well as

neighborhood revitalization through various financing and program strategies. Neighborhood revitalization has primarily targeted three neighborhoods: Spenard, Government Hill and Nunaka Valley. Have leveraged \$39 million into those neighborhoods.

Recent programmatic focus is city-wide affordable housing accomplished through foreclosure intervention and small lease/purchase program. Mutual housing is another new program in limited home ownership (458 units in 3 locations including \$3 million in renovations). Modestly priced membership shares underwrite financing and buys minimal equity. This strategy offers housing to low and moderate income population. 40% are set aside for low income residents. Residents are involved in the property management.

In Anchorage, well over 1/3 of our 75,000 households meet low income qualification. This is higher than normal. Part of housing problem is lack of state funding. There is a need to meet current crisis of shelter and transitional housing. ANHS can certainly assist in strategies for longer term housing solutions.

More immediately, we could assist the group that comes out of this task force in financing packaging. Our National Corporation includes all the representatives needed for architectural as well as financial advice. I also sit on the Federal Home Loan Bank Board that funds shelters and transitional housing programs. Our next funding cycle begins in January, 1991, and Alaska organizations could qualify. No one from Alaska applied during last cycle.

Excerpts from publication Creation of Shelter included in Appendix "A", page 26-7. Cynthia has direct knowledge regarding the projects included in the book.

#### 27. ALASKA WOMEN'S RESOURCE CENTER (AWRC) (DIANNA WOOD)

AWRC provides counselling and referrals services to women. Many of our clients are among the homeless. Those who are single without children have problems compounded by lack of eligibility for types of public assistance available to families with dependent children.

Our clients include women fleeing domestic violence, chronic mentally ill, chemically dependent, medically indigent, unemployed. One part of our program is a residential substance abuse prevention program.

Immediate solutions: Utilize existing empty housing to provide transitional housing to take pressure off emergency shelters.

Long term solutions: Increase ASHA dollars for housing, more HUD affordable housing, more cooperative living arrangements similar to Southcentral Counseling Center's Transitional Living Center (TLC).

**28. UNITED WAY OF ANCHORAGE  
(GBNE BRITTON)**

United Way of Anchorage funds eight of the agencies testifying here today: Catholic Social Services; Bean's Cafe; Salvation Army; Abused Women's Aid in Crisis; Southcentral Counseling Center; Association for Stranded Rural Alaskans in Anchorage; Alaska Youth and Parent Foundation; and Alaska Women's Resource Center. However, United Way is more than a fundraiser and fund distributor. Our mission is to increase the organized capacity of people to care for one another. We are active providing leadership, support and involvement in community problem solving on this Task Force as well as many other human service issues in Anchorage.

Homelessness is one of our program priorities. Community partnerships are needed to address the problem. No single sector has the adequate resources to meet the demand. Through our liaison, Executive Director, Lynn Caswell, United Way will be active in dedicating resources and involvement in responding to this Task Force's recommendations. I believe there is both willingness and resources in this community to address the problem. Although we are fortunate to have a strong United Way, I would not project more than single digit annual growth in our fundraising campaign (\$4.7 million this year).

**29. FAIRVIEW COMMUNITY COUNCIL  
(CELESTE BENSON AND EDDIE BURSE)**

Today's testimony has cited many different programs providing many different services. But in spite of the many services, the testimony still focusses on lack of being able to meet the need. Our concept of a Homeless/Inappropriate Center offers a fresh approach of bring many services together under one roof in an integrated effort to meet these problems. This facility could serve as an "entry point" to a new life for many. Even though our proposal is "contentless", we believe it provides the structure for a model program. Please consider as one of your solutions.

The land and the facility would be owned and managed by Alaska Medical House Corporation whose Board would include Fairview residents. As conceived on the present foundations, it would accommodate 30-40 clients.

**30. ALASKA NATIVE ALCOHOLISM RECOVERY CENTER (ANARC)  
COOK INLET TRIBAL COUNCIL (CITC)  
(ERNIE TURNER)**

ANARC is a 26-bed in-patient substance abuse treatment center for Alaska Native alcoholics and addicts, housed in an apartment complex in Mt. View. 13 beds are funded by the state and the other 13 by private funds.

I am a former homeless alcoholic. I would guess typical homeless is an alcoholic/addict, 70% of whom I would estimate are Alaska

Natives. Population increases in rural villages is one cause of increasing trend in urban migration with resulting problems of unemployment and addiction.

Too many of the services offered to the homeless are "enabling". That is they keep the persons in a powerless and system-dependent state by taking responsibility away from them. A more appropriate solution is to intervene with individuals by confrontation that involves finding out what is keeping them homeless and intervening with tough love. This treats the cause instead of the symptom. Intervention in a village setting is no more desirable than in an urban setting. Needs to be done "on the spot".

Solutions: Create a triage center for diagnosis and appropriate referral; legislate changes to involuntary commitment act to facilitate judicial referral to rehabilitation; restore increased funding for support services.

### 31. OPEN TESTIMONY

#### A. Beth Kersey

Long term solutions: Strengthen existing networks; utilize mentor programs to help homeless transition to and maintain independent life style; refer to Division of Vocational Rehabilitation model for wholistic and comprehensive approach to transition; employ triage in diagnosis of homeless individuals; employ creative low cost approaches with minimal governmental funding as outlined in excerpt in Appendix "A", page 31-4 from Economics As If The Earth Really Mattered.

#### B. Pattie Wright

Through a letter read by Barbara Bennett, Ms. Wright offered two older rental units she owns to provide free housing during this winter. Barbara stated that people in the community care. We need to facilitate access to this caring, which Barbara will do with this offer of help.

#### C. Alice Howarth

Ms. Howarth, as a Fairview property owner and resident spoke to the devastating impact the street homeless are having on businesses, residents and property owners of Fairview as well other Anchorage neighborhoods of Mt. View, Government Hill, and South Addition. As a hub, Anchorage is receiving a statewide problem that requires state attention. We need to work together to get the homeless off the street if we are going to preserve viable neighborhoods. No one wants to live, work, or shop on "skid row".

**D. Paul Day**

Paul coordinates housing for the homeless for the Alaska Department of Community and Regional Affairs. Paul spoke to the need for increased involvement in this issue by the state. The state is increasing its involvement somewhat. The problem with state assistance is that there has not been enough of it and what assistance is provided is by program and department with no attention to integrating comprehensive services.

Alaska also publishes an annual Comprehensive Homeless Assistance plan that is required by the Federal government in order for the state to receive federal funds. Federal records of funds received by Alaska in FY 1990 are listed in Appendix "A", page 31-12. Alaska must compete for these funds. That effort is hindered by a lack of timely notification from the federal government of grant availability and application deadlines.

Alaska is only one of a few states that does not have a state funded homeless program. I hope this task force can help promote changes to this situation.

**E. Susanne Goodrich**

Ms. Goodrich is the Director of Catholic Social Services. She noted that CSS has eleven programs that serve the homeless, many more than mentioned here today. St. Francis House-emergency food and shelter; Immigration/Refugee assistance program; pregnancy support group; a sliding fee counseling program; McCauley Manor - facility for young, throwaway girls; sliding fee special needs day care program; special needs respite program; San Francisco House - elderly emergency shelter as part of Brother Francis Shelter, and Clare House shelter for women.

Catholic Social Services is very involved in this problem. We are taking the lead in looking at services for CMI women.

We are intrigued with Fairview Community Council's proposal and go on record in supporting moving this plan forward.

You've not heard from the clients today. We encourage you to visit the programs. Until you know who the homeless are and know their names, you cannot truly know the problem.

**F. Edna Adrian**

I've heard all the claims of the agencies today. I'm reluctant to say I've seen very few success stories in my 20 years as an advocate in Anchorage.

Fairview is willing to allow the Municipality to place mobile homes for temporary housing for the homeless on the property for the new center during the winter. They would have to be removed in the summer when construction begins.

I have a good idea how much money there is available throughout the state to spend on alcoholism. I don't know how much there is for the homeless. During the break, I was happy to hear a good report on our alcohol rehabilitation system.

## SUMMARY OF DENNIS KELSO'S CLOSING REMARKS

Today's testimony has provided more than a "snapshot" of homelessness in Anchorage. It has provided a "photo album" with all the texture, richness and layers of problems and solutions. The problem will not go away. From testimony given today we can expect an increase in number and nature of problems. Testimony also demonstrated we have solutions, ideas, resources, and hope. Homelessness is a more manageable problem today than it was 5 or 10 years ago.

From a review of recent literature on the homeless, I have outlined five elements of a major framework for approaching short and long term solutions. I have used this framework to bring together the findings of today's testimony. The similarities in problems and solutions Anchorage shares with elsewhere suggests that solutions that work elsewhere may be applied here.

### I. HOUSING

#### A. AVAILABILITY

The homeless have a critical need for a stable residence. There are a couple of implications that color this fairly simple observation.

1. Emergency shelters are not healthy environments that lead to a satisfying existence.
2. The condition of being homeless gets in the way of available resources being applied. Lack of a permanent residence makes it difficult to access medical services, prepare for job interviews, etc.

Shelters are not housing. Currently shelters in Anchorage are serving as quasi-housing which is getting in the way of their primary purpose of providing emergency shelter. We need to add the next step which is housing.

Solutions expressed today have included stepped housing, layered housing, stages of housing that move from emergency shelter through transitional housing and on through low income housing.

#### B. FINANCING

There are intricate and complex mechanisms we must go through to access and apply financial resources. They are complex to both the officials who must interpret and implement as well as to the homeless who must meet the requirements imposed. The availability of resources varies from community to community.