

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672

8647 HOUSE JUDICIARY

1 maintenance in perpetuity of the highest levels of human harvest on an annual basis
2 of game, other than mammalian predators, or of fish.

3 * Sec. 3. AS 16.20.020 is amended to read:

4 Sec. 16.20.020. PURPOSE. The purpose of AS 16.20.010 - 16.20.080 is to
5 conserve, maintain, and develop habitat and game populations [PROTECT AND
6 PRESERVE THE NATURAL HABITAT AND GAME POPULATION] in certain
7 designated areas of the state and to guarantee access to and continued public
8 fishing, hunting, and trapping activities and opportunities in these areas,
9 consistent with maximum sustained yield.

10 * Sec. 4. AS 16.20.075 is amended to read:

11 Sec. 16.20.075. REGULATIONS. The board shall, under AS 16.05, adopt
12 regulations

13 (1) governing the taking of game on state game refuges it considers
14 advisable for conservation and protection purposes;

15 (2) guaranteeing access to and for continued consumptive uses.

16 * Sec. 5. AS 16.20 is amended by adding a new section to article 4 to read:

17 Sec. 16.20.295. PURPOSE. In addition to the purposes stated in AS 16.20.300
18 - 16.20.360, state range areas are created to guarantee access to and continued public
19 fishing, hunting, and trapping activities and opportunities in these areas, consistent with
20 maximum sustained yield.

21 * Sec. 6. AS 16.20.500 is amended to read:

22 Sec. 16.20.500. PURPOSE. The purpose of AS 16.20.500 - 16.20.690 is to
23 protect and preserve habitat areas especially crucial to the perpetuation of fish and
24 wildlife, and to restrict all other uses not compatible with that primary purpose and
25 to guarantee access to and continued public fishing, hunting, and trapping
26 activities and opportunities in critical habitat areas, consistent with maximum
27 sustained yield.

28 * Sec. 7. AS 16.20.510 is amended to read:

29 Sec. 16.20.510. REGULATIONS. The Board of Fisheries and the Board of
30 Game, where appropriate, shall adopt regulations they consider advisable for

31 (1) conservation and protection purposes governing the taking of fish

1 and game in state fish and game critical habitat areas;
2 ~~(?)~~ guaranteeing access to and continued public fishing, hunting,
3 and trapping activities and opportunities in fish and game critical habitat areas,
4 consistent with maximum sustained yield.

5 * Sec. 8. AS 16.20 is amended by adding a new section to read:

6 ARTICLE 6. GENERAL PROVISIONS.

7 Sec. 16.20.990. DEFINITION. In this chapter, "maximum sustained yield" has
8 the meaning given in AS 16.05.145.

SB

263

TESTIMONY ON SENATE BILL 263
COPYRIGHT LICENSING & ROYALTIES

Before the House Judiciary Committee
Brian Porter, Chairman
April 17, 1996

Chairman Porter, Committee Members, my name is Ruth Hamilton.

I am speaking here today on behalf of the American Society of Composers, Authors and Publishers, otherwise known as ASCAP.

We have worked hard with representatives from the Cabaret Hotel and Restaurant Retail Association (CHARR) to formulate legislation which protects the interests of both organizations. A number of changes have been made since the bill was originally introduced in the Senate Judiciary, many of which were made in order to prevent conflict with federal copyright law. This cooperative effort has resulted in the Senate Judiciary Committee Substitute bill now under review by your Committee.

ASCAP basically supports the current bill. However, there are two technical problems with the legislation which we think need to be clarified and documented for the record, if not by committee amendment to the bill, then at least by legislative history.

First, subparagraph (3) of Section 45.45.500 provides that the most recent listings of copyright members, their affiliates and copyrighted works are

available to business proprietors on "electronic media" through CHARR. It is not entirely clear what "electronic media" means. ASCAP maintains, and we believe CHARR concurs, that "electronic media" in this context means the Internet and other contact which ASCAP currently has with CHARR's parent association providing the list of members and their works.

Second, Section 45.45.510(b) of the bill provides that contracts made pursuant to a "national agreement" are not subject to a one-year contract term. However, there is no such copyright licensing contract called a "national agreement." Rather, the standard contract is called a "uniform agreement," which is used on a routine basis between performing rights societies and business proprietors. Thus, the term "national agreement" does not appropriately identify the type of contract entered into for the performance of copyrighted works in a place of business.

ASCAP requests that these clarifications should be part of the legislative history for the Senate Bill 263.

Thank you.

Alaska State Legislature

Senator Tim Kelly, Chair
Senator John Torgerson, Vice Chair
Senator Mike Miller
Senator Jim Duncan
Senator Judy Salo



STATE CAPITOL, SUITE 101
JUNEAU, ALASKA 99801-1182
PHONE: (907) 465-3822
FAX: (907) 465-3756

SENATE LABOR AND COMMERCE COMMITTEE

716 W. 4TH, SUITE 400
ANCHORAGE, AK 99501-2133
PHONE: (907) 258-8180
FAX: (907) 258-4524

Sponsor Statement

CSSB 263 (JUD)

"An Act relating to copyright licensing and royalties; and providing for an effective date"

SB 263 was introduced in response to growing outrage amongst Alaskan restaurateurs at the heavy handed enforcement and arbitrary pricing of the national music licensing giants. SB 263 would level the playing field between small businesses and the large multi-billion dollar music licensing giants such as the American Society of Composers, Authors and Publishers (ASCAP), Broadcast Music, Inc. (BMI) and SESAC.

As required under Federal Copyright Law, a restaurant, retailer, or other establishment which plays music must pay for the music it uses. Under current federal copyright law, restaurants are liable even for the music played during TV commercials and sports programs. ASCAP, BMI, SESAC and other companies authorized to collect licensing fees are often overzealous in the enforcement of their copyrights. Local Alaskan restaurateurs have become increasingly alarmed by abusive collection practices, discriminatory enforcement, and random pricing by these organizations. SB 263 seeks to remedy these concerns by leveling the playing field in the contractual relationships between the licensing giants and the local restaurateur.

Specifically, SB 263 requires a copyright owner to provide notice before entering into a contract with a business proprietor. This notice must be received at the time of the offer or within 72 hours of entering into the contract. The notice must contain the rates and terms of the contract, a toll-free number which the business owner can use to contact

the licensing agents with questions, and notice that the most recent list of works from the performing rights society's repertoire will be available through the CHARR Association.

Further, SB 263 sets a mandatory minimum level of contents for royalties contracts. A royalties contract must be in writing and signed by the parties. It must be completed in one year. The contract should also include: (1) the business proprietors name, address, and location to which the contract applies, (2) the duration of the contract, and (3) the terms for royalty collection and a rate schedule for royalties. Collection of royalties will not be permissible if the contract does not meet the enumerated minimum standards.

SB 263 also requires a copyright owner or society to disclose to a business proprietor or the business proprietor's employees the name of the copyright owner or society before discussing a contract or the use of copyrighted works. Under SB 263, a business proprietor can bring a civil action against a copyright owner or society for the violation of any of the above requirements. This civil action could be in the form of an injunction, an action seeking damages for a violation, or an action to terminate the contract.

SB 263 would level the playing field between large music licensing groups and small business owners, at least on a contractual level. It lays significant ground rules for the dealings between the parties. At least 20 states are working on similar legislation to protect the interests of local business against the power and dominance of large licensing firms.

FISCAL NOTE

No. 1

Bill Version: CS SB 263 (JUD)

(S) Publish Date: 4/9/96

**STATE OF ALASKA
1996 LEGISLATIVE SESSION**

Revision Date: 4/4/96 Dept. Affected: Department of Law
 Title: "An Act relating to copyright licensing and royalties..." BRU: Criminal Division/Civil Division
 Component: Criminal Division/General Legal Services
 Sponsor: Senate Labor and Commerce Committee
 Requester: Senate Judiciary Committee COMPONENT SERIAL NO. 2085/2087

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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

POSITIONS

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

The Judiciary Committee Substitute for SB 263 drops criminal sanctions as suggested in the Department of Law's original fiscal note analysis. The bill will not have a fiscal impact for the Department.

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

Phone: 465-3672
 Date: 4/4/96
 Date: 4/4/96

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information, call the Governor's Legislative Office

SB

264

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

April 28, 1996

SUBJECT: Sectional Summary of CSSB 264(JUD)
(Work Order No. 9-LS1597\C)

TO: Senator Rick Halford
Attn: Kelly Huber

FROM: Gerald P. Luckhaupt *JEB*
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill - the bill itself is the best statement of its contents.

Section 1 of the bill adds to the list of offenses a person cannot receive a suspended imposition of sentence for having committed. Under current law SIS is not available to persons convicted of (1) sexual abuse and similar offenses against children, (2) an offense and the person used a firearm in the commission of the offense, and (3) robbery or certain assaults and the person has a prior conviction for a violation of AS 11.41, crimes against persons." The additions are any misdemeanor or felony violation of AS 11.41, except assault in the fourth degree, AS 11.41.230, reckless endangerment, AS 11.41.250, and custodial interference in the second degree, AS 11.41.330, and any felony conviction when the person has a previous conviction for any misdemeanor violation of AS 11.41 or any felony violation.

Section 2 of the bill provides an applicability section.

GPL:klb
96-315.klb

¹AS 12.55.125(f) and (g) also prohibit the suspension of imposition of sentence under AS 12.55.085 to persons convicted of an unclassified felony or any felony which is subject to presumptive sentencing. Only some Class B and C felonies, which have been committed by someone without a previous felony conviction, are not subject to presumptive sentencing under AS 12.55.125 - all other felonies are subject to presumptive sentencing.

FISCAL NOTE

Bill Version: CS SB 264 (JUD)

(S) Publish Date: 4/15/96

STATE OF ALASKA
1996 LEGISLATIVE SESSION

Revision Date: _____
Title: Limited suspended imposition of sentence
Sponsor: Senator Halford
Requestor: Senate Judiciary

Dept. Affected: Alaska Court System
BRU: Trial Courts
Component: _____
COMPONENT SERIAL NO. 768

Expenditures/Revenues		(Thousands of Dollars)				
OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING						
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ()						

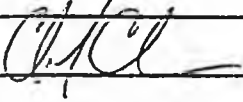
Fund Source		(Thousands of Dollars)				
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL						


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

Positions						
Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

SB 264 imposes limitations on the types of cases for which judges may impose a suspended imposition of sentence. The inability of offenders to receive a suspended imposition of sentence may increase the trial rates in those types of cases, increasing jury costs and the time spent by judges and in-court clerks on criminal cases. The court system may need to return for funding if experience proves that SB 264 has increased the trial rate in a significant way.

Prepared by: C. S. Christensen III, Staff Counsel 
Agency: Alaska Court System

Approved by: Arthur H. Snowden, II, Administrative Director 
Agency: Alaska Court System

Phone: 264-8228
Date: 04/12/96
Date: 04/12/96

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

SB

268



SENATOR LOREN LEMAN

Northwest Anchorage

716 W 4th Ave, Suite 520, Anchorage, AK 99501 (907) 258-8189 Session: State Capitol, Juneau, AK 99801 (907) 465-2095

MEMORANDUM

TO: Representative Brian Porter, Chairman
House Judiciary Committee

FROM: Senator Loren Lemman

A handwritten signature in cursive script that reads "Loren Lemman".

DATE: April 3, 1996

RE: SB 268; Request for hearing

I respectfully request that you schedule SB 268; "An Act relating to release before trial in cases involving alcohol and controlled substances" for a hearing at your earliest convenience.

SB 268 revises the statute relating to release conditions for those arrested for the sale, possession, or consumption of controlled substances. It would also apply to alcohol violations under AS 04. Currently, judges and magistrates have the ability to impose the type of restrictions being proposed, but there is inconsistency in their application.

Thank you for your consideration.

FISCAL NOTE

No. 4
 B.. Version: ES SB 268 Jud
 (S) Publish Date: 4-2-96

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO:

Revision Date: April 1, 1996 Dept. Affected: Public Safety
 Title: Pretrial release in drug cases. BRU: Alaska State Troopers
 Component: Detachments
 Sponsor: Senator Leman
 Requestor: S. Rules COMPONENT SERIAL NO. 0799

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES () Revenue Code	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 96) impact: \$ _____

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)

This bill will not have a fiscal impact on the Division of Alaska State Troopers.

Prepared By: Lt. Dan Lowden Phone: 465-5505
 Division: Alaska State Troopers Date: April 1, 1996
 Approved by Commissioner: *Ronald L. Otte* Date: 3/1/96
 Agency: Ronald L. Otte, Department of Public Safety

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
 For further distribution information call the Governor's Legislative Office

FISCAL NOTE

No. 3
 Bill Version: CSSB 268 (JWD)
 (S) Publish Date: 4-2-96

**STATE OF ALASKA
 1996 LEGISLATIVE SESSION**

Revision Date: 3/28/96 Dept. Affected: Department of Law
 Title: "An Act relating to release before trial in cases
involving controlled substances, stalking, or domestic violence." BRU: Criminal Division
 Component: Criminal Division
 Sponsor: Senator Leman
 Requester: Senate Judiciary Committee COMPONENT SERIAL NO. 2085

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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

POSITIONS

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill adds a new section to Alaska's release before trial statute, AS 12.30, to provide that a court shall, in considering conditions of release in cases involving controlled substances, consider several specified conditions and impose one or more conditions it considers reasonably necessary to protect the public safety and security. The conditions proposed in the bill are similar to the conditions that, as a matter of departmental policy, state prosecutors already request courts to impose when defendants in cases involving controlled substances are released on bail. Consequently, there will not be a fiscal impact on the Department of Law.

Richard I. Pegues

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

Phone: 465-3672
 Date: 3/28/96
 Date: 3/28/96

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information, call the Governor's Legislative Office

FISCAL NOTE

No. 2
 Version: CSSB 268(JUD)
 (S) Publish Date: 4-1-96

STATE OF ALASKA
 1996 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Corrections
 Title: "An Act relating to release before trial in cases
involving controlled substances..." BRU: _____
 Sponsor: Senator Leman Component: _____
 Requester: Senate Judiciary COMPONENT SERIAL NO. _____

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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

POSITIONS

POSITIONS	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary,)

The department does not expect any additional individuals to be denied bail as a result of this bill. However, some additional defendants may have their release revoked for violation of the conditions listed in CSSB 268 (JUD). It is assumed that in most cases where release before trial has been revoked, the defendant will get credit for time served upon sentencing. The net effect on the department will be zero impact.

Prepared by: Jerry Shriner Phone: 465-4652
 Division: Office of the Commissioner Date: 3/29/96
 Approved by Commissioner: Walter M. Ryan Date: 3/29/96
 Agency: Department of Corrections

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information, call the Governor's Legislative Office

FISCAL NOTE

Bill Version: CS SB 268 (JW)

BILL (S) Publish Date: 3-29-96

STATE OF ALASKA
1996 LEGISLATIVE SESSION

Revision Date: 03/27/96

Dept. Affected: Alaska Court System

Title: Pre-trial release for drug offenses

BRU: Trial Courts

Component: _____

Sponsor: Sen. Leman

Requestor: Senate Judiciary

COMPONENT SERIAL NO. 768

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

Fund Source

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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

Positions

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

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

Agency: Alaska Court System

Phone: 264-8228

Date: 03/27/96

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

Agency: Alaska Court System

Date: 03/27/96

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE



SENATOR LOREN LEMAN

Northwest Anchorage

716 W 4th Ave, Suite 520, Anchorage, AK 99501 (907) 258-8189 Session: State Capitol, Juneau, AK 99801 (907) 465-2095

SPONSOR STATEMENT

Senate Bill 268

"An Act relating to release before trial in cases involving controlled substances."

This legislation establishes new criteria for Alaska courts to consider in making decisions about pre-trial release of drug offenders. Each year, a substantial number of defendants in drug cases are arrested again, before adjudication of the original offense. According to the Anchorage Police Department, the below examples are NOT isolated cases, they are the norm:

- One street corner cocaine dealer was arrested, bailed out, and shortly thereafter, arrested again while selling cocaine just a short distance from the original arrest.
- Another person operating a crack house was arrested and released after promptly posting bail, only to re-open the business in the same house immediately upon release.

The public feels unsafe and loses confidence in the criminal justice system when drug offenders regularly engage in illegal drug consumption and trafficking even after arrest and this appears to be a recognized problem not only in Anchorage but across the State.

While SB 268 cannot prevent the release of drug offenders pending trial, it will decrease the opportunity for the defendant to pose a threat to the community while on release. It will provide for sufficient authority for the police to search them, and enable revocation of release.

**Municipality
of
Anchorage**



P.O. Box 196650
Anchorage, Alaska 99519-6650
Telephone: (907) 343-4433

Rick Mystrom, Mayor

February 8, 1996

OFFICE OF THE MUNICIPAL MANAGER

Senator Loren Lemman
Alaska State Legislature
State Capitol
Juneau, AK 99801

FEB 12 1996

Re: Senate Bill 268

Dear Senator Lemman:

Mayor Mystrom supports Senate Bill 268, revising the statute relating to release conditions for those arrested for the sale, possession, or consumption of controlled substances.

Each year, a substantial number of defendants in drug cases are arrested again on similar charges, even before adjudication of the original offense. Approximately 2 months ago, a known drug dealer was arrested for misconduct of a controlled substance. He was released on bail and was back on the street only to be arrested for the same charge shortly thereafter. A female was arrested and charged with the same offense. Again, she was released on bail only to be caught on video tape a short time later dealing once again.

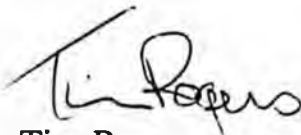
The judges and magistrates have the ability to impose the type of restrictions being proposed, but there is inconsistency in their application. The proposed legislation will help ensure that arrest is not just a minor inconvenience for drug dealers.

The conditions being proposed are those designed to hinder drug offenders by restricting their use of some of the tools of the trade. They would be restricted from returning to their place of business, using cellular phones or beepers, maintaining their regular business hours. Other conditions would subject them to engage in substance abuse counseling and drug screening if appropriate.

Viewing the same dealers on nearby street corners soon after arrest instills little public confidence in our public safety and judicial systems. This legislation takes a positive step toward solving this program.

Thank you for your introducing this important legislation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tim Rogers".

Tim Rogers
Legislative Program Coordinator

SB 268

TONY KNOWLES, GOVERNOR

**DEPARTMENT OF HEALTH AND
SOCIAL SERVICES**

ADVISORY BOARD ON ALCOHOLISM AND DRUG ABUSE

P.O. BOX 110608
JUNEAU, ALASKA 99811-0608
PHONE: (907) 465-8920
FAX: (907) 465-4410
TOLL FREE: 1-800-420-6920

March 22, 1996

MAR 28 1996

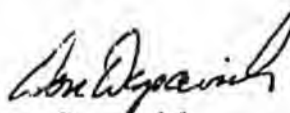
The Honorable Loren Leman
Alaska State Senate
State Capitol, Room 113
Juneau, AK 99801-1182

Dear Senator Leman:

The Advisory Board on Alcoholism and Drug Abuse has reviewed SB 268 and we strongly endorse its passage. We feel that it is imperative that the courts have means to control the behavior of those awaiting trial for drug related offenses. Although we encourage strong rehabilitation efforts on the part of the courts, we acknowledge that it may be problematic for judges to mandate treatment for those who are only accused of drug-related offenses and have not admitted drug use. It may be more appropriate to require assessment for the need for treatment services and require following of the assessment recommendations.

We want to assist in passage of this legislation and are available to assist in this effort. Please call on us for any additional support that we may be able to offer.

Sincerely,



Don Dapcevic
Executive Director



*Rick Mystrom,
Mayor*

ANCHORAGE POLICE DEPARTMENT

4501 South Bragaw Street • Anchorage, Alaska 99507-1599

Telephone (907) 786-8500



Service since 1921

FEB 13 1996

February 6, 1996

Senator Loren Leman
Alaska State Legislature
State Capitol (MS 3100)
Juneau, Alaska 99801-1182

Re: "Catch and Release" of Repeat Drug Offenders

Dear Senator Leman:

The Anchorage Police Department supports a revision of the statutes relating to release conditions for those arrested for the sale, possession, or consumption of controlled substances. Each year, a substantial number of defendants in drug cases are arrested again, even before adjudication of the original offense. Most have ready cash available for bail, and once free, continue their trade in violation of the few additional conditions of release. Some examples include:

- One street corner cocaine dealer was arrested, bailed out, and shortly thereafter, arrested again while selling cocaine just a short distance away from the original arrest.
- Another person operating a crack house was arrested and released after promptly posting bail, only to re-open the business in the same house immediately upon release.
- A third dealer, an obviously pregnant woman, was arrested for selling cocaine to passing motorists. She, too, was arrested again shortly after being released.
- On a larger scale, the National Guard set up surveillance on a group of marijuana dealers after their release on bail. Within one week, the same individuals were seen buying new marijuana growing equipment and other hydroponics supplies from a local greenhouse.

These are not isolated cases; in fact, they are the norm. By virtue of large amounts of unreported income from the sale of drugs, and the comparatively low amounts of bail set on defendants, immediate release is a near-certainty.

Page 2
Repeat Drug Offenders
February 6, 1996

The Municipality of Anchorage has a greater share of offenders due to its population density and availability of various contraband. As such, both the Anchorage Police Department and the entire criminal justice system must deal with the same criminals time and again. Also at issue is the safety and concern of the public. When the same dealers are seen selling drugs day after day, even after having been arrested, confidence in our judicial system is surely eroded.

We would therefore encourage you to support amendments to AS 12.30.020 regarding the determination of release conditions for cases involving controlled substances.

Sincerely,

A handwritten signature in cursive script, appearing to read "Duane S. Udland".

Duane S. Udland
Deputy Chief of Police

SB

289

Alaska State Legislature



House of Representatives

April 23, 1996

House Judiciary Committee

State Capitol, Room 120
Juneau, Alaska 99801-1182
(907) 465-4990

TO: Terry Lauterbach, Leg Legal

FROM: Tom Meyer, House Judiciary

RE: SB 289

Attached is the amendment I overlooked. I hope it is clear. Thank you for your patience. I apologize for any problems I caused. I am holding the other final version to exchange for the revised version.

AMENDMENT

by Representative Finkelstein

Offered in House Judiciary
TO: CSSB 289(FIN) am

Page 1, line 13 to page 2, line 6:
Delete all material
Insert ": and"

Renumber the following subsections accordingly.

Page 2, line 13 following "facility.":
Delete "It is also the purpose of this Act to authorize temporary secure detention of a minor who has previously left a semi-secure program without permission."

Page 3, lines 12 to 24- 31
Delete all material

~~page 3, line~~

Renumber the following sections accordingly.

Page 4, line 5:
Delete "or a child in need of aid"

} in other words:
P.4, lines 1-8 de
material

Page 4, line 14:
Delete "If the court finds probable cause to believe the child is a child in need of aid, it shall proceed under AS 47.10.142(e) and order the minor to remain in the placement chosen for the minor by the department or the minor's parent or guardian, as applicable."

Page 4, line 18 following "delinquent":
Delete "or for believing that the minor is a child in need of aid"

Page 4, line 20 following "case.":

Delete "If the court orders release of a minor who was arrested under (a) of this section based on an alleged violation of AS 47.10.141 (g), the court shall advise the minor and the minor's legal custodian of available mediation services and of the right to social services under AS 47.10.142 (b)."

Page 5, line 25 following "AS 47.10.142(b)." to page 6, line 3:

Delete all material

Page 6, line 20 to 31:

Delete all material

Page 8, line 11 to 14:

Delete all material

Date Referred to Committee: April 12, 1996

FURTHER REFERRALS:

Finance

Date of Committee Action: 4/22/96

The JUDICIARY Committee considered:

CSSB 289(FIN) am

CS FOR SENATE BILL NO. 289(FIN) am

MINORS, ESP. RUNAWAYS, & THEIR FAMILIES

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

recommends it be replaced with the following committee substitute CSHB SB 289 (AMD) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal note(s) Public Defense

fiscal note(s) Courts (4-9-96) Law (4-4-96) HSS (4-3-96) CPA (2-29-96)

zero fiscal note(s)

zero fiscal note(s) CPA (2-29-96) DPS (4-3-96)

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<u>Brian Horter</u>			<input checked="" type="checkbox"/>	
<u>Joseph...</u>			<input checked="" type="checkbox"/>	
<u>Don Bunde</u>			<input checked="" type="checkbox"/>	
<u>Betty...</u>			<input checked="" type="checkbox"/>	
<u>Jane...</u>			<input checked="" type="checkbox"/>	

CHAIR'S SIGNATURE Brian Horter

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

BY THE HOUSE JUDICIARY COMMITTEE

Offered:
Referred:

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

REPRESENTATIVES Kelly, Therriault

A BILL

FOR AN ACT ENTITLED

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

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

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

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

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

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

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

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

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

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

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

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

22 (4) under 18 years of age to be absent from the custody of a parent,
23 guardian, or custodian without the knowledge or permission of the parent, guardian,
24 or custodian [JUST CAUSE], unless the child's disabilities of minority have been
25 removed for general purposes under AS 09.55.590 or the person has immunity under
26 AS 47.10.350 or 47.10.398(a); it is an affirmative defense to a prosecution under
27 this paragraph that, at the time of the alleged offense, the defendant

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

30 (B) within 12 hours after taking the actions comprising the
31 alleged offense, notified a peace officer, a law enforcement agency, or the

1 Department of Health and Social Services of the name of the child and the
2 child's location.

3 * Sec. 3. AS 47.10.140(d) is amended to read:

4 (d) If the court finds that probable cause exists for believing the minor to be
5 a delinquent, the court [, IT] shall determine whether the minor should be detained
6 pending the hearing on the delinquency petition or released. It may either order the
7 minor held in detention or released to the custody of the department or other [A]
8 suitable person pending the hearing on the petition. If the court finds no probable
9 cause for believing the minor to be a delinquent, it shall order the minor released
10 to the minor's legal custodian and close the case.

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

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

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

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

14 (e) In this section,

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

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

20 * Sec. 6. AS 47.10.141 is amended by adding a new subsection to read:

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

29 * Sec. 7. AS 47.10.310(c) is amended to read:

30 (c) A program for runaway minors shall

31 (1) explain to a minor who seeks assistance from the program the legal

1 rights and responsibilities of runaway minors and the services and assistance provided
2 for runaway minors by the program and by the state or local municipality;

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

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

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

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

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

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

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

22 (6) maintain adequate staffing and accommodations to ensure physical
23 security and to provide crisis services to minors residing in a facility operated by the
24 program; a program may maintain semi-secure portions of its facilities in a
25 proportion that meets regulations established by the department; residents under
26 18 years of age shall be segregated from residents who are 18 years of age or older.

27 * Sec. 8. AS 47.10.390 is amended by adding a new paragraph to read:

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

29 * Sec. 9. AS 47.10.394(b) is amended to read:

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

1
2
3
4
5
6
7

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

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

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

#21

A M E N D M E N T

OFFERED IN THE HOUSE

TO: CSSB 289 (FIN) am

1 Page 7, line 27, following "program":

2 Delete "shall maintain semi-secure portions of its facilities
3 in a proportion that meets regulations established by the
4 department"

5 Insert "that, as determined by the department, regularly
6 receives state money in an amount that exceeds one-quarter of
7 the program's costs shall maintain semi-secure portions of its
8 facilities in a proportion that meets regulations established by
9 the department and the needs of the community;

DISCUSSION OF PROPOSED AMENDMENTS TO CSSB 289 (FIN) am

Amendment R.1

This amendment reflects the department's fiscal note and their wishes to grant or contract with residential care facilities within communities for the secure placement of runaways. The idea is to keep runaways out of our already overcrowded detention centers, and away from kids who have committed more serious crimes, yet still be able to place habitual runaways in a secure environment pending a detention hearing for the assessment of the best interest of the needs of the child.

Amendment R.2

This amendment addresses the concerns of Covenant House, who is funded through private donations and federal grants as opposed to state funds. The department's fiscal note reflects their intent to convert six state funded facilities to "semi-secure", Covenant House not being one of them. This legislation gives authority to the department to develop regulations regarding requirements for compliance. Covenant House was not comfortable with the fact that it would be left up to the department to decide if they would be forced to comply. While we would like to see all shelters maintain some proportion of its facilities as semi-secure, we can respect Covenant House's position. The bill states, on page 5 starting on line 10, that the officer will give highest priority to taking the minor to a facility that is semi secure, which leads one to believe that there still will be facilities in existence that are not semi secure.

AMENDMENT

by Representative Finkelstein

Offered in House Judiciary
TO: CSSB 289(FIN) am

Page 1, line 13 to page 2, line 6:

Delete all material

Insert ": and"

Renumber the following subsections accordingly.

Page 2, line 13 following "facility.":

Delete "It is also the purpose of this Act to authorize temporary secure detention of a minor who has previously left a semi-secure program without permission."

Page 3, lines 12 to 24:

Delete all material

Renumber the following sections accordingly.

Page 4, line 20 following "case.":

Delete "If the court orders release of a minor who was arrested under (a) of this section based on an alleged violation of AS 47.10.141 (g), the court shall advise the minor and the minor's legal custodian of available mediation services and of the right to social services under AS 47.10.142 (b)."

Page 5, line 25 following "AS 47.10.142(b)." to page 6, line 3:

Delete all material

Page 6, line 20 to 31:

Delete all material

Page 8, line 11 to 14:

Delete all material

AMENDMENT

by Representative Finkelstein

Offered in House Judiciary
TO: CSSB 289(FIN) am

Page 7, line 27 following "program":
Delete "shall"
Insert "may"

I do not oppose SB289 I think we need to work on solving the problem of runaways living on the street or in unsafe environments. But, I do oppose several sections of the bill and I have several suggestions which would improve this bill.

1. Under sec 6. AS 47.10.140 change the wording to give the courts the authority to order the entire family into counseling when it is available in the community

"if the court orders release of a minor who was arrested under (a) of this section based on an alleged violation of AS 47.10.141 (g), the court shall advise and can order the minor and the minor's legal custodian or parents of available mediation, family counseling, and of the right to social services under AS 47 10 142 (b)."

Too often the runaway becomes the scapegoat for all of the family's problems. Counseling just the runaway is not effective. The entire family needs to be involved in the process. Currently the courts cannot order family mediation or family counseling because they only have authority over the person who is charged with a crime. The courts need to have the authority to order the entire family into counseling or mediation because this is a family problem and needs to be addressed as a family problem.

2. I oppose housing runaways in secure facilities. The cost for providing secure facilities is going to be extremely high. We will still have a revolving door problem except instead of going in and out of a shelter they will be going in and out of an expensive secure facility. Are you planning to lock them up until they are 18. We currently have a revolving door on our prisons what makes you think locking up runaways is going to be any different. Currently the state and Federal governments are cutting funding in health and social service programs. This program is going to be a very expensive program to institute and operate. I am proposing that instead of spending money to provide secure facilities you could better use these same funds to provide additional funding to DFYS. This would allow DFYS to set up a network of safe homes and DFYS already has the authority to take a runaway before a judge under the child in need of aid law. This is a civil proceeding not criminal. If a child refused to go home DFYS could take custody and then the runaway could be temporarily housed in a safe home instead of a secure facility. A safe home would be similar to a foster home except the licensee would be required to be trained in assessment, mediation and counseling prior to licensing. This would create neutral ground and the licensee could serve as mediator to facilitate the reuniting of the family. This would also serve to ensure that the child is not living in an inappropriate environment and the parents could become actively involved in the problem.

solving process. One of the problems that I see is that the parents want the child to come home or stay with one of their friend and the child refused to go home and the child want to stay with the childs friend. This results in a power struggle and the runaway flees before a neutral location can be found. A safe homes is an alternative which would provide a safe neutral family type environment for the runaway to live in until the family works out the problems and the runaway returns home.

If we don't provide safe homes for the runaways then they will find unsafe places to live. If this bill passes as it is currently written it will not stop children from running away. All it will do is prevent children from going to shelters, relatives and safe homes. The bill will force runaways in to even more dangerous situation and they the chances of be exploited will increase. This bill will also prevent the runaways who are in school from going to school because they will be afraid of getting caught. We do not need to create more problem then we have already. Please rethink and rewrite this bill to allow safe home, mandate Family counseling, and child in need of aid protection instead of arresting runaways

Thank You

Candace Carroll

CANDACE CARROLL

1221 3RD AVE

FAIRBANKS, AK

99701

April 11, 1996

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

Dear Senator Frank:

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

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

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

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

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

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

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

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

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

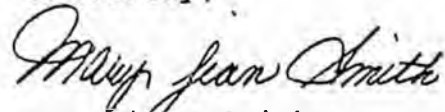
these people has turned her into a crude little girl, with no self esteem, she tolerates being abused by her "boyfriend", has no respect for authority, and has no desire to continue school other than getting her GED.

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

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

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

Sincerely,

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

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

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO: CSSB 289(FIN) am

Revision Date: April 15, 1996 Dept. Affected: Public Safety
 Title: Miscellaneous laws relating to runaway minors BRU: Alaska State Troopers
 Component: Detachments
 Sponsor: Senator Frank
 Requestor: House Judiciary COMPONENT SERIAL NO. 0799

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0*-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES () Revenue Code	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 96) impact: \$ _____

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)

This bill will have a fiscal impact, that can not be estimated, on the Division of Alaska State Troopers. The bill requires that peace officers return runaway minors to their guardian at the guardian's residence. This eliminates any flexibility in returning the minor and in some cases will require more of the officers time to transport the minor to those locations. The bill also requires that if a peace officer is going to take the minor to a shelter that the officer must select a specific type of shelter first, again potentially increasing the transport time.

Prepared By: Lt. Dan Lowden Phone: 465-5505
 Division: Alaska State Troopers Date: April 15, 1996
 Approved by Commissioner: *Ronald L. Otte* Date: 4/16/96
 Agency: Ronald L. Otte, Department of Public Safety

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information call the Governor's Legislative Office

Alaska State Legislature

STEVE FRANK


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



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

Senate

TO: Representative Brian Porter, Chairman
House Judiciary Committee

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

RE: Hearing Request - CS SB 289 (FIN) am

DATE: April 11, 1996

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

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

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

Thank you for your consideration.

Alaska State Legislature

STEVE FRANK

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



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

Senate

SPONSOR STATEMENT

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

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

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

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

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

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

Thank you for your consideration.

Dear Legislator, Governor, President...

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

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

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

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

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

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

To Sen Frank
From Al Near
Co 474-0398
Fax

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

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

Dear Steve:

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

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

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

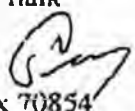
Thanks for your support.

Sincerely,



Al Near

To: Senator Steve Frank

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

Date: April 5, 1996

Subject: Senate Bill 289

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

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

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

Thank you for starting the work on runaways.

April 5, 1996

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

RE: Senate Bill No. 289

Dear Senator Frank:

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

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

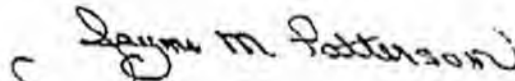
I, on the other hand, pulled my hair out trying to get her taken from homes that were unsafe. (My daughter even confessed that one adult harbored smoked marijuana with her!) Unfortunately, she was considered a "low priority" for our overworked police force and when the City Police finally did pick her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

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

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

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

Sincerely,



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

April 8, 1996

To: The 19th Alaska Legislature

From: Mary L. Luebke

Re: Senate Bill 289

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

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

Thank-you for your SUPPORT of this bill.

1743 Willow Street
Fairbanks, AK 99709
April 08, 1996

Dear Senator Frank:

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

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

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

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

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

Sincerely,

Robin Randall

Jim & Elrita Magoffin
PO Box 80322
Fairbanks, AK 99708
479-5746
Fax 466-4177

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

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

Dear Senator Frank:

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

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

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

Sincerely,

Elrita & Jim Magoffin
Elrita & Jim Magoffin

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

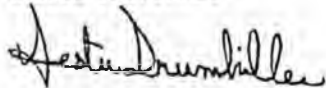
Dear Senator Frank,

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

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

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

Sincerely yours,
David Drumhiller



David Drumhiller
Leslie Drumhiller
Parents

1906 Southern
Fairbanks, AK.
99709
456-8198

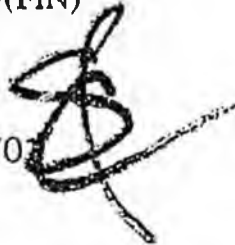
ATTENTION: Ali Gordon Fax: 9074654714
TO: Senator Steve Frank
FROM: Dale and Janie Feist *Dale D. Feist*
1551 Larue Ln. *Janie P. Feist*
Fairbanks, AK 99709
SUBJECT: Senate Bill No. 289
"An Act relating to runaways, other minors etc."

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

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

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

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



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

Post-It™ brand fax transmittal memo 7671		# of pages > 4	
To	Sen. FRANK	From	FBI LIO
Co.		Co.	
Dept.		Phone #	
Fax #		Fax #	

Date: April 5, 1996

To: Scnator Steve Frank

RE: Senate Bill No. 289(FIN)

FROM: Michael Ream
520 11th Ave
Fairbanks, AK 99701

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

Steve Frank
465-4714

Dear Legislator

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

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

Douglas W Brown

Doug Brown

7733 Honeysuckle Dr
Anchorage, AK 99502

Ph 243-0011 Fx 248-9894

992 Willow Grouse Rd

Fairbanks, AK 99712

April 8, 1996

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

This letter is to offer strong support of SB 289.

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

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

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

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

Eric C. Hatton

Post-It™ brand fax transmittal memo 7671		# of pages ▶ 1
To: Senator Frank	From: Char Bailey	
By: Ali Gordon	Co.	
Dept.	Phone # 479-0134	
Fax # 465-4714	Fax # 479-4025	

4/5/96

Dear Senator Frank:

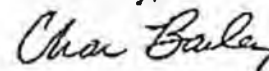
I would like to encourage you and other Senate members to vote for the passage of SB 289, regarding runaways. I have a fifteen year old daughter who has run away from our home three times. One of those times she was picked up by a Trooper and taken to Family Focus. Fortunately, on that particular day,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

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

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

Thank you for your time and attention to this matter.

Sincerely,



Char Bailey

4 April 1996

TO: Senator Frank (Attn: Alli Gordon)

FROM: Sue M. Dean, 810 Ballaine Road, Fairbanks, Alaska 99709-6606
Tel. (Voice Only) 907-479-6607

Subject: CS for SB 289 (FIN) - "An Act relating to runaways"

I urgently request your support of SB 289 to protect runaway children, provide for testing, therapy and treatment where necessary (This should occur in a secure mental health facility separate from the juvenile jail.), and restore the unity of the family where there is no abuse or neglect.

Total no. pp. = 1.

1-24-96

1990 Weston Drive
Fairbanks, AK 99709
January 22, 1996

Senator Steve Frank
State Capitol
Juneau, AK 99801

Dear Senator ^{Steve} Frank:

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

1) require proper evaluation of a child's claim of abuse in a home situation. This should recognize the authority of parents or guardians to properly discipline their child, and require reasonable proof of abuse before the child is removed from the home. This does not preclude an intermediate, brief placement in a facility specifically designed to hold and retain children during an evaluation or cooling-off period.

2) limit the definition of abuse to reasonable standards (not, for example, "I wasn't allowed to go to my class party because I was grounded").

3) require an abused child to be placed in a facility with the requirement and authority to restrict the activities of the child for his or her safety - not, as Mrs. Near states, a revolving door back to the streets, drug dealers, and pimps.

4) combine responsibility for the child's action with the authority to direct them. The current system makes the parent responsible while removing all ability to set, much less enforce, the rules.

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

Sincerely

Joan Osterkamp
Joan Osterkamp

Fairbanks Daily
News-Miner
1/8/96

Juvenile justice is a disaster

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

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

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

LaRue
Near
Guest Opinion



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

movement and we had no rights at all.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Dear Steve:

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

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

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

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

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

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

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

Respectfully yours,



Al Near

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

11-13-10
Dermot
Cole



Dad's view of runaway problems

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

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

But that was then.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Dermot Cole is a News-Miner columnist.

(over)

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

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

Dear Senator Frank:

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

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

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

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

Sincerely,

La Rue Near
La Rue Near

Enclosures (3)

TO: SENATOR STEVE FRANK

ATTN: ALI GORDON

FAX # 465-4714

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

VALERIE HOBBS

ANCH. 243-0011

FAX 248-9894

MARCH 18, 1996

A MOTHERS PLEA FOR HELP!!!

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

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

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

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

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

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

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

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

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

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

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

- FIVE DAYS AFTER BEING DISCHARGED FROM DISCOVERY SHE RAN WITH HER 12 YR OLD FRIEND - THEY HAVE BOUNCED FROM SPENARD MOTEL TO TUDOR MOTEL TO OTHERS I'M NOT SURE OF. THEY EAT AT BURGER KING FOR FREE AS WELL AS TACO BELL AND HAVE SOMEONE 4 TACKS TO PROVIDE DESSERT.

MARCH 6th JESS BROUGHT HER STREET GANG TO OUR HOME AND BROKE IN. THEY STOLE A STEREO ALL JEWELRY BOYS AND PRYED THE SAFE OUT OF THE FLOOR. THE BOYS WERE 6/18/19 - 18/19 THERE WERE 2 GIRLS JESS AND THE 12 YR OLD. THE BOYS PACKED GUNS.

JESS HAS LEARNED MORE ON THE STREET IN 2 WEEKS THAN MOST WILL EVER LEARN. THE SYSTEM

THINKS. I HAVE A SHY
AND VERY NERVEY LITTLE GIRL
THAT HAS TASTED THE
GROSEST KIND OF CHILD HOOD
I'M SURE IF IT WABNT
EASY TO RUN AWAY THINGS
WOULD BE ALOT DIFFERENT.

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

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

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

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

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

HELLO IS ANYONE THERE ??!!

HEARTBROKEN
FRUSTRATED

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

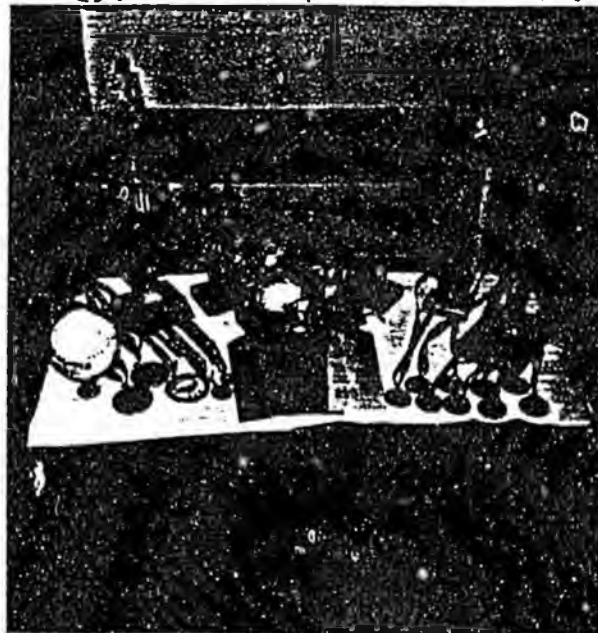


**Have you seen Jessica?
aka Crystal or Milkweed
Please call 243-0011**

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



Bambi's Medals & Stuff



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

"No" to kids

From: Cris Tyree

3-13-96

P.O. Box 872085

373-6515

Wasilla AK 99687

To: Senate Finance Committee

Senator Steve Frank

State Capitol

Juneau, AK 99801-1182

Letter to Sen. Frank

you can't see it

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

Let me tell you about both of them.

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

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

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

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

Continues being used and threatened!!

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

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

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

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

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

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

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

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

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

Thank You,

Cris Joyce



the family health center

P.O. Box 1065 425 East Dahllu Suite L Palmer, AK 99645 (907) 745-1777

Laurie E. Dahms, M.D. • Michael R. Moser, M.D. • Linda Sloan, M.D.
J. Yates Sealander, M.D. • Candace Gleason, ANP

July 7, 1993

TO WHOM IT MAY CONCERN

RE: Tia M. Tyree
DOB: 9/26/77

RE: Bambi L. Tyree
DOB: 12/17/80

As a Medical Doctor in the Mat-Su Valley, I have cared for Tia and Bambi Tyree since 9/92. I also have reviewed their records from Nome at Norton Sound Hospital dating back from 1983. After review of the records, I find no evidence of sexual or physical abuse occurring with either of the girls at any time.

LED/dd


Laurie E. Dahms, M.D.

I showed this to
troopers, but it did
not matter. They still
would not ^(tell) make my
girls come home !!

In the next 24 hours . . .

(Based on national averages)

- 1,439 Teens will attempt suicide
- 2,795 Teenage girls will become pregnant
- 1,506 Teens will take their first drink of alcohol or use of drugs
- 3,561 Teens will run away

Truancy and violence by teens have increased tremendously. Teens now account for over a fourth of all Sexually Transmitted Diseases and over fifty percent of all teens use alcohol or drugs.

More teens than ever before are in need of help. Even the best of homes are being affected by this nationwide problem.

Teen Help . . .

has resources or can refer parents to resources such as:

- Parent Support Groups
- Parent and Teen Retreats
- Adolescent Counselors
- Short Term Crisis Centers
- Treatment Programs
- Schools, Camps, other Alternatives

For more information . . .

Call

1-800-355-8336

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. CSSB289(FIN)

Revision Date: _____
 Title: An Act relating to runaway minors and their families or legal custodians.
 Sponsor: Sen. Frank
 Requestor: (S)FIN

Dept Affected: Administration
 BRU: Office of Public Advocacy
 Component: Office of Public Advocacy
 COMPONENT SERIAL NO. 43

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
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	0.0	0.0	0.0
CAPITAL EXPENDITURES	0	0	0	0	0	0
CHANGE IN REVENUES ()	0	0	0	0	0	0

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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

POSITIONS:

FULL-TIME					
PART-TIME					
TEMPORARY					

ANALYSIS: (Attach a separate page if necessary.)
 There is no fiscal impact to the Office of Public Advocacy.

Prepared by: Brant McGee, Public Advocate
 Division: Office of Public Advocacy

Phone: (907)274-1684
 Date: _____

Approved by Commissioner: Mark Boyer *MB*
 Agency: Department of Administration

Date: 4/3/96

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
 For further distribution information, call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. CSSB289(FIN)

Revision Date: _____
 Title: An Act relating to runaway minors and their families or legal custodians.
 Sponsor: Sen. Frank
 Requestor: (S)FIN

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

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0	0	0	0	0	0
CHANGE IN REVENUES ()	0	0	0	0	0	0

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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

POSITIONS:

FULL-TIME					
PART-TIME					
TEMPORARY					

ANALYSIS: (Attach a separate page if necessary.)
 There is no fiscal impact to the Public Defender Agency.

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

Phone: (907)264-4400
 Date: _____

Approved by Commissioner: Mark Bover *MBover*
 Agency: Department of Administration

Date: 4/5/96

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
 For further distribution information, call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. CSSB 289 - (FIN)

Revision Date: 4/2/96 Dept. Affected: Department of Law
 Title: "An Act relating to runaways, other minors, and their families or legal custodians..." BRU: Criminal Division/Civil Division
 Sponsor: Senator Frank Component: Criminal Division/General Legal Services
 Requester: Senate Finance Committee COMPONENT SERIAL NO. 2085/2087

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	115.2	115.2	115.2	115.2	115.2	115.2
TRAVEL	2.5	2.5	2.5	2.5	2.5	2.5
CONTRACTUAL	18.7	18.7	18.7	18.7	18.7	18.7
SUPPLIES	3.6	3.6	3.6	3.6	3.6	3.6
EQUIPMENT	6.5	1.0	1.0	1.0	1.0	1.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	146.5	141.0	141.0	141.0	141.0	141.0

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

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

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
1002 Federal Receipts	1.0	1.0	1.0	1.0	1.0	1.0
1003 GF Match						
1004 GF	146.5	141.0	141.0	141.0	141.0	141.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	146.5	141.0	141.0	141.0	141.0	141.0

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

POSITIONS

POSITIONS	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

The Senate Finance Committee substitute for SB 289 amends the state's contributing to the delinquency of a minor statute (AS 11.51.130), the state's juvenile delinquency statute (AS 47.10.140), and the state's runaway and missing minor statute (AS 47.10.141) to clarify just cause in the former statute, and to provide that a runaway minor taken into protective custody shall be taken to a semi-secure facility, under the latter statute, if the runaway minor cannot be returned to the legal custodian. The bill also provides that a runaway who has been taken to a semi-secure facility, and runs away from such a facility can be arrested and detained in a secure facility pending disposition by the juvenile court. A preliminary hearing must be provided within 60 hours from being detained (up to 12 hours to notify the court and up to 48 hours to hold the hearing.) If the court then finds probable cause to believe that the runaway is a child in need of aid, it can continue detention pending a hearing on the petition for adjudication of child in need of aid, which could be a matter of months and would certainly be a matter of weeks. At the end of the hearing, if the minor is not detained, the court could place the runaway in the temporary custody of any suitable adult, including a parent or the Department of Health and Social Services.

Prepared by: Richard L. Peques, Director Phone: 465-3672
 Division: Administrative Services Division Date: 4/2/96
 Approved by Commissioner: Bruce M. Botelho, Attorney General Date: 4/2/96
 Agency: Department of Law

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information, call the Governor's Legislative Office