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STATE OF CALIFORNIA

SENATE SELECT COMMITTEE ON CHILDREN
AND YOUTH

HEARING: The Runaway Child

Tuesday, December 18, 1973
State Office Building -- Room 1194
San Francisco, California



HONORABLE MERVYN M. DYMALLY, CHAIRMAN
HONORABLE MILTON MARKS, VICE CHAIRMAN
HONORABLE NICHOLAS C. PETRIS
HONORABLE ALBERT S. RODDA
HONORABLE JAMES E. WHETMORE

Compliments of
SENATOR GEORGE M. ZENOVICH
14th Senatorial District

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SENATE SELECT COMMITTEE

on

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Members Present:

CHAIRMAN: Senator Mervyn M. Dymally

Senator Albert S. Rodda

Senator Milton Marks

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FEB 24 1977

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CHAIRMAN DYMALLY: The Select Committee on Children and Youth will come to order.

Before I read a brief prepared statement, let me just give you a little background of the Committee's work. We held our first hearing several months ago in Guadalupe, Santa Barbara County, as a result of the United States Civil Rights Commission's hearing on corporal punishment. We came to no conclusions, we just received testimony from probably the most uptight group of people I've seen in the eleven years I've been in the Legislature. The room was divided into two parts--those for and those against, and no one smiled until the end of the hearing and I said, "I hope that the next time I come to Guadalupe there will be some smiles on your faces." Everybody smiled then. But people were very uptight...teachers and parents had differences of opinion on corporal punishment.

Yesterday, we had a hearing at Children's Hospital on the question of child abuse. We have a tentative date here again I think for January 18th. We had the Child Abuse Hearing set for San Francisco and changed it to Los Angeles, and received a petition from a number of people to bring it back here...which

is kind of unusual. So we are very, very pleased that you want us to come back, and be back in January.

Today, we will focus some attention on the runaway child. When the witnesses come up, please give your name and affiliation, not so much for me, but for the record, and please speak into the microphone. If a number of you represent the same agency, you can come up at the same time.

Large numbers of children throughout California daily depart from their homes to the dismay of parents, law enforcement agencies and social workers. The daily count of runaways averages between 120 and 150. The weekly tabulation is approximately 850 to 1,000.

Runaways are a problem. They are a source of worry to parents. They rouse the sympathy, concern and occasionally anger of the authorities. They have moved the Department of Health, Education and Welfare to take a much more active role in dealing with runaways.

Why do children run away? Where do they go? How do they feel? How do the parents involved feel? What is the right way to handle a runaway? What are the dangers involved in running away? How can the

problem be solved?

These are a few of the questions that plague persons who must deal with the runaway juveniles. There do not appear to be any simple answers to these questions. Various juvenile experts have described the runaway problem as symptomatic of the disarray of the American family. Others have noted that society in general is to blame. Still others feel that communities in particular should bear the burden of guilt because they are so non-responsive to the needs of people in them.

Testimony before Senator Birch Bayh's subcommittee on Juvenile Delinquency disclosed, "Runaway juveniles are a social and family problem, yet the burden of dealing with them has fallen mostly on police departments."

In any case, running away seems to be an escape valve. When tensions build up, youths tend to flee. Some go to escape a destructive family situation. That is, a home where parents tend to abuse the child in some way. Parents drink excessively and/or may beat the child; or, otherwise "hassle" the child in various ways.

Other children leave the family scene in the hope of calling attention to the unhappy family

situation; thereby bringing help. Help is very hard for a family to come by in most communities. It is either nonexistent or far too expensive.

Lastly, some children leave home because they have a secret that they fear will be exposed. It may be a secret pregnancy, a heavy drug addiction, or any similar "unshareable" problem. The juveniles with this sort of burden feel that parents do not communicate with them and won't understand the problem.

Many parents, and this is a circumstance more recently come to light, don't want to understand. These are parents who are already burdened with more problems than they can handle. Oftentimes they are parents who have other difficult children to cope with. Sometimes this is a parent who is a female head-of-household. She has no one to share the child-rearing task with; the father having long since abrogated his rights and obligations toward the child. She must train, support, love and care for her children single-handedly. She, like many other parents, has no extended family upon whom she can count to help lighten her dual parental load.

This is not to say that all runaway children come from broken homes; they don't. In the words

of William Treanor, Director of Washington, D.C.'s Special Approaches in Juvenile Assistance, runaways are, "the unwanted, the overprotected, the ignored or the pampered." They come from broken homes, two-parent family homes where unhappiness dwells, rich homes, poor homes and middle-class homes.

Whether a child returns home never again to wander, becomes an habitual runner, or never returns, seems to depend upon whom the child seeks out for help. There is evidence to indicate that the discovery of alternatives is crucial to the outcome for the juvenile.

If a child seeks out a "Runaway House", his or her chances of returning home are excellent. He or she may even return in a few days none the worse for wear. If a child finds shelter with a nearby family or family friend, his or her chances of safe conduct are almost guaranteed. Even if a child is quickly captured by the juvenile authorities, the child is much better off than being left on the street. For, it is on the street that harm is likely to befall runaways. Those children who head for a "crash-pad" or free-wheeling commune are likely to be taken advantage of. The tough street

people or "hard-road freaks" will use the newcomer to get money, food, or whatever. The newest members are expected to supply these things anyway they can; whether they have to sell drugs, beg, steal or resort to prostitution, no matter. They must come up with something or get thrown back on the streets.

Moreover, the Houston tragedy must serve as a reminder that runaways can meet with disaster. Violent deaths befall some. Some are arrested for serious crimes, such as drug peddling, prostitution and theft. Many are caught when they violate lesser laws.

Once a runaway is arrested or detained, juvenile authorities must enter the picture. What happens then? Well, a lot depends upon what system the authorities are using and what kind of parental response they encounter. A good many parents don't want their children back! Some children don't want to go back!

The "ins" and "outs" of juvenile authority and procedures is but one of the things we shall look at today. Other areas we hope to explore are:

- 1/ Why do children run away?
- 2/ Where do they go?

- 3/ How should runaway children be handled?
- 4/ Why are more than half of all runaways girls?
- 5/ How are current methods of coping with runaway juveniles working?
- 6/ What programs, if any, are needed?
- 7/ What is California going to do about the problem?

Before we call our first witness, let me take this opportunity to introduce some members of the staff, Advisory Committee, and the Committee itself. To my extreme right (but not politically), is my friend and Chairman of the Senate Education Committee, Senator Rodda, and we are pleased to have Mrs. Rodda here with us today. Next to me is the Committee Secretary, Ms. Ruby Anderson; to my left is Miss Rita Gordon who is a Consultant to the Office of Research and is assigned to this Committee on Child Abuse and the Runaway Child, and Mr. Al Torres, Committee Consultant. We have with us today two members of the Advisory Committee, Miss Julie Reese from San Francisco, and Miss Jeanette Clarke who came all the way from Los Angeles; they are sitting right up here in front of us.

The Advisory Committee will meet in Sacramento next month to begin to do some formal structuring and

drafting of the Child Abuse Prevention Bill to comply with the federal law that Congress has just passed, which will demand that California make some changes in its reporting system to increase the reporting age from 12 to 18 in order to receive federal funds. So we will have to in any case introduce legislation to comply with the federal act to receive funds for the program.

Now, our first witness is Ms. Betty Gorlick.

MS. GORLICK: I'm Betty Gorlick. I'm the Regional Program Director for the Office of Youth Development in the Office of Human Development, Department of Health, Education and Welfare, Region IX.

I want to thank you for the privilege of appearing before this group; however, I'm not glad to be here because I sincerely wish it were not necessary to discuss what has been termed the "runaway problem." However, inasmuch as conditions are as they are, we must seriously consider the many factors surrounding this subject. The federal government is and has been most concerned about the situation. In order to more fully understand the many ramifications, an interagency task force has been formed under the

leadership of Stanley Thomas, the Assistant Secretary for Human Development. The task force is involved in developing a strategy to meet the many issues. Law enforcement officials, juvenile court administrators, and runaway center directors are being contacted for ideas regarding the scope of the runaway problem and the types of services that can or should be offered.

What is a runaway? The Office of Youth Development is using the following working definition: runaways may be designated as young persons under 18 years of age who absent themselves from home or an authorized caring institution for 24 hours or more without permission. However, I would like to bring to your attention another group of youths equally needful of attention. These are the transient youths traveling with parental permission. This is especially true of school holidays and summer vacation. All modes of transportation are used -- motorcycles, bicycles, automobiles, airlines and hitching. We feel both groups are vulnerable to exploitation and abuse by strangers. Few services exist for transient youths. The runaway has practically

nothing available to him or her. Possibly the most likely to need service is the runaway who is very troubled about his family, school, peers, employment or probably all of these issues. They are desperate, frightened and angry. They run away because they can not handle what is happening to them. In their state of mind they can not make wise decisions, and once having made a decision, can not easily turn back - to do so would mean losing face.

What is the scope of the problem? How many youth are involved in running away? There are no accurate figures available. The current FBI report indicates that over 260,000 persons under 18 years of age were arrested as runaways in 1972. This, of course, does not tell the entire story. Estimates range from 500,000 runaways to a million. At this time we have no mechanism which would give us more accurate figures. In most areas running away is illegal. Agencies can not, or will not, give services without notifying either the police or parents. In order to avoid facing the music with parents or being turned over to the police, the runaway is forced into survival

tactics. Many are not equipped to handle this life-style. Many will be forced into serious infractions of the law, such as prostitution, drugs, robbery and so forth. There are many communities looking for solutions to this complex and perplexing problem. There is no one answer. There is no panacea. There are some ideas which can be explored. First, it would be fine if we could prevent most of the youths from running away. If he or she knew that in the circumference of his life there were people available to him to help him over the rough spots, it might not be necessary to run. Parents are often unaware and uneasy at these times. Often their words of wisdom fall on deaf ears, especially during those years when other adults and peers have more influence. The popularity of the hot line approach indicates the desire to reach out, yet not give up independence and in most cases identity. However, if we in the community fail to provide needed assurances, the decision, often made on impulse, is made to run; and an accepting, helpful, caring place should be available.

To criminalize this act and introduce the young person into the juvenile justice system is further proof that no one really cares. It is also a stigmatizing and labeling gesture. More places such as Huckleberry House and FOCUS, which are both represented today, are needed. Going home is not enough. Going back to an unchanged situation will not help. Experience has shown that repeats often are the result of unresolved conflicts. Time to work out conflicts is needed for parents and youth. Time and help to do this is needed. A sort of armistice and safe conduct is needed to maneuver into a more satisfying situation.

A more concrete idea was published recently in the "Dear Abby" column, which is attached to your material. It was an announcement of a toll free number to call if a runaway wishes to inform his parents of his well-being. The service will then call the parents and relay the message. No attempt is made to interfere further. However, if the young person needs help, information of services in the area in which the young person is located will be given. I would surmise that often such

information can not be given because those services do not exist.

For lack of time, I have not fully developed the foregoing. The challenge is great for all of us. As a representative of the Office of Youth Development, Office of Human Development, HEW, I wish to place our staff at your disposal for whatever help we can be to find a humanistic resolution to this problem. Thank you sir.

CHAIRMAN DYMALLY: Ms. Gorlick, your department recently appropriated some funds to deal with this runaway problem. Could you tell us about it?

MS. GORLICK: No sir. We...oh well, I shouldn't say that...we have in the past few years appropriated grants to for instance, Huckleberry House has some of our money. FOCUS is partially funded by our program. But, actually the legislation under which we operate is not what one might call runaway legislation. At the present time, there is no legislation devoted to a runaway program per se.

CHAIRMAN DYMALLY: What has happened to the Bayh bill?

MS. GORLICK: It's sitting.

CHAIRMAN DYMALLY: Has it moved out of the Senate?

MS. GORLICK: It's going through some hearings, but there has been no activity.

CHAIRMAN DYMALLY: What is being proposed in the Bayh bill?

MS. GORLICK: A program for runaway youths to help them resolve some of the conflicts, help the parents solve some of the conflicts, and make it possible for centers such as the ones I've mentioned, such as Huckleberry and FOCUS.

CHAIRMAN DYMALLY: So we haven't done very much yet?

MS. GORLICK: I'm afraid we haven't, sir.

CHAIRMAN DYMALLY: Thank you very much. We have two witnesses here all the way from Las Vegas. Kind of interesting. Let's have both of them come up and introduce themselves.

MR. JAMES P. CARMANY: I'm Jim Carmany, Director of Clarke County Juvenile Court, the 8th Judicial

District Court of the State of Nevada, and with me is Ray ben David who is the Executive Director of FOCUS, which is a private agency in Las Vegas to serve runaway youths.

CHAIRMAN DYMALLY: I am rather curious... why would you come all the way from Las Vegas for a San Francisco hearing?

MR. CARMANY: Because we're running away! (laughter from audience).

CHAIRMAN DYMALLY: I thought everybody was running to Las Vegas? (laughter from audience).

MR. CARMANY: Right. Well, our experience in Las Vegas with runaway adults and youths is considerable. I think Las Vegas has an escape mechanism that provides for both adults and youths.

CHAIRMAN DYMALLY: So it is not confined to any one city per se?

MR. CARMANY: I think to answer your question as honestly as I can, we feel very serious about the runaway situation, and we have had considerable experience with this situation in Las Vegas--more than 6,000 out-of-state youths in the last four years have been arrested in Las Vegas. We have probably one of

the strictest curfew laws in the United States. It is rigidly enforced at about 11:00 p.m., and youths who are traveling and intending to see Las Vegas don't realize that, and are picked up by the police on the Strip. We do feel that there are ways to deal with this problem that haven't yet been addressed.

In your opening remark, Mr. Chairman, you alluded to many of the things that I have presented before you in my written testimony, and in the essence of time, I think that I'll go ahead and skip some of that. But as I said, we have in Las Vegas had considerable experience with runaway youths and we have examined as closely as we can, some of the reasons these youths have explained to us that they have run; and some of that you have already covered, but I think that they are facts. For example, less than 10% of the 6,000 youths that we examined had not been arrested for anything other than runaway and would not have been charged with committing any crime if they had been above the age of 18 years. Secondly, we found that approximately half of the youths

that came to us were not living with both parents, and in many instances there was conflict that existed between that child and a step-parent in the family that the child was leaving. There has been a recent study done by NCCD that I might refer you to that was published in their last publication, the October publication.

CHAIRMAN DYMALLY: Would you for the record tell us what it is?

MR. CARMANY: Yes...it's Volume 19, October, 1973, National Council of Crime and Delinquency. In this study they compared 17 variables of youth who had run, and youth who had not run away. Of those 17, they found 14 no difference in relation to family income of the youth siblings, that type of thing. In three specific areas though they did notice considerable differences...and this was in the manner in which the child was achieving in school, the type of family problems that the child was experiencing, and the fact that runaways had a high propensity to not be able to turn to adults for help, and saw the adult world as basically a world they couldn't trust. The information that we have gathered in our court told us the same thing.

Really, what I would like to talk with you about a minute today if I could was, and you mentioned it in your opening statement, Mr. Chairman, that police and the criminal justice system have somehow been called upon to handle this problem. We feel very strongly that that's the wrong system to handle this problem. I think both California and Nevada have recognized that in part through their legislation with the (601-California, CHIN - Nevada). But I think to be honest, these children are still coming into our system, but they are coming in through a different route...and that would be the Welfare route or the Protective Services route. Police are still called upon to be the agent that represents our society in dealing with these youths, and we believe very strongly that that's the wrong system to turn to, because we believe that it allows the community and as you mentioned in your opening remarks, it allows the community and those systems that need to examine their place in this whole problem a chance to avoid, I think, their examination. For example, if we do know that 75% of these youths that were studied in the Maryland study who ran away were receiving poor-to-failing grades in school, while

only 8% of the nonrunaway youths were receiving poor-to-failing and saw school as some place to achieve. You have to ask yourself, I think, wherein this problem is the school system examining what it might be doing in relation to the prevention of youths from escaping?

I think we are dealing with a problem that so long as we continue through our legislation to demand that the criminal justice system be that agent that has first contact with the child, we are never really going to get to addressing the kinds of problems that you alluded to in your opening remark; and that is...home, school, and other systems within our communities must begin to deal with this problem. I would like to strongly urge, and the position that we are taking in Nevada is that, the police be removed from this situation, that police be asked or the police in some way get the message to the community, as they have done I understand in Denver, that youth that are not involved in criminal activity are not their problem. Individuals that are involved in this situation should not call police first. There must be other community resources

developed, and I don't believe they will be unless we remove the system from handling the problem that shouldn't in the first place. And I think that's what I came to San Francisco to tell you. And I think it's important that we do begin to recognize this and not give lip service to it if we are really serious about dealing with something other than the symptom, because I really believe that running away is not the problem anymore. I think we can make an analogy to an adult who escapes through alcohol or drug addiction. Youth tend to escape in another fashion, but they tend to get arrested; and when they get into our system, their problems tend to get compounded and perpetuated and we really avoid, I believe, the community's involvement in solving this problem.

We have tried to do some things in Las Vegas to reduce our involvement; and we've been rather successful. The referrals to the juvenile court this past year have been reduced by approximately 50% on those children who have committed noncriminal types of behavior...and I'm talking about the runaway, the truant, and the unmanageable. With me is a gentleman who I think is responsible for a good deal of our

success and I think you might be more interested in hearing about his program than anymore from me.

CHAIRMAN DYMALLY: Well, let's have Mr. ben David and then we'll come back to you for some questions. Mr. ben David.

MR. RAYMOND ben DAVID: This past year has been very wonderful for FOCUS...for one thing we are here, and honored to be here.

CHAIRMAN DYMALLY: Please tell us what FOCUS is?

MR. ben DAVID: FOCUS in 1969 became officially incorporated as a nonprofit, tax exempt organization chartered with the State of Nevada. Up until that time a few young people and myself had been meeting in my living room in my home. We were mainly concerned with the problem of disapproved drug usage, but we found ourselves dealing with all the problems that were presented to us by youth. FOCUS has since grown with the support of the community and agencies in the community to its present situation wherein we have a lovely house on 2 1/4 acres of land and have dealt with hundreds of children who were in need.

At the time all this got started, I was working at our Juvenile Court Services in Las Vegas

as a Crisis Counselor; a program which I helped instigate, and I am happy to say still exists today. While working there, a situation came up that made an indelible imprint in my mind. There was a young man, 17-years of age, who was picked up by our local law enforcement people and booked into juvenile hall as a runaway. This was a nice young person (I'm talking about in 1968 when a lot of people were concerned about hair and appearances) had short hair... at any rate, he was picked up and booked as a runaway with a record of course, as part of the package. He had the permission of his parents to travel. Policy of our juvenile court at that time was detaining a runaway person until contact was made with the parents and transportation tickets were received at the institution. They would then be put on whatever public conveyance was indicated, and sent home. It develops that his parents at the time were away for the weekend, so there was no way to reach them; so there was nothing more that could be done for the young man but to leave him in detention. He bothered me; I found myself going down to the place at 1:00 o'clock in the morning and talking with him. I found him standing on the bed one night looking out the window at nothing...nothing but

desert. When I came into his room, he said, "now, what have you got to say to me...why are you keeping me here, I've done nothing wrong?" Well, he was very bitter and said that he understood why so many young people were rioting in the streets. He made it clear to me that he was completely turned off by the "establishment." Now, this may or may not be so, today...I don't know. But I did reach his parents Monday morning, who were outraged...they demanded that we release their son, which we did; we put him on a plane back to his home after we got the ticket, and his holiday was interrupted. In other words, this young man was not traveling through his country any more. He had to go back home. I mentioned earlier, this occasion made a great impact on me and I started making noises about the injustices of our system.

In the early part of 1972, Mr. Carmany, he is Director of Juvenile Court Services in Las Vegas, after our conference with the Commissioners of the Office of Youth Development (OYD), Ms. Gorlick's outfit in Washington, came back to Las Vegas and approached me with the possibility of FOCUS, setting up a Runaway House for young people. The notion was

certainly attractive to me and negotiations with the administration began; and in July of that year we were funded. Using the young people who had been in FOCUS or had been exposed to the FOCUS experience, we got a Runaway Program together and started taking in runaway kids that were referred to the Juvenile Court and off the streets. We worked very closely with the juvenile division of our local law enforcement agencies, we formed an advisory board of law enforcement agency people, acquired the services of the Chairman of the Social Services Department at our University to do analysis work for us, and set out to make the community aware that a problem with runaway children does in fact exist, and what we were doing about it.

We then set about looking for a facility; and this is important. The place we finally settled on is ideally situated in the town, close to freeway and other main arteries. Senators, we didn't put anybody out in the desert...we didn't put them in some slum area. I looked, I chose a house that was a nice house. The children were not to be treated as "cast-offs", and if you say, "I love you, but

please go out there someplace", you're not really getting the message across.

CHAIRMAN DYMALLY: What about the neighbors? Were they turned off with this house?

MR. ben DAVID: Yes, they were, but we dealt with that too; but, we did it through the courts and it came out well.

It is a rambling old ranch style house that spells out anything but the word institution. My thinking is, and I'm sure a lot of people in this room agree, that far from helping, institutional settings turn off the cooperation that is vital in order to render the service to the individual. So FOCUS maintained and continues to maintain the essential home-like environment. Every child that comes to us for help understands immediately that we are not a traditional agency; that he can expect something from FOCUS, and certainly FOCUS expects something from him. He has to work about the place--there are no maids or butlers--he must interact with the rest of the children who are around and, above all, he must agree to work on his problem, because FOCUS is not a "crash-pad." When he comes through the

door, we make it clear to him, "do you want to do something about the situation you are in, is it working for you...and if not, do you want to do something?" And if he agrees, fine; we are able to help him.

CHAIRMAN DYMALLY: You keep saying, him... any coeds?

MR. BEN DAVID: Yes, it is...it's coed, but I'm still locked into position, ladies...my apology. (laughter from audience)

It is a place where the young person can be helped if he wants to be helped. If he doesn't, we say, "God bless you...here is a peanut butter and jelly sandwich...there is the door, and do the best you can." He can be motivated though, when he does come through the door because he feels the family thing that I'm talking about. He is met by young people. I find myself, in my position as Director, the best thing I can do is get out of the way and let it happen. Just make sure that they have the wherewithal to do what they have to do.

One of our biggest fears at the planning stages of our development was that children referred

to us from the court would run away from FOCUS. We had nightmares about that...we had visions of a mass exodus and that the children who stayed with us would create a nuisance to the immediate neighborhood. You will note in our statistics sheet before you that our fears were groundless, (only a matter of about 4.4%, actually less) that ran away; and some of those we asked to leave because there was no cooperation with them. That is, they would do some illegal things and we wouldn't tolerate it around there.

I am also happy to report that there has never been a valid complaint to the police or to myself as to negative behavior on the part of the children who stayed with us. We have found children for the most part, are grateful that they are spared detention and they cooperate accordingly. Another factor that accounts for the good behavior is the philosophy of the house. We make them welcome and, as our guests, "our house is their house."

During his stay with us the youngster participates in the general FOCUS program. In addition to counseling for his immediate problem, he attends seminars, group interactions and general activities.

FOCUS is a learning environment and not oriented toward recreation or amusement. I don't like Ping-Pong tables in the place; I want children to be sitting down and talking as a group to each other and relating to each other. It is important that the young person learn to accept the responsibility for his actions and, above all, learn how to make a decision where his life is concerned. We do not make decisions for the runaway child. We provide the information and alternatives; he needs to make the decision. Running away is not usually a rational decision based on all the information available, but rather a gut reaction that is triggered by circumstances. In traditional methods the child has no say in what is taking place. Our program encourages his making the choice and consequently when he returns home or to a relative or other alternate situation, it is his decision.

The past year has been a very eventful one for FOCUS. We hooked up with Travelers Aid...they are contracted with us...we have some case histories, I won't take the time to read them...you have them before you. You will find some interesting case histories there in terms of the Travelers Aid person not just doing the usual thing of transferring a body

from one place to another place; but they have actually gotten involved. Some Travelers Aid people that I have talked with at airports outside of our own, are very excited about it. There is one situation where a Travelers Aid person actually worked as a welfare agency in determining whether the home that the child was going to was fit, and the agency incidentally was glad to have them do it.

We can get into the statistical data if you'd like, since the runaway facet of the program became operational in August of 1972. I say runaway facet-- FOCUS is a Youth Services Organization...we deal with such things as disapproved drug abuse; we deal with such things as identity; we deal with such things as problems in dealing with authority; we deal with runaways, too.

Specifically directing our attention to the runaway we found that since starting in August of 1972, we handled a total of 1,028 runaways which we have diverted from the Juvenile Justice system, which I am very proud of.

In breaking down the total we find that 465 or 45.2% were males; females numbered 563 or 54.8%. It

does things if there are more females running away.

Average age of the runaway population we see is 15.2% years. The average age of the male runaways being 15.44 years; average age of female runaways being 14.86 years.

Of the total 1,028 runaways, 626 youths were from the Clark County area, or 60.9%...402 of the youths were from out of state, or 39.1%.

We have Racial Dispersement: 878 of the youth were White; 62 of the youth were Black, 6.1%...compared with Clark County's 9.2% Black population; 63 of the youth were Chicano...compared with Clark County's 1.3% Chicano population; 25 of the youth were of other racial origins--Oriental, Indian, Puerto Rican.

Of the 1,028 runaway youth, 831 (80.8%) were returned home to their place of previous residence, 139 of the youth (13.6%) required alternate placements. When I say alternate placements, we try very hard to get them with some member of the family...a relative--a grandfather, a grandmother...an aunt or an uncle; that's our first goal, what we shoot for at the beginning.

The remaining 58 youth, or (5.6%) did not complete the project's services (45 ran from FOCUS),

13 were asked to leave because of blatant defiance of the FOCUS house rules concerning drugs, alcohol and cooperation with the counselors.

Thirty of the youth who chose or were asked to leave FOCUS had already notified their parents that they were safe, well, and at FOCUS. Two had not yet contacted their parents. Follow-up inquiries were sent to the parents, and of the two children that had not contacted their parents, both inquiries were returned and both children were at home with their parents. Follow-up inquiries were also sent to 22 of the kids who left FOCUS prematurely, the results being: no response from 14; a response was received from eight inquiries. All eight of these youth had returned home to parents or relatives.

The 139 alternate placements consist of:

- . Foster home placements through private agencies such as Catholic Welfare.
- . Placements with other natural parents with notarized parental consent papers (these being cases of divorced parents).
- . Placements with other relatives (with notarized parental consent).

. Placements with friends of the family (with notarized parental consent).

I won't take the time to read all of them, it is quite a list, you can read them at your leisure.

A poll of 984 youth FOCUS has encountered found:

- . 417 (42.4% were living with both their natural parents.
- . 387 (39.3%) were living with their natural mother only or natural mother and step-father.
- . 95 youth (9.6%) were living with their natural father only or their natural father and step-mother.
- . 66 youth (6.7%) were living with neither their natural parents (they had run away from institutions).
- . 19 (2.0%) were living with foster parents or had been recently adopted.

Referrals of runaway kids to FOCUS came from:

- . Clark County Juvenile Court (formally), 452 (43.9%).
- We get them informally, too...one of the probation officers, or one of the Crisis counselor's will just bring a kid down--no formal, no paperwork... nothing, just say "Here he is, do what you can."

CHAIRMAN DYMALLY: On that subject, Mr. Carmany, do you have a conflict between law enforcement and the welfare agency whether they ought to continue to handle

the runaway...whether the welfare agency ought to handle it under the initial contact?

MR. CARMANY: Well, in Nevada as opposed to California, our welfare division does not handle the runaway...Protective Services is still part of the court system; our system. The conflict is really how we get the police out of it. The police are not in argument with the fact that they should be out of it. Legally, at this point it is impossible according to our statutes, to do. That is something we hope to present before the next meeting of our Legislature. Either that, or get serious about the fact that the police have two roles--one, is protecting our lives and our property, and the other is social service. Then I think it is incumbent that Legislatures begin to think about funding things like the Oakland Family Project, where you are really saying that it is a viable role for the police, but they don't handle it as they are trained to handle most criminal matters. I think we've really confused that system, and I know we've been confused as a court and probation department by being asked to be both things. So I do suggest... it is our thought, and the police agree, basically, the

problem is not being able to legally get out of it.

CHAIRMAN DYMALLY: If a mature 17 year old were caught in Las Vegas, San Francisco, any city as a matter of fact, with parental consent, traveling; but was walking down the Strip after 10 or 11 o'clock p.m., he can be arrested?

MR. CARMANY: Yes.

CHAIRMAN DYMALLY: Even though he had his parent's consent?

MR. CARMANY: Yes. You see, that's two different issues there--Las Vegas has, (and to my great surprise eight years' ago when I arrived) a curfew law, that is enforced, as compared to any other city I have ever lived in. At 11 o'clock p.m., if there are youth out on the street under the age of 18, they are stopped and sent home. If the youth is not from within the city, and doesn't have identification, he has some problems because police do strictly enforce the curfew ordinance.

CHAIRMAN DYMALLY: Under the initial contact after an arrest, is with the law enforcement agency... juvenile hall?

MR. CARMANY: Yes. It is now a law enforcement, FOCUS. FOCUS is within the system but is not a part

of the criminal justice system.

CHAIRMAN DYMALLY: That is that way all over the country?

MR. CARMANY: Yes.

MS. RITA GORDON: You mentioned that generally you leave it up to the children the decision of what they will do about this...are 14 and 15 year old children capable of making these kinds of decisions which may involve a great portion of their lives thereafter?

MR. ben DAVID: Yes. We found they are. We found that it is a question of sitting them down and talking to them...they are in group encounters for instance, they take a look at the situation that they are in and then information is given to them and shown to them and alternatives are given to them such as, "who do you want to live with...grandfather, do you want to live with your aunt...would you prefer that to living where you are now?" The child makes the decision...then it is the question of the mechanics. We have a conference hookup on our telephone system; we talk with all parties concerned. We found that children are able to make those decisions. It was frightening for me at first, too.

MR. TORRES: Mr. ben David, you indicated that 60% of the runaways that come to FOCUS are from

Clark County, is that correct?

MR. ben DAVID: That's correct.

MR. TORRES: Does the distance that they travel have any significance on the problems they are suffering? It seems...I'm very ignorant on the subject, but the runaway child seems to be within his environment...the same county?

MR. ben DAVID: Well, Clark County is our county. I'm not sure I understand your question?

MR. TORRES: Well, 60% is from Clark County--that means that the runaway child predominantly stays within his environment, or close to it...is that right? If 60% are residents of the county in which they come to you in FOCUS, that indicates to me that they stay within their home environment or close to it?

MR. ben DAVID: Yes. A lot of it is Mickey Mouse. A lot of it are problems that can be solved within a matter of 15 minutes...an hour.

MR. TORRES: About his home?

MR. ben DAVID: Yes. He ran away because he didn't get that specific tape deck that he wanted, or something like that, and it is handled. At least it is not handled in the juvenile courts.

MR. TORRES: But what Mr. Carmany is really saying is that the problem is not serious enough and it is an

overkill to involve the law enforcement agencies in the runaway problem.

CHAIRMAN DYMALLY: At least for that 60%. It seems to me that in a case of a family spat, they leave on Friday after school and don't come back. Then instead of sending them to the juvenile court system you could handle them through some other agency; because at least 60% of them are right there within driving distance?

MR. ben DAVID: Exactly.

MR. CARMANY: The problem is one that the parents and the kid have to get it together. It is not a criminal problem. The problem is getting the parents to recognize that and get on with business.

MR. TORRES: That's an argument in support of taking the law enforcement agency out of the role of the runaway problem?

MR. ben DAVID: That's right. We get the family together as much as we can. Oftentimes we can't...they refuse to, the parents that is.

CHAIRMAN DYMALLY: We appreciate your coming all the way up to San Francisco, and we do thank you. We'll be in touch with you, I assure you. Our next witness is Mrs. Careth Reid.

MRS. CARETH REID: My name is Mrs. Careth Reid, teacher and social worker. I'm Director of the Fillmore-Fell Corporation Group Home. This is a private corporation which has established a Group Home in the Western addition of San Francisco to provide services for those youngsters that live in our district that normally have been historically sent out of our county when out-of-home placement is needed.

CHAIRMAN DYMALLY: Is that out-of-county placement as a result of the absence of adequate home-away-from-home in San Francisco?

MRS. REID: That's right. Very limited foster home placements are available, and very limited group homes. Most of our referrals come from Juvenile Hall. Most of these youngsters are 13 through 18; that's our age range. There are few foster parents who are willing to take on the problems in a foster home that 13 through 18 year old females exhibit. So Group Homes may be an answer to that; we're still not really sure. We've been working on it for two years. We do have a license for a licensed Group Home.

Nothing I am going to tell you today is going to be dramatic. Also, I hope it is not going to be Mickey Mouse, because we worked so seriously on this

and have put forth so much energy for the last two years, I would have to think we are doing some serious good; but for a limited number. We have six youngsters at one time. This is our maximum number to reside in the Group Home. However, since most of the kids that are sent to us also have school problems, we had to establish an on-site school. So we have six others that come from the community to go to school that we provide on-site in the Group Home.

CHAIRMAN DYMALLY: How are you funded?

MRS. REID: Well, we received funding from the San Francisco Foundation and Human Development Foundation to help establish our home. The down payment and the three months that the state requires operating expenses in order to even open or get your license, was provided by San Francisco Foundation. Human Development Campaign provided us with partial teacher salary, since we had not anticipated needing a school; we didn't have it budgeted. The state comes in and says, "you've got to provide an education for these youngsters that are in that age group." So we had to come up with schools since they had not been able to go to school; the public schools.

CHAIRMAN DYMALLY: Any county, state or federal funding?

MRS. REID: No. The Welfare Department of course pays for those children their regular child care. That's not a special funding, that's the cost of child care... it is paid for by the Welfare Department for those that qualify under Aid to Families with Needy Children. Normally, they had received that kind of assistance in their own home. So the state does in fact pay us if we're providing the service. The county through the Probation Department pays us the same rate as the state pays us for children who do not qualify for Aid to Families with Needy Children. In that case, the parents themselves must participate in the payments...the Probation Department collects from the parents, and then they pay us. We don't have to wait for the parents to pay, however.

CHAIRMAN DYMALLY: Are most of your youth from the Juvenile Justice system...do you have any volunteer walk-ins?

MRS. REID: We do have some independent children that are placed with us directly by either Catholic Social Service or the Department of Welfare, Department of Social Services. All of the others have come from

the Probation Department.

CHAIRMAN DYMALLY: You may continue.

MRS. REID: We have 24-hour child care in the Home. We've tried other kinds of programs besides the 24-hour child care and the day care, which is the school program. We've also had a program for extended day care for young girls who are just getting into prostitution, wherein we maintain the girls in our Home overnight, on weekends, and we keep them from 9 to 9 during the day. However, that was a real hardship on staff, and that part of our program was terminated.

I've given you some of the reasons for runaways as given by our girls, but I want you to have the understanding that we aren't primarily established to deal with runaways; that's only one of the problems that the kids have that come to us.

CHAIRMAN DYMALLY: In other words, runaways are not an isolated problem it is hooked up with something else?

MRS. REID: Yes. And in response to the end of your discussion, Mr. Torres, we have found that not only do our children stay in the community that they normally reside in if they run away, but they

even stay in the district. We have a breakdown on Page 3, of where the girls go when they do run away. We have had 21 of the total population of 47 which we served in the two years who normally reside in the Western division of San Francisco, and when those 21 have been on the run, or of those in that group who have been on the run, they have all remained right in the district either with friends, relatives...they may run away to us, they may run away to a father if the mother and father are separated, and back to the mother. They stay right in the district, not just in San Francisco. Rarely do we even have youngsters crossing district lines within the city. Those that come from Potrero Hill or Ocean View they run back to that area where they have their friends, where they have relatives and stay there during the runaway.

CHAIRMAN DYMALLY: Do you use the college approach to counseling or do you use the old common sense neighborhood approach?

MRS. REID: We don't have any choice. The college approach has failed with our young people. It has failed for those professionals who have been trained to teach in the public schools. It has failed for those professionals that work in the Probation Department. You

can't name one agency that services our district that has really been successful with our young people. So we do try the "grandma approach", in fact, we have a "granny" in our Group Home that probably does more counseling, better counseling than any of our psychologists or psychiatrists, or social workers. I tried to use all of my education when I came there, which came out of the books...it didn't work at all. I began to listen to my mother and think about what all of my extended black family had been telling me for years and what kept us in control and intact as a family; and it worked for the girls. While we don't have a large program, I can't site to you thousands of numbers to impress you, we work in depth with the few families that we've come in contact with...after they leave, we continue to work in depth. We don't have any youngsters that get mad and run away because they don't get a tape deck. A lot of them after they have come to our Group Home, they are still collecting bread and food around our house and raiding our freezer to take it back home because there is just not enough to eat. Kids steal the Raid because there are cockroaches at home and they can't afford it; Raid is expensive. We work with the families after the kids

go home. If a parent has had a child in our program either in school or as a resident, when that child goes home the family is free to contact us because we know the problems are going to continue. What we do when a child is 13 or 14 is just part of it, we solve those problems that they come in with. So fine, next week they've got new problems. Those parents have to have someplace to go... and as you asked me, "does the old college approach work?" Well, it doesn't, but that's what is in the agencies. So they come back to us and we try to be an extended family that a lot of them don't have here. Many grandparents are still living in the south...many grandparents and cousins and aunts that normally would be able to come in and give the kind of family support that is needed, just aren't there. So we try to provide that where it is possible.

CHAIRMAN DYMALLY: You find occasions where you have to extend all the way back to Mississippi to get help for these children through their grandparents or whatever?

MRS. REID: Oh, listen, last summer I sent a girl back to Arkansas...spent two weeks with her

grandmother and she came back and we haven't had any problems with her since. We were able to send her back home. And part of our program...the Welfare Department would probably be angry with me if they found out how I use some of their funds; but if that saves them from having to continue to pay \$550 a month, which is our rate, for a kid to live in a Group Home out-of-home, then it should be well worth it.

CHAIRMAN DYMALLY: Yesterday, it was suggested that perhaps another approach would be to take the adopted parents and put them in the home to work with parent and child. Instead of paying you \$500 several times, if there are two kids in the family, that's a \$1,000...you take an adopted parent, put them in the home to work with that child and the parents?

MRS. REID: Well, you're touching on something that is very sensitive to me, and that is, while we are diligently working away on a 17 year old... there is a 7 year old, a 12 year old, a 11 year old at home very diligently being groomed by society to come into us as soon as we get rid of the other one and get her on her feet, and on her way. It seems

very unrealistic to me to take one child out of the home when there are six at home with the same problems that the child that is out of the home had before she left.

We did find, however, once we worked with a girl, she is very quick to come marching in all of the rest of her children as they need help. In fact, one of the girls we worked with took some neighbor's foster children and conned her mother into taking these children into the foster home. Well, the mother was willing to provide the housing and feed them, but when it came down to solving the problem she wasn't prepared to deal with it. So the girl marches these kids over to our Group Home and we talked about the problems they were having, how we might help, how the mother might help...and you know, in that way extend our services.

CHAIRMAN DYMALLY: What would you do if you were to be a recipient of state, federal or county funding? How would you expand or improve on your program?

MRS. REID: I'd like to tell you first of all how we would not provide for more psychiatrists, more psychologists, and more social workers. Most of the

people in San Francisco that raised their budgets during the last physical year ending, and they could increase budgets, increased them to provide for more professionals coming into the program to give more counseling and therapy. We don't work on any kind of medical model. Just last week I received a girl from Contra Costa County, which again is a problem of our having a black staff; many of the counties don't have any kind of program for black youngsters in their own counties, so they look to us to come up with solutions. They sent this girl to us and she was described as "crazy". In fact, just like the probation officer that brought her said, "My God, I've been walking around on egg shells all day long just trying to humor this girl and keep her all together so I could get her here so I wouldn't blow the whole thing." Well, we told her when she came, "you are going to come here, you are going to be a regular person, you are not going to be treated like you're crazy, we don't expect you to act like you're crazy...you are going to act like a person and go on with your business, and if you can't do that, then perhaps you need to go back to your county where they are willing to humor you, because we are not."

That girl right now is one of the strongest girls in our home, not only taking care of her own business quite adequately, but trying to assist others.

I would extend my program only by being able to take in more youngsters and train community people. I believe people should be literate, you know, you have to write down a note when someone calls, or write something in a log; but we are also against the vicious kind of record keeping that goes on in the agencies. All of our records are open in the house. Anytime I write anything about any kid, they have a right to go back and check me out, write comments, cuss me out if they like; but, it is their record and they have the right to participate in that record keeping. I would only need the kind of domestic workers that you normally have found in this country for years...raising people's children all over this country, feeding them, cleaning their houses, giving advice, giving counsel. You don't need a master's in social work or a master's in psychology to raise children. You do have to care about them, though, and I look cross-eyed at very large agencies where they say they are able to work with a 1,000 children,

or 120 children all under one roof. They hardly know their names. This is one of the big complaints. I think you have to know who the child is you are dealing with, you have to know her family...you have to have been to her house and you have to go to school with them if they are able to go to school. It has to be very personal and they almost have to love you in order to be willing to make the kind of changes that you are asking them to make. You are asking them to be good and to stop inconveniencing society, not just those that are running away, that's an inconvenience; but all the other kinds of delinquent activity they are into. If it is not personal, I have found that it just does not have any lasting effect on the child. I would not hire any specialist; that's all I can tell you.

CHAIRMAN DYMALLY: Not even a politician?
(laughter from audience).

MRS. REID: May I answer that? (laughter)

CHAIRMAN DYAMLLY: I think not. Do you have any closing comments?

MRS. REID: No, only that I think that the state ought to do more about the business of providing

Group Homes in the community for kids to reside so they not only have the support of those people where they are living, but the continued support of friends, relatives, and neighbors. You see, you are going to keep sending them out to the mountain somewhere, you know, into the forest and everywhere else...and they are going to do really well the whole time they are there, everyone is going to be very impressed with all the statistics...and they are going to be back on the street a week and a half and get busted again and start all over. But if you establish homes in the communities where the problems in fact are, then there is a chance through support and help, the kids can learn to cope with those problems. That's all I can tell you...they need more Group Homes right in the community.

CHAIRMAN DYMALLY: Thank you very much.

Let's skip over to some people from the law enforcement system...may we have Sgt. Markle from Stockton, and Lt. Knoff from San Jose.

LT. ART KNOFF: Mr. Chairman, I'm Lt. Art Knoff from the San Jose Police Department. I command the Juvenile Division there and I am also involved very deeply with our 601 Diversion Project, and for a number of years have made some special effort of

working with these people especially on the runaway problem.

I kind of expected to get the benefit of hearing everybody talk this morning and make a lot of notes and respond to them in the afternoon...this kind of surprised me a little. I think I would want to make a couple of observations which I think some might find out of character, and that is I do think that young people involved in this matter ought not to be handled in the Criminal Justice system. I'm not so sure that the police or the Criminal Justice system as an entity is the wrong way for this process to start. I think that the end results and the processes that we go through very often are the wrong things. It is very easy to say that we ought to develop community resources to handle these things, and in one instance I heard mentioned that the only way we're really going to do this, is by eliminating the other system, the other process, and really forcing the community to do this...I kind of suspect we might have a vacuum that we wouldn't overcome and would really do the young people a disservice rather than helping them. One of our biggest problems in developing

community responsibility and resources, are that very often these resources are unable or unwilling to provide the kind of services when they are needed, when the crises are really, really occurring. To this end, one of the things that we've done and I think that everyone ought to really use as a model who is in law enforcement, is to bring some of the disciplines together. Now, in our department we have a social worker...and I'm not saying that this is some sort of a panacea, but we have a Protective Services worker from the Department of Social Service that is working directly in our Juvenile Division from 3 o'clock in the afternoon until midnight each day. Now, I don't find many social workers working after 5 o'clock and handling family, crisis kind of problems. Not only is he in there, but we also have some specifically trained and selected people who work exclusively in this area of diverting young people who fall within 601 of the Welfare Institutions Code--the runaway, the beyond-control child, the truant child, out of the Justice system intercepting at the gateway to the Juvenile Justice system and diverting that person back into the home, back into the community, rather than dealing with him in the

system. And I think this has met with outstanding results. I might add, that our year and a half of operation with this program in Santa Clara County, has revealed that of these young people that have been diverted in this fashion, our recidivism rate is about 10%. Previously, for the same amount of young people that had been placed into the Juvenile Justice system (Juvenile Hall, the Probation Department) whatever anyone wants to call it, their experience had been in the area of 30%. So I think some really good things are happening with respect to this...it can be done, I think some attitudes have to be changed, but I think there is a definite need for law enforcement to evolve into the kind of situation that was alluded to just previously here also, where they really wore two hats. I think the community looks to them to wear two hats. It is not simply a law enforcement kind of a role, a role in which they are simply there to apprehend offenders, but as a prevention role...in fact, the best way to reduce crime and delinquency in any community is to prevent things from happening in the first place. And so these kinds of efforts on our part are suitably

law enforcement, because if this child doesn't get back into trouble, doesn't continue to get into difficulty, we have some reasonable expectations that he isn't going to be a problem to the community and cause further problems as far as law enforcement is concerned. Not only does he benefit, but the community benefits also.

One of the things that I haven't heard, and I think we should work particularly on, is that we have to get the family together to solve this problem. These problems are family oriented. There is no question about that. The roots of the problem are there. But I think we have to realize that parents don't have a Ph.D in raising kids when they suddenly have them, and neither do children become experts in being children when they arrive on the scene. And so they both have some rather difficult kinds of problems to overcome...sometimes they land up quite frankly getting befuddled by the experts. I think that we have to attempt in our crisis intervention to bring the child and the family together. Very often it has been my experience that young people have been brought to the police department, brought to the probation department...and incidentally, we

have a system in Santa Clara County, particularly in San Jose through this project, of making it very, very difficult from a management standpoint of placing any such child in custody. We exercise a quality control here, a clearing procedure that just about makes it prohibitive for a child who is not a ward of the court currently, not receiving services, to be placed into Juvenile Hall. What we do, is that we end up intercepting these cases...we will spend the necessary time at the time of crisis, whether it is an hour, two hours...right at the time. I think this is what is very important not to tell someone, "you can have an appointment next week or the week after, or ninety days from now", but to immediately in this time of crisis to attempt to defuse the situation. You would be surprised how many parents bring their child in and say, "I can't manage this child...you are going to have to take over, the child is just a rotten kid and I can't do a thing with him." When you finally end up, about two hours later, after doing a great deal of listening, and incidentally, I may make the point that not so much from the parent's standpoint, but at least from the child's standpoint...this is probably the first

time anybody has even listened to the child. I think this is very important, doing some listening. After listening, you will find that both the parents and the child begin retreating from a position where they felt they were boxed in, driven into a corner..."the put up, or shut up" kind of a thing, become aware that each one of them have some obligations, some rights, some need to solve this problem and stand up primarily also on their own two feet and do this as a family kind of an exercise. I think very often we get into a position of extracting the child from this situation, letting the parent really cop out because he then doesn't have to confront this, and doesn't have to face up to solving a family problem and we also make the child more and more less able to deal with the problem and deal with the family. I think this is one of the most important things to salvage if we can at all, the family situation that we have here and try to support them; not do these things for them, but support them in doing the job for themselves. I think this is very important.

CHAIRMAN DYMALLY: San Jose has a good program. What about communities where the police are understaffed or not committed...would we not be better off if the

state had some program where the parent could take that child and have a one-to-one meeting with an arbitrator who is not a law enforcement officer? It so happens that in San Jose we know where to go and we've got officers, but in some communities they are understaffed and others that don't care.

LT. KNOFF: Well, I have mixed emotions about that, "yes and no". I think that obviously we can't in every kind of frame or reference get everybody seemingly thinking alike. I think this is one of the phenomena of dealing with people. I think sometimes however, to also let them get out from under and allow them to avoid dealing with problems that they ought to be handling in this fashion by creating some alternatives that we haven't really dealt with that are an unknown quantity, aren't in existence, and let the other people then pursue the path with, "well, now I can wipe my hands of this", I'm not so sure that this is the way. I think that through our State Juvenile Officers Association, through our various police organizations, professional or otherwise, there has been a concerted effort to get law enforcement in every community and every county to act more and more in this kind of a fashion. I think that you will

find as you travel around the state talking to people that this kind of policy, this kind of attitude isn't unusual any longer; but it is a policy that is born of the reality of having the problem, realizing that there are some things that must be done, and also law enforcement beginning to realize just as we mentioned before, that you don't have to for example, have a Ph.D or a master's degree in social work to have some really good kinds of advice, help and support to give both the parents and young people. They are now getting into position where they are not afraid to do this. I think in most instances where law enforcement has not done this, it has been in communities where they have felt inadequate to do this. I think in most instances where law enforcement has not done this, it has been in communities where they have felt inadequate to do this, and have been quite frankly "befuddled" by the experts saying, "you're not qualified, you have no business counseling this child, you shouldn't be involved." And I submit that the average beat officer out in the street who has spent a number of years out there dealing with all kinds of crises, many of which never see the criminal justice system beyond his beat,

has a great deal of influence, knowledge and ability to solve many problems out there and keep them out there in the community, and not in the system.

CHAIRMAN DYMALLY: Do you have the manpower to do that, though, considering the fact that the runaway situation is increasing?

LT. KNOFF: Yes. I'm not so sure that it is increasing...I think that we saw a peak at least in San Jose about 1971, and I detect a slight leveling off, even though the community is rising. It is going to vary with communities. I think your peak runaway periods occurred during the drug crisis times of 1967. It started picking up in '68, '69 and '70, and we saw sharp increases. I think we are seeing a leveling off now in '72 and '73. I don't know where we are going to go. We are running about 3,000 runaways a year in the City of San Jose. The greatest majority of these young people get back together with their parents, in fact, in spite of what many of the experts do.

CHAIRMAN DYMALLY: One question from Ms. Gordon.

MS. RITA GORDON: As long as law enforcement is involved, could it not also work in a reverse...in short,

not all teenagers are a joy to deal with, and some parents don't really want to deal with them...so by turning them into you, or forcing a situation when the child does run away, "you pick him up, you detain him", the parents don't have to take that child back?

LT. KNOFF: Well, this isn't exactly correct. I think this is where law enforcement has to take a position and understand exactly what the law is. There is no provision in the Welfare and Institutions Code which dictates young people being taken into custody, that says the parent may place the child in Juvenile Hall. It says, "the law enforcement officer may", etc. Now, my position is, if a parent comes into my office and says, "this child is no good, I will not deal with him any longer, I wash my hands of him, there is nothing that I can do, he is your problem now...I'm leaving." My position is, "Whoa! Wait a minute, you can't just leave. The law of the State of California (and I'll pursue this) says, "that a parent must exercise care, custody and control, as well as the child under 601 obeying the reasonable and proper orders of the parent." This is a two-way street. And I make it quite clear to the parents at that time that if the facts are as the parent presents them, that they are in fact abandoning

this child on my doorstep, that I will not only take the child into custody, certainly; but, it may not be in the Juvenile Hall process. We may be talking about a 600 child then...and I think there are some alternates here. But I will also pursue a complaint from the district attorney relative to the parent. This is a two-way street. We are dealing with defusing a crisis. When the parent is confronted with somebody that doesn't just really cave-in and say, "O. K., there is nothing else I can do", and he is confronted with that maybe something will happen to him if he takes this particular route...suddenly, they want to talk about this a little longer, and to find some other alternatives. Once you've gotten to that point, then maybe you can give him some rational kind of discussion as to what can be done. But I don't think the system, either probation or ourselves, can simply cave-in because a parent leaves a child on our doorstep and says, "I'm through with him"; because they're not.

CHAIRMAN DYMALLY: Mr. Markle, you have a question?

SGT. DONALD MARKLE: I'm Sgt. Don Markle from the Stockton Police Department, and we are in San Joaquin County. Today, I'm representing the California State Juvenile Officers Association, of which I am currently the President.

I would like to address to your earlier remark about county services, because so far in some of the speakers that I heard, I have heard of facilities that are available, some alternate routes that we can use for the runaway problem. Now, in San Joaquin County we don't have those facilities. And I think this is what we need in this state here at this point, some uniformity of services, statewide. So that all counties are mandated or however else we want to put it...so that the facilities and services are started in the counties. In San Joaquin County if a runaway comes upon the police department and the parent refuses to deal with the problem and we are stuck with the child, at present we have no alternative but to place him in Juvenile Hall under the 601 Section. I'm sure most of us being parents...I for one, if my child ran away, I would hate to see that child placed into Juvenile Hall where he is in with other 602 offenders...such as fire, theft, burglary, rape, robbery, etc. I feel we need a separation of services at this point between the 601's and the 602's, so that these youngsters are not together such as we presently have under the 600 Section where they are separated.

CHAIRMAN DYMALLY: It seems to me that

accompanying 601 ought to be some funding for the counties to provide facilities for alternative placement?

SGT. MARKLE: Exactly. Just as in SB 391 where the problems are going to be reverted back to the counties and the funding was taken out of it by the Legislature. The same thing for the situation such as this here...our county is not a wealthy county, we're a farm county, and there is not a great deal of wealth as far as the tax base is concerned. So the county doesn't have that kind of money to place into services.

CHAIRMAN DYMALLY: Of course that would apply to a number of counties down the valley, also.

SGT. MARKLE: Certainly. And furthermore, I think that law enforcement really has a true concern for children...and I think we in the California State Juvenile Association would like to go on record saying that we need some alternative services in regard to placement of children into residential centers or whatever can be dealt with, such as FOCUS.

CHAIRMAN DYMALLY: But you want to maintain control of the initial contact, the initial contact made with the law enforcement agency and then you recommend placement?

SGT. MARKLE: I think it could go either way

because there are many children that will not contact the police. So if we are going to deal with the problem I think the avenue should be open two ways. What I would like to see is a residential center that is operated by a public agency, such as the one like FOCUS...have a cooperative body of police officials, the court, the probation services and the community. If this were dealt with this way, a youngster could turn himself into this residential center and say, "Hey, I need help." And who are we, the police, to say that he's not getting the proper help so long as he gets the help; that's the main thing, under a coordinative service. As I see the problem in this county, this state, is that we have no uniformity of services. We don't have the Diversion Project that Santa Clara County has, or the facilities that you are talking about in Los Angeles. In smaller counties, the poorer counties don't have those facilities. And this is what we need...some type of funding, legislation whatever it takes, to give this to these counties.

LT. KNOFF: I would like to add that this 601 Diversion Project is probably one of the few of its kind in its manner in the United States. I think it is a model to show what a county can do where a probation

department for example, is the grantee, and then subcontracts with 14 police jurisdictions in that county to tailor make diversion projects to their particular communities and the needs because I think we will find that in any given county or area. The needs vary from community to community...and to do this kind of a thing I think if state monies were available to them to provide this kind of a project to the other counties, I think we would see a vast reduction in the amount of young people who are placed in custodial situations because there aren't other alternatives. And I think along with that, is our training funds to make the people better able to administer this kind of a program and to work with this. So I think there are a number of spinoffs of this thing, and the community support that has developed and response becomes also a tremendous thing. And this thing all put together is a fine effort in terms of all the agencies, a multi-agency and community agency effort, to deal with the problem and keep it in the family, in the home.

CHAIRMAN DYMALLY: We knew you were scheduled to speak after lunch, but we wanted to have a different

point of view, or another point of view, because I believe if we get any legislation enacted, we are going to have to have a combination of social work and the law enforcement put together to get any bill out.

SGT. MARKLE: Senator, before we close here, I'd like to make one other comment...you're talking about funding, and I might add that in our county for about the past year and a half there has been a proposal that is written and redefined, redefined, because it didn't meet the criteria for funding from the California Council and Criminal Justice. That proposal as I understand, is about to be funded or hopefully it is, it has had tough sledding all along the way. What that is designed to do is to place on a night-time basis and weekend basis, probation officers at the Juvenile Hall where they will take a receiving youngster in and deal with the runaway or the crisis-family problem at that time without a booking into Juvenile Hall, and this is a theme which I think we should be using, and as you see, it is having tough sledding with the governmental agency because of money.

CHAIRMAN DYMALLY: Everybody is trying to get

a little piece of it. Thank you very much, Sergeant.

LT. KNOFF: I would like to add that on any future legislation we will be happy to cooperate.

CHAIRMAN DYMALLY: Fine. Thank you. Our next witness is Mr. Horn.

MR. EUGENE HORN: My name is Eugene Horn, I'm the Executive Director of Berkeley Youth Alternatives. BYA is a multi-service, community-based program offering crisis intervention, foster-home placement (we are licensed by the state as a child-placing agency), counseling, we have a group home predominately for male minority youngsters (we are licensed by the state as a children's institution). In the summertime we operate a youth hostel for traveling youth utilizing University of California dormitories and the program is partially subsidized by the City of Berkeley. We do community education. We have extensive referral services. We provide Juvenile Justice advocacy services to young people in the East Bay, as well as young people who come to us from other parts of California and all over the United States.

Berkeley Youth Alternatives' clients are about 40% white, middle class; 60% poor or minority. BYA currently operates on funds provided by the

City of Berkeley, private contributions, local churches, local foundations and recently by Alameda County under revenue sharing funds. While we now offer services to virtually all children in trouble, we serve large numbers of runaways, and indeed our program was originally known as the Berkeley Runaway Center. We operate on the basic premise that young people are capable of...just as capable of making responsible decisions for their own lives as we so-called adults are if they have adequate information as to what their alternatives are and what the possible consequences are for each of those alternatives. We operate five days a week from noon until 10 p.m. We have 24-hour emergency on-call service, 7 days a week.

I have a number of recommendations for legislation to help runaway children. First, I want to express as strongly as possible the need to decriminalize the act of running away. Section 601 of the Welfare and Institutions Code currently brings within the jurisdiction of the juvenile courts any child who persistently disobeys his parents or school authorities, or who is beyond their control, or is habitually truant from school, or who "from any

cause is in danger of leading an idle, dissolute, lewd, or immoral life." This definition is of course so broad as to apply to every person in California under the age of 18. It means that juvenile officials may literally arrest and punish any child who in their opinion needs adult supervision. And even though the announced purposes of the juvenile justice system do not include punishment, we know that to separate a young person from his friends or parents involuntarily and to place him in the same institutions used for youthful criminals and for mentally ill youngsters, is in fact punishment. As the Supreme Court pointed out in the Gault Decision, it doesn't make any difference to a young person that the place he is locked up in is called a training or reform school. We had an incident in Berkeley in the summer of 1970 where there was a "runaway sweep" as it was called in the local newspapers, where several hundred young people were picked up in an 11-week period by the Berkeley police. Fortunately, a response that the local community made to that was the enactment of an ordinance by the city council in June of 1971, specifically delineating the behavior that Berkeley police officers may participate in, in relation to

young people on the street, and only under very specific circumstances--such as a young person being observed committing a criminal act, in obvious need of emergency medical treatment, or being someplace that is very suspicious that he be there in the middle of the night, may he be detained, stopped, questioned and subsequently incarcerated if for cause.

The juvenile court system is historically based on the notion that we can predict future criminal behavior on the basis of childhood and adolescent behavior. Social scientists have been laboring for years to prove that this can be done. They have not succeeded. While adult criminals may often have a history of "601 behavior", the converse is not true. We know that as a matter of common sense, and we know that in terms of our own adolescent years in most cases. But we still go on trying to lock truants into schools to enforce parental commands by court order, to impose our notions of morality by force, and to assume automatically that every person below the age of 18 years requires authoritarian and coercive direction and control. Every year in California we arrest several hundred thousand adolescents under Section 601, but every

year we see the trends of family disintegration, runaways, school drop-outs continuing. We're spending a lot of taxpayers' money on a system that doesn't work and we're hurting a lot of children and parents in the process.

In Berkeley we've had an interesting history of runaway phenomena. In 1969 there were 803 young people arrested as runaways under 601 by the Berkeley Police Department. In 1970--1,198; in 1971--552; in 1972--379; and this year through the end of November, 237. While at the same time in the County of Alameda, in which we are located, the trend has remained almost the same approximately 2,600 people arrested as runaways each year for that period.

In 1970 the Assembly Criminal Procedure Committee held extensive hearings and introduced legislation to repeal Section 601, based on a comprehensive report which I hope your committee will carefully read. The legislation failed. But since then, the evidence has continued to build up that 601 is useless. In 1971 the prestigious Special Committee on Judicial Reforms of the Los Angeles Superior Court recommended the repeal of 601. Numerous other reports and articles have echoed the recommendation of the 1967 President's Crime Commission that such laws

are destructive and outmoded. Part of Section 601 has been declared unconstitutional by the federal court in San Francisco and by the Superior Court of Alameda County. The juvenile court in Washington, D.C. has declared their equivalent unconstitutional in its entirety, and the highest court of New York State has ruled that their equivalent may not be used to incarcerate beyond-control children in the same institutions as delinquents.

Perhaps the 1970 Legislature felt that Section 601 was better than nothing at all. In the meantime, experimental programs have shown that there are alternatives. In Sacramento, half of the 601 cases are now handled by crisis intervention family counseling outside the conventional court system. The result has been less detention, lower recidivism rates, and lower costs. The Los Angeles School system is developing programs for truants outside the court system, and the Los Angeles Juvenile Court is using Section 601 a great deal less than in the past.

Another alternative to Section 601 has been developing in the past few years -- the Independent Youth Service Agency, such as BYA. I stress the word "independent" to distinguish our program from youth service bureaus and so-called "diversion" projects operated directly by

juvenile probation departments. The difference is crucial because most runaway children simply will not go to an official agency. They will only go to a resource which offers help on a confidential basis where they can decide, after receiving counseling and advice, whether to return home or to turn themselves in to an official agency. And they are much more likely to seek help from persons, whether professional or otherwise, who are closer to them in age and ethnic background than the official agencies with their civil service requirements can provide.

For that reason, we believe that the law while decriminalizing the act of running away, must simultaneously encourage the development of confidential and noncoercive services. Today, state law and local regulations make it very difficult to provide such services. I would like to specifically describe the problems created by existing law and suggest some improvements.

First, existing law deprives the juvenile of treatment of choice. Except where his immaturity makes this impossible, a person under the age of 18 should have the same freedom as an adult to choose whether to seek help for family problems and from whom.

Most runaways are neither crazy nor criminal. Like absconding parents, they are simply reacting to family breakdown. California law already recognizes the need for children to obtain medical care for communicable diseases and problems of pregnancy without parental consent or parental liability. This principle must be extended to the child with nonmedical problems which by definition cannot be solved within the family and which by experience we know will not be solved by coercive official action.

Presently, we believe we may legally offer advice and counseling to runaways on an "out-patient" basis, but we fear prosecution for contributing or harboring if we allow a runaway to stay with us overnight without first contacting parents or authorities. Thus, we turn the more difficult cases...who need help the most...back out into the street. I would propose legislation to give us authority to shelter any adolescent for up to 72 hours before we must contact parents, contact authorities, or send them away. I emphasize that I am talking about cases where the alternative is the street.

A second problem area for us is the professional requirements of present licensing laws and regulations.

The relevant skills in youth counseling are experience, common sense, and the ability to communicate. We need more flexible licensing provisions which take these skills into account on an equal basis with professional qualifications as evidenced by graduate degrees.

Berkeley alternatives operate with a very small compensated staff...we have one professional MSW on our staff. Most of our services are provided by a core of 50 to 60 volunteers who operate and function in each of the several parts of the program.

Thirdly, we need a system of fiscal accountability to public funding sources which does not compromise the privacy and trust to which our clients are entitled. We are currently required to report the names and addresses of all clients for whom we will be reimbursed by county revenue sharing money to the counties. The public agencies operate on line-item budgets and are trusted to provide the services which are paid for; we are not. This forces us to subsist on volunteer labor or small private or foundation contributions, or to tell a frightened adolescent that his or her name will be reported to the county officials. Surely, the law can provide a system of fiscal accountability which protects the most important

thing we have to offer, trust.

Finally, we need public funding which is realistic both in terms of the needs we serve and in terms of the limited capability of small, community-based agencies in the area of administration and fund raising. Monies now expended on the enforcement of Section 601 should be made available for community services. We know we are earning this money because the numbers of arrests, juvenile hall detentions and court cases have declined since we began our programs, particularly in Berkeley.

As a first step, we recommend that a specific proportion of the money now being appropriated under existing programs (such as Short-Doyle, CCCJ Delinquency Prevention, Child Protective Services, etc.) be earmarked for the purchase of services under contract with community-based agencies. There is precedent for this in pending federal legislation (the Juvenile Justice and Delinquency Prevention Act of 1973, S. 821). As a long-term solution, however, we recommend that funding not be tied to a particular client label such as "mentally ill", "mentally retarded", "educationally handicapped", "delinquent", and "incorrigible." The criterion should be client choice, not the applicability

of a demeaning negative label.

If this sounds drastic or unprecedented, remember that we are not talking about a need which will be abused. No child from a happy and well-adjusted home ever comes to BYA. We are talking about kids who are in desperate pain because they are running and hiding in a world which offers them neither shelter as children nor employment as adults.

A concluding remark: we are not only talking about legislation, but we are talking about attitudes--the kind of program that we have laid out for us that operates in Clark County, Nevada, and the cooperation that exists between their Juvenile Services Department and FOCUS. I have been there and visited both facilities and talked to staff...it is an ideal model. It is based on the openness, the flexibility and the nonthreateness of the Director of Juvenile Services in Clark County more than it is on legislation. We have with some great pain and difficulty across the last four years developed a similar kind of relationship with the Juvenile Bureau of the Berkeley Police Department. We work very closely in cooperation with one another, but that is not the case with the

administration of the Alameda County Probation Department. For instance, the problem there is not legislative and it is not fiscal, but it is an attitudinal one where the willingness to cooperate and to open up and to rely on the kind of services the community-based organization like ours can provide, is not as freely there as it is from the Juvenile Bureau.

CHAIRMAN DYMALLY: Considering the failure of the repeal of Section 601, the politics of the Legislature, what about the middle ground between your proposal and Sgt. Markle's...that is to say, you keep 601, but you provide funds for non-law enforcement placement as a first step?

MR. HORN: It makes a lot of sense as a first step.

CHAIRMAN DYMALLY: Thank you very much, any questions? Thank you, Mr. Horn. Mrs. Hoskins is our next witness.

MRS. CONSUELA HOSKINS: My name is Consuela Hoskins. I am with Children and Youth Services Agency in San Francisco.

Children and Youth Services is a coordinating agency for community-based children in youth service

projects in San Francisco. The project which we coordinate offers a separate need from, but parallel to, the established Juvenile Justice Probation system. They include a day-care center supported by the parents themselves with help from local foundations and U.C. In emergency, Foster Home Placement Project locates short-term foster care for children awaiting court action who would otherwise have to stay in Juvenile Hall at a 24-hour runaway counseling program. I am not a professional in a sense of having graduate degrees in the Social Sciences; but I have had many years of experience in operating programs for children and youth. I was a director of the Hoskins Home which offered long-term residential care as an alternative to the county branches of the California Youth Authority. I am now working to organize and fund another alternative group home and a 24-hour crisis center.

I want to begin by telling you about the kinds of runaway kids that we work with in the minority communities of San Francisco. Many people believe that runaways are all white, middle-class kids who are running from emotional problems in their homes

to a hip or drug-based lifestyle. They do not realize that there are many central city minority runaways. These kids have often run away from foster homes or institutions where they have been placed by juvenile courts. Running from a court-order placement is the equivalent of committing a crime. So these runaways are in danger of being committed to institutions for delinquents, including the Youth Authority. Once in the court system they are promoted from 600 (neglected), to 601 (beyond control), to 602 (delinquent), without ever committing a crime.

Here is a story in her own words of one of the girls we have been trying to help or work with:

MISS LA VERNE BROWN: My name is LaVerne Brown, Post Street Academy, Children and Youth Services Agency. I am a 15-year old girl who ran away. I have been classified as a habitual runaway since the age of 14. When you run away, you usually have a good reason for doing so. Mine, always was my father. He used to beat me leaving me with black eyes for putting on a little bit of makeup, for reading comic books and other books he didn't like, for listening to rock-and-roll music, etc. I didn't have any

privacy...he ripped up my books, cut off my radio, and threw away my makeup. So my only solution was to run away and to try and find something better. Only when you are on the run...nothing is better! I used to spend all day walking around. At nights I slept in gas stations, Greyhound stations and old abandoned cars. I would go for days without eating. At nights I'd freeze or I would be so scared I would stay awake all night being on the lookout for strangers. If you were lucky enough to get a place to stay, it would usually be a guy's house...and that's not too good either to stay alone with him. People wonder why you don't ask your probation officer or someone for help. I tried this the last time when I was having problems with my foster brother who used to try and molest me. I told my probation officer I wanted another placement and she told me I didn't have enough reasons. So I started spending less time at home. I had an appointment with her...I called her and she said to be there in the afternoon because she was going to book me for "beyond parental control." I started to ask for her help and she refused me. So I packed my bags and split. By the

way, this foster home I'm on the run from is my second placement. My first placement was at the Convent of Good Shepherd. The girls are locked up like in reform schools. I talked to my P.O. about a month ago and found that my next placement is the California Youth Authority. Being a runaway is no fun whatsoever. The only time you do it is when you are near the point of desperation and there is no one to help...not the probation officers, judges, or anyone. Then when they do catch you, they lock you up because you are a delinquent. I've been lucky...the people that care about youth have cared for me. I now have a place to stay...I go to school, I'm looking for a job, and I'm still a runaway. So you see a runaway can do right; all they need is someone who understands and cares enough to give a hand. I needed that, and I got it. There are many other runaways that are out in the street...hungry, cold and sick, because not enough people care enough to try to understand and help.

CHAIRMAN DYMALLY: Let me ask you, how did you get this last placement in which you find yourself very happy with now?

MISS BROWN: Well, you see I am reading this for the other girl...I'm not a runaway.

MRS. HOSKINS: But the runaway is in the room right now listening to all of you. She is currently intending to go back into the court system and plead her case as far as being responsible enough to not go into Youth Authority. This is the second offense.

CHAIRMAN DYMALLY: You will place her someplace else?

MRS. HOSKINS: She is in a placement and she will be going to court shortly to try to rectify her running away.

CHAIRMAN DYMALLY: Who will represent her at court?

MRS. HOSKINS: A staff of lawyers and people that are concerned about her in the community.

CHAIRMAN DYMALLY: And she is now happily placed according to her own testimony?

MRS. HOSKINS: Right. As this story shows, the runaway kids we know are especially frightened to contact any official agency for help because the justice system has labeled them as criminals and will treat them as criminals if they do turn themselves in. Unless they can get some help without

taking this risk, they will stay on the street, move in with an older man or perhaps be forced into prostitution or dealing with drugs.

The only solution other than locking up these kids is to make possible the creation and survival of community-based groups. This is what I am asking the legislators to do--the first thing which is needed is clear legal authority to help these children without having to be immediately or having to contact foster parents, police or juvenile court. We cannot help kids who do not trust us because they will not come to us. We must guarantee them trust. If a person or agency is being truly helpful, they should not be threatened with prosecution for contributing to the delinquency of a minor or for harboring a runaway. We believe today that we can legally give advice and counseling to runaways, but we cannot provide them with a place to stay overnight unless they agree to contact their parents or police. So unless the matter can be resolved the same day they come in, they must go back to the streets at the end of the day. We need some clear authority to provide shelter, as well as counseling for at least

a short period of time. In return of course, we would accept a licensing system which would reasonably assure our responsibility...I will discuss that in a moment.

Secondly, we need funding from public sources. We cannot pay feed money so it isn't easy from foundations, but not for permanent operation. When kids are placed with us by the Juvenile Court, we can supply shelter and services on a contract basis; but it doesn't keep the runaway...for that we need a more general type of funding which does not require us to report the identity of each client.

Finally, the funding should be made available under fiscal control which can be managed by a small community-based operation. A Group Home is a home for up to six kids with a small staff. You cannot operate under the same requirements as a large institution where we spend all our time filling out forms.

The third necessity is a rational licensing system. We understand that officially agencies must have a way to make sure that we have responsible and experienced workers, and the shelter or Group Home is reasonably safe. But we believe our experience

as street workers with youth is at least as important as college and professional degrees.

Today, we must locate professionals who will agree to volunteer their time to our programs. To have an effective Group Home we have to have a MSW, a psychiatrist and professional staff. These resources are very difficult to find, especially since we want to have minority professionals whenever possible. We need funding and licensing laws which recognize our own experience and skills as street workers. Even though we do not have professional degrees or any professional background, we have effectively worked with the situation. We need licensing laws to allow us the youth homes which are available to us in the communities without spending thousands of dollars for building more institutions. Please remember that one of the alternatives is living in the streets under the most unsafe and unreasonable circumstances.

CHAIRMAN DYMALLY: By whom are you funded now?

MRS. HOSKINS: We are on a volunteer basis. We've been working on this for the last seven years.

CHAIRMAN DYMALLY: Thank you very much for your testimony. We have with us the distinguished Senator from San Francisco County, Senator Milton Marks, Vice Chairman of the Committee. We also have with us

a surprise visitor, Sheriff Hongisto, who will now testify.

SHERIFF HONGISTO: Thank you for inviting me here today. I wanted to make two basic points to you. One, is to reaffirm much of what has already been said here today regarding Section 601 of the Welfare and Institutions Code, and the importance of training provisions for people who want to help runaways which would allow them to do so without placing themselves in jeopardy of criminal prosecution.

I was working as an employee member of the San Francisco Police Department from 1960 to 1970. During that time I had the opportunity to work in the Police Community Relations Unit and for several years in the Haight Ashbury district, particularly from about 1967 to 1969-1970. During that time, I had the opportunity to deal with many, many young people who had left their homes illegally and came to San Francisco in search of the "land of milk and honey". Unfortunately, they found something else once they got here. Many of them wanted to return home but felt that there was no way they could do it other than surrendering themselves to the police. So they ended up wandering around

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San Francisco destitute, penniless, without any way to earn any money, without a place to stay, etc. At that time many good citizens came forward to try to help the young people out; to give them homes, to give them counseling and to talk them into going back home or to doing something with their life which would be constructive. All of those people who did this, placed themselves in jeopardy of criminal prosecution. Many of them did it anyway, as they cared so much for the children that they took those risks. It seems that time has passed...the Haight Ashbury isn't as populated as it was by as many thousands of people, young people, that have run away from home. But in fact, the problem remains. It is just as true today that there are young people that are running away from home, getting into all kinds of problems, that want some way to either go back home or to do something to adjust themselves other than being booked, arrested, prosecuted as it were, and incarcerated in some kind of institution. I think much can be done in this area very constructively. It still needs to be done. Just the other day, I got an anonymous call at my house from a citizen who told me one of my employees, a deputy sheriff,

whose child had run away from home and they knew where the child was, and they wanted to do something constructive and try to talk the kid into going home or giving himself up or somehow straighten out the mess he was in...he often had been involved in crime. They didn't know how to do it...they were afraid to even talk to the kid because they were afraid that if they did, they would be arrested for harboring a runaway and delinquent. These kinds of problems exist--suffice to say that in the end, we did get the child to do the right thing. But all along the way, groups of people and individuals feel reluctant and afraid to approach the children, and the children feel afraid to approach law enforcement agencies. They refuse to do that... the end result is a sort of a standoff where these kids get out there, the outside world...they run away, they find it is not what they thought it was, they are sorry, they want to go back home or they want to make some kind of adjustment and every step of the law stops that from happening. It stops the adults from helping them, and it also stops the children from going to the agencies because they simply don't trust or have enough positive feelings towards the law

enforcement agencies to do that. So I think that we need a whole type of change in this area in terms of development of community-based institutions and in terms of finding ways of allowing people who want to be in these kind of helping situations to do it. I see here very much of a parallel between what is happening with the youth and what is happening with the adults. We draw very arbitrary lines in that at a certain point a child becomes an adult, etc. But in fact, in my county jail system most of the people are very young. Many of them are just 18, 19, 20 or 21...very, very young; in fact, outside of the population of skid-row inebriates that habitually come to our jail, most of the people are under 25 or 30 inside the jail, and just slightly across that line, at which point they are called an adult. I have a strong feeling that it has been well evidenced that the county jail system is not very efficient in rehabilitating people or even deterring them from crime. In a very similar way, institutions for youth seem to be a lot to be desired. Probably the most successful grouping of people, the social organization of people in rehabilitating criminals in San Francisco

right now, is a group called the DeLancey Street Foundation which is self-supporting, made up of primarily ex-convicts, etc., that are trying to wrestle with their own problems and straighten themselves out and they seem to do it very well without costing the taxpayers anything. The only problem they are having right now is a little argument with the city over whether or not the building they occupy belongs in a residential area. Other than that, they are doing quite well.

In a similar way, I think we need to think about the development of institutions to deal with people under 18 who are similarly self-supporting, self-organized, or at least organized by helping adults... instead of criminalizing, labeling young people's records, etc.

So I want to say in the end that we see the needs of young people as being so different than the needs of adults; in fact, it is a very arbitrary line. I think one of the areas we need to work in the most for children, for young people, is very connected with concerns of the adults; and this is the area of jobs. Many young people just before they

are leaving high school and if they are reaching the age at which they leave high school, start dropping out of high school because they have no specific goals...they can't see how school and activities in school are tied into jobs or some meaningful kind of pursuit or activity which is going to reward them, give them a slice of the pie or a piece of the mainstream of our life. This kind of need, this kind of concern is just the same as any middle-aged man who wants to support his wife and children. We need to delve more in this whole area of getting kids in school and involved in the kinds of programs that first, show them goals, show them opportunities for some kind of meaningful profession or occupation...this gets them organized, gets them interested in it, and helps them to work directly towards those goals. It is one of the areas in which we are very weak...that is one of the reasons why kids drop out of school, and the fact that they never get those jobs is one of the reasons why they steal for even minor amounts of money, and why they also turn to drugs and other things like that. They are bored, have frustrations, anxieties...nothing to do. I think that jobs would do

a lot to solve some of our problems in the area which we are very, very weak.

CHAIRMAN DYMALLY: Thank you very, very much for coming, I appreciate it. Our next witness is Mrs. Shirley.

MRS. BARBARA SHIRLEY: My name is Barbara Shirley. I am here representing the Community Services Project of Fountain Valley, California. This is in Orange County. We are one of the receiving counties in the runaway problem because we are a beach community...we have the problem of the young people coming to Orange County and sleeping on the beach.

The Community Services Project is a joint effort of the county and cities. We have two cities that are participating in this project. It started out as a county effort as a Diversion Program and then received the attention of the Youth Development Delinquent Prevention Administration, which then funded us, and in turn we have been able to work with the communities of Placentia and Fountain Valley in helping local groups develop their own programs for youth. Out of our work in the City of Fountain Valley, a group of youth service workers representing the police, the probation department,

welfare department, health department, youth employment, service people, youth themselves, gathered in what we called a quad-city group which consisted of the Cities of Garden Grove, Westminster, Fountain Valley and Huntington Beach. Out of their sharing of concerns grew the overriding problem of providing some facility for the runaway and also for a crisis intervention facility. We were hearing from the police departments, the probation people and the school people that they know when children are going to split, but they really have no way of directing them to some other facility or whatever, in order to help them so that we can reunite families. This group has been working now for a year. Our goal is hopefully something like FOCUS, which you heard about this morning. We gave our dream the name "Ampara", which is Spanish for we feel a "safe place". This is what the police asked for, it is what many of the people in the community asked for--a safe place for young people who are not involved in any criminal activity as yet.

We are concerned with statistics on the runaways as they don't always reflect the total number involved simply because young people are arrested for the most serious offense and runaway may be merely a part of that.

Our concern is to reunite families...to do the same thing that has been discussed here this morning. The recommendations that the group has made...they have been concerned about national legislation to establish a reciprocal age of majority so that a runaway is a runaway all over the country. By the way, they were concerned because I think hot lines were mentioned this morning...it is the feeling of our group that hot lines are really warm lines, they are not being used by the kids; they are being used by parents.

One of the recommendations of course is to strengthen Preventative Services, and we feel very fortunate that in both Fountain Valley and Placentia we have a program called "Alternate Routes", where community youth counselors do serve in this role of receiving youngsters just prior to the entry into the Juvenile Justice system; but we do feel that all kinds of preventative services could be strengthened.

In response to Mr. Carmany's comments this morning, about schools, we found that schools are very concerned; the schools do want to be involved. As a private citizen, I'm on the school board of the Garden Grove Unified School District so I can vouch for that personally. We

are extremely concerned that school counselors are crying for community resources. School counselors in our district face a 600 to 1 ratio. It is very difficult to do the kind of family-involved activities that they would like to do. So we are concerned that youth employment opportunities be increased, noting that the minimum wage has been raised, it creates another stumbling block perhaps for youth employment. We are also hoping that parent training, parent effectiveness classes, parent education of all kinds, should be increased.

CHAIRMAN DYMALLY: Senator Marks, you had a question?

SENATOR MARKS: I don't want to interrupt your trend of thought, but you are talking about preventative; in your studies what are the primary reasons for runaways? There must be two or three that are the primary reasons?

MRS. SHIRLEY: I think as has been mentioned here this morning already, the biggest thing seems to be a family situation where they simply are coming to loggerheads...the mother, father, and the child are simply not communicating. I think this has been the primary reason that we have been given. The family has

the situation...the gentleman who testified for the police said that they come to the station and say, "here he is, I can't hack it...you take him." We have found that many times the community youth counselors have intervened in those cases and think they can talk together and work it out, but these youngsters who are faced with this home situation... I think that for many the frustration of jobs, schooling, the failure syndrome...all of these things play a part.

SENATOR MARKS: You help people who you find in your facility, do you find that there are a lot of people who come back a number of times? Do they run away and then they return, and then they run away again?

MRS. SHIRLEY: Now this I'm not qualified really to speak to. As I understand it the recidivism rate is quite low. They do feel that they have been successful. However, Orange County does not have any real residential facility...and this is of course arguing that we could provide for this kind of a facility. And this would be our final recommendation that there would be some way for funding and providing for a community-based facility. This was mentioned here before I believe by Mrs. Reid.

We do not want to disrupt the child's lifestyle. We want him to stay in school. We say there are dropouts; California says you can't drop out of school. You either have to be 18 years old or you get placed somewhere. So the dropout is sort of a myth that is a reality. But at the same time if we could provide facilities in the community where a youngster who has been identified either by his school counselors, by the police, or whatever, as needing this kind of intervention; but that he could be placed where it is safe, where he can stay in school and he can have the kind of help that he needs from counselors, from peer counseling, from whatever kind of treatment can be arranged on an individual basis.

CHAIRMAN DYMALLY: Mrs. Shirley, you may have mentioned this, but I missed it...by whom are you funded?

MRS. SHIRLEY: Currently, by Youth Development Delinquent Prevention Administration and the County of Orange.

CHAIRMAN DYMALLY: How many projects are there like yours in Orange County?

MRS. SHIRLEY: Well, Orange County is the national suburban model for YDDPA in developing youth service systems, and we have two cities participating. About 14 of the 25 Orange County cities indicated an interest...it is a 3-year pilot program due to run out in August.

CHAIRMAN DYMALLY: Thank you very much. Let us take our final witness before the lunch break, Mr. Alvin Martin.

MR. MARTIN: Thank you, Mr. Chairman. My name is Alvin Martin and I am the National Field Representative for Big Brothers of America. Our home base is Philadelphia, Pennsylvania. I am the National Field Representative for the Western Region.

Here in the State of California, we have approximately 20 agencies ranging from San Diego to Eureka, California. Each one of these agencies are located in counties and they have satellite offices surrounding the various counties.

I would like to speak briefly in regard to what our program is. The Big Brothers Program is unique in the field of social work in that it uses volunteer personnel to work directly in a one-man, one-boy relationship to meet the needs of a youngster

in trouble. Not every boy can be helped through a Big Brother program; but many can. In order to determine where a Big Brother can be used most effectively, it is necessary to look at the type of boys who can be helped. A boy in trouble is a very broad term. Although the Big Brother program has been associated fairly widely with delinquent boys, it does not necessarily restrict itself to helping delinquent youngsters. First of all, delinquency is a legal term utilized by the courts in an official finding where a boy has committed some offense which by its nature would be considered criminal if the boy were not a juvenile offender. Delinquency therefore, involves the breaking of laws which ordinarily are punishable by statute. The term pre-delinquent is widely used to describe youngsters with behavioral problems which tends towards a delinquency, but does not quite meet the requirements for the technical finding of delinquency. This latter category may include such behavior as disobedience or disrespect for a mother, and truancy and conduct disturbances in the school. For the sake of clarity, both delinquency and pre-delinquent problems may be grouped

under a general heading of behavioral disorders. There are other problems just as serious as behavioral difficulties which many young people face but which do not have the overt characteristics of the behavioral problem. These may be grouped under broad headings and for the sake of distinction, we shall call personality disorders. Here the boy's behavior does not grossly attract the attention of society as he fits into it. Rather than acting out his problems, the boy in this category internalizes his conflicts. He is usually shy and a withdrawing youngster who everyone considers a good boy. Some think of him as being bashful...closer observation reveals almost a total lack of aggression. There may be prevalent such characteristics as avoidance of competition in group activities of a very simple form of organized recreation, fears of an unrealistic nature, such as fear of dark or high places, elevators, and other neurotic symptoms such as, enuresis, severe thumb-sucking, and nightmares. Very broadly then, the problems of young people may be grouped into two main categories--behavioral and personality difficulties.

Disturbance and basic interrelationships is one of the main reasons of insecurity in a youngster, whether it takes the form of his acting out or takes the form of his internalizing his conflicts. For normal growth a youngster needs to have adequate identification and a subsequent normal relationship with both a man and a woman. The mother and father usually fulfill his basic needs. The mother's relationship sets the groundwork for all other relationships. Identification with the father is important in laying a solid foundation in helping a youngster translate his attitudes in the home to his attitudes toward society. Although a boy's need for a father remains pretty much constant throughout his life, there are two general periods of development where the need is more apparent...during latency--roughly from the ages of 7 to 12, and during adolescence. The transition from home to society is very gradual, since the experiences a youngster has in his adjustment outside the home are initially very confined. It usually does not become too apparent how well a boy is able to handle his aggressive feelings in a healthy way until he enters preschool or primer-grade activity.

This is usually the first time that the youngster's adjustment in the home is tested in relation to adjustment to society. In this case, the society for the most part is represented by little boys and girls his own age. If he has learned to handle his aggressive feelings adequately, he will fit into the society very nicely, but neither threatening or threatened. A good adjustment then is usually demonstrated through his ability to play and mix with other children without fear. To a child, a man is the symbol of society...and the father's role is particularly important in the formulation of attitudes towards society reflected in personality and character at this point in the child's development. At adolescence a youngster faces another crisis. The physical changes that he undergoes have their emotional counterparts. He is literally beginning his manhood...and it is important that he have an ideal from whom he can incorporate qualities of character and personality which will equip him for the responsibilities of a mature person. If a youngster doesn't have an important man in his life, it will undoubtedly affect his emotional developments. Fortunately, in many situations where

the father is missing through death, desertion or divorce, the boy is able to find the ideal he needs either through a relative, a teacher, a minister, a priest, an interested male neighbor, or some other man in the community; and especially in such a set of circumstances, the child finds his own Big Brother. The presence of a man in the home does not necessarily mean that a boy's need for male identification is being met...for example, his father may be fulfilling the role of a father, but because of physical inadequacy such as a chronic illness or an emotional inadequacy also has need for a strong, unfilled dependency in his own personality. It is to the boy reacting to the need for a father substitute that the Big Brother program is directed.

CHAIRMAN DYMALLY: Mr. Martin, is there a counterpart...Big Sisters?

MR. MARTIN: Yes, there is, sir...and we have approximately 43 agencies affiliated with us, and I would like to address my next paper to this.

We have found that there are two types of runaway children: (a) the youngster who is striving to seek autonomy and self-expression; (b) the youngster

because of his strenuous environment escapes out of frustration. The youngster-(a), considers he can run away because his parents are against his own behavior or is striving towards his autonomy, and he could leave because he feels he is capable of surviving in the world. Youngster-(b), we found would run away primarily because of fear, and we feel he has no sense of direction. His problems or her problems are more severe and deeply-rooted. We have identified these youngsters in homes where there is only one parent; particularly the matriarchal home...the home style where the youngster-(b) would most come from.

I'm speaking primarily of the runaway boy; however, we have agencies, as I spoke about, 43 nationally affiliated with us, who do in fact work with Little Sisters. And the same social promise holds true in these same cases. We found that this youngster-(b), he or she, they are the ones who because of their delinquent behavior in society comes to the attention of the Juvenile Justice system and to other social service agencies. We also have found that removal from his or her home environment

does not in itself rectify the situation...neither placement in other physical institutions within themselves service their particular needs. What we do find is that we do offer any residential or physical holding establishment our services, which mainly is a one-to-one relationship with a volunteer adult male. Where there are dual agencies, we offer a volunteer female. We would provide either services on a contractual basis with any social or public agencies.

CHAIRMAN DYMALLY: Thank you, Mr. Martin. We will recess for lunch now and reconvene this afternoon, and our first witness will be Professor Klingelhofer of the California State University, Sacramento.

LUNCH RECESS

AFTERNOON SESSION

CHAIRMAN DYMALLY: The Select Committee on Children and Youth will come to order. Our first witness this afternoon is Professor Klingelhofer. Please give your full name and affiliation for the record.

PROFESSOR KLINGELHOFFER: My name is Ed Klingelhofer. I'm on the faculty of the California State University, Sacramento. Knowing that I was planning to be here and for other reasons, I was asked by the Chairman of the Runaway House Committee of the Community Services Planning Council, Inc., in Sacramento, to read a statement from them into the record, and I shall do that now.

The Community Services Planning Council, Inc., of Sacramento, has established a committee to help bring about the establishment of a crisis center and shelter for runaway youth. Following is a brief description of the project that is being undertaken:

CONCEPT Most youth who run away are trying to communicate that they need help. Most do not

wish to remain alienated from their parents but have been unable to communicate with them. The proposed service is conceived as the most effective means of using the crisis to help bring parents and youth together to solve their common problem. When this is not feasible, the center will seek to find alternative resources which can provide the next best living arrangement.

PROJECT GOALS The goals of the project are to provide a resource for alienated youth where they can get help in sorting out their problems in order to perceive them more clearly and to resolve them within their own community.

To provide a safe shelter during the crisis period.

To provide a neutral setting to work with parents and youth to facilitate better communication between them.

To provide follow-up services which will assist communication with school or other agencies where barriers and special problems have developed, and to provide assistance with special problems--employment, drugs, alcohol, human sexuality, value clarification, etc.,

and in these instances, will be referred to sources of help.

EXTENT OF THE PROBLEM IN SACRAMENTO There were over 4,000 runaway youth reported to the City Police and County Sheriff last year. Juvenile Hall booked in 1,250 last year. There are a few self-referrals to the police, sheriff, or directly to Juvenile Hall. The Sacramento Police Youth Services Division reports that intervention by police most often occurs when a youngster is picked up for another violation or suspicious activity, and all school age youth found out of school during the day are checked through the reported runaway file, or in other cases there may be a report where someone is turned in by some interested or perhaps an interventive party.

The committee is requesting your help in securing enabling legislation and funding for support of efforts such as ours to find alternatives that prevent unnecessary involvement in the justice system and the many subsequent problems arising from this.

That constitutes the statement, and I think that I am not qualified to answer any questions, so

I thank you for your indulgence.

CHAIRMAN DYMALLY: Thank you very much, Professor. Our next witness is Brian Slattery.

MR. SLATTERY: Good afternoon. I'm Brian Slattery, and I am one of the Co-Directors of Youth Advocates here in San Francisco. Youth Advocates is a nonprofit corporation that operates Huckleberry House and three other youth service programs, which together form an alternative system of comprehensive youth services.

Youth Advocates is four years old now. It was incorporated when Huckleberry's for Runaways expanded its services and became a youth resource center in 1969. Its programs are funded by federal and local government agencies, private foundations, United Crusade, and individual donations.

Huckleberry House remains our crisis center where young people come who want services right now. It is the largest component in the system. It is open 24 hours a day, 7 days a week, maintains a crisis phone line for information and resources around the clock, and provides all of its services any time, day or night.

Huckleberry remains the only licensed crisis housing for teenagers in San Francisco that is available 24 hours, for free; and it operates independently of the police and the courts. To stay there, a teenager usually must get permission from a parent or guardian. There are six beds for housing teenagers in crisis for up to a maximum of 30 days. Complete medical, legal, foster placement, individual...group and family counseling services are available to teenagers while staying at Huckleberry.

At the time that Huckleberry was being designed, which was early in 1967, there was no working model of how to deal with runaways and other young "offenders", except for the Juvenile Court system. There were no runaway houses, hotlines, or drop-in centers, and very little understanding of teenagers in crisis. Since 1964, the first year that the FBI released national statistics, the number of runaways arrested across the country has been surging higher and higher-- 70,000, 90,000, and then over 100,000 in 1968. That year, more than a 1/4 of the young people called before juvenile courts were status offenders. This simply meant that they were arrested for behavior,

which is not illegal for those of age 18 and older. By 1967 eleven percent of the young people under 18 in America were labeled delinquent. Runaways were the most visible and numerous of these criminals. Best estimates are that over one million teenagers will run away from their homes this year and make themselves vulnerable to arrest and detention by the Juvenile Justice system--a process which social scientists have shown to be more likely to result in additional delinquent acts than no intervention at all. Because of their legislatively created status as "outlaws", too many runaway teenagers will also become vulnerable to exploitation and abuse because they know that to seek police protection would lead to their own arrest and detention.

Huckleberry's for Runaways opened June 18, 1967. It offered the first crisis housing for runaways, though other centers were started within a year, and five years later there were almost a hundred similar services sprung up by community groups throughout the country. Today, there are well over 200 such programs that we know of.

In the last year we had 559 teenage clients voluntarily interviewed at Huckleberry's here in

San Francisco. Over 4,000 teenagers have used our services since 1967, most of whom were runaways at the time they voluntarily sought our services. The 559 teenagers who came last year ranged in age from 12 to 18, with two-thirds of them being either 15 or 16. The majority, 62% come from homes in the San Francisco Bay area, and most of the rest from other parts of California, although a few are from out-of-state...58% were females and 42% males. Reflecting the makeup of the staff, the majority of our clients are white, 70%; with Third World clients being 13% Black, 11% Latino/Chicano, and the remaining 7% primarily Chinese.

Probably the most significant statistic I have to share is that 66% of our clients come on their own, or at the suggestion of friends or family. Only 13% were referred by schools, 6% by police or courts, and 9% by other social agencies in the city. We feel that this demonstrates that you don't have to arrest young people and forcibly divert them to youth services in order to resolve family, school or personal problems if the services are made available to them in a way they can know and trust.

Of the teenagers housed at Huckleberry's, 75% stay for an average of less than one week and voluntarily go from Huck's back to their parents, relatives, or to recognized placements. The other 25% return to the community...some deciding not to use our services, some to continue to travel, and others to become self-supporting.

The experiences of 4,000 teenagers at Huckleberry's who used housing, counseling, legal and medical services responsibly in an agency they can trust to respect their decisions and right to confidentiality are multiplied throughout the state and nation in alternative youth service centers today

We feel that if the Legislature removes the obstacles to services created by Section 601 of the Welfare and Institutions Code which subjects runaways to arrest, more and more teenagers will be free to act responsibly to resolve their family, social and personal problems. The overly burdened and highly ineffective Juvenile Justice system could then focus its limited resources to provide services to offenders incarcerated under Section 602 of the Welfare and

Institutions Code for acts which are crimes when committed by anyone. We ask that you as lawmakers, take the initiative by rescinding Section 601 to allow young people with problems so overwhelming that they feel compelled to run away to get the necessary services in relief and to assist them in resolving their conflicts, while at the same time allowing our police to concentrate on protecting our communities from serious crime. You can facilitate young people's access to services by affirmatively acknowledging their right to choice of services and treatment in community programs as you have already done in the limited instances of minors who are pregnant or who have communicable diseases. You can support the staffs and volunteers of these youth services in maintaining the trust of young people by guaranteeing the confidentiality of our relationships with clients as the federal government has already done with drug treatment agencies nationwide. Your protection of young people's rights to treatment could also aid programs like Huckleberry's to provide services to those teenagers whose parents refuse to consent to even temporary housing and therefore deny 15% of the

550 kids who come each year even a temporary sanctuary in which to find constructive ways to resolve their conflicts.

CHAIRMAN DYMALLY: Thank you very much.
Senator Rodda, do you have a question?

SENATOR RODDA: Mr. Slattery, did you follow the legislation when it was under consideration... the legislation that repeals Section 601, or to modify...did you follow that, or were you involved in that?

MR. SLATTERY: I wasn't actually involved, I've been pretty interested in it for several years now. I've been working primarily with kids who are 601 status. I'm aware of the Assembly study, the Los Angeles County judges recommendations.

SENATOR RODDA: In view of the fact that there was so much support for the concept, how do you account for its failure...there must have been some opposition... and what was the nature of the opposition? Was it lack of the capability of coping with the problem of the child falling into this category because of the state to provide alternative institutions, alternative types of care?

MR. SLATTERY: I was wondering about that at lunchtime...what is the opposition to the repeal of 601? I don't understand what it is unless there is some deep-seated fear that we might be then causing kids to run away or somehow breaking down American families?

SENATOR RODDA: Senator Dymally, I think this would go before the Judiciary Committee, and in our House there is not one lay person on the Judiciary Committee. You have to be an attorney to qualify for membership on that prestigious and powerful committee.

CHAIRMAN DYMALLY: And yet the lawyers dominate the Education Committee! (laughter from audience)

SENATOR RODDA: That's right, because they are the majority. But the point is when we normally consider legislation, there is the opposition testimony. So somewhere there must be substitute opposition to this concept...it has been two or three years since this effort was made so it may have changed the climate under which the Legislature will or may consider that proposal. What is your opinion?

CHAIRMAN DYMALLY: Well, what I think we gathered yesterday on child abuse, and today, of course, that law enforcement believes that if you eliminate or decriminalize that Section, then you make it too permissive. I think that's been the fear.

MR. SLATTERY: What that fails to take into account is the fact that runaway kids just like you and I...should they panhandle, be vagrants, sleep in the streets, rob poor merchants...can be and should (if the police are doing their job) be apprehended on those offenses? And omitting 601 would not in anyway impinge upon the police right to apprehend and arrest youngsters committing acts which are crimes.

SENATOR RODDA: May I make this comment...that is what I had in the back of my mind as an explanation for the failure of the legislation. Yet, we had two gentlemen, one from San Joaquin County today, and one from Santa Clara County, both in their testimony indicating what I thought, what I interpreted to be some constructive views on this problem...maybe I misinterpreted it?

MR. SLATTERY: No, I feel that the diversion policies as recommended by the police are definitely

a step in the right direction, and preferable to the present system. However, I don't understand why the same police who consistently, as do the people working with youth, say it is not a police problem. They won't cut loose of the basic policy of the apprehension and arrest in order to make the diversion.

SENATOR RODDA: That's why my question which I phrased was the answer--the absence of a meaningful or viable alternative.

MR. SLATTERY: But there are meaningful and viable alternatives.

SENATOR RODDA: Yes, they are developing.

CHAIRMAN DYMALLY: The problem with those alternatives, though, they are community-based and voluntarily funded mostly in the urban centers. And as Sgt. Markle mentioned, in the rural counties they have no alternatives but the Juvenile Hall. So we have to look at that problem, and the state and federal government indeed have to begin to look at this problem in terms of the fiscal responsibility that we have to local government and to community volunteer agencies such as yours, Mr. Slattery.

MR. SLATTERY: We're going to have to balance though I think against our knowledge from sources, from

Allen Breed, Director of Youth Authority, and throughout the state, that the very systems which we are keeping them in is the most likely system to put them into a life of delinquency. I think the risk of them not receiving needed services is certainly there--601 rescinded; and there would be a time lag between rescinding it and when there would be enough services in the interim. Juvenile Hall isn't helping any runaways anyway. We would at least save some tax money.

CHAIRMAN DYMALLY: Thank you very much. If you can prove to the Legislature they could save some money by giving up something, then I am quite sure that you might get your bill out. Dr. Bolter is our next witness.

DR. ARTHUR BOLTER: My name is Dr. Arthur Bolter. I am Chairman of the Youth Committee of the Northern California Chapter of the American Academy of Pediatrics. I don't represent any particular program that is talking about funding, but pediatricians have long been recognized as individuals interested in the health and welfare of children and youth. This interest would naturally extend to the concern over the growing problem of runaway children.

I'm pleased to have the opportunity to share with you some of the feelings of the Youth Committee of the Northern California Chapter of the American Academy of Pediatrics in regard to this problem. Most of our feelings have already been discussed today, but I would like to just emphasize a few points.

It has been nationally reported that thousands of American children run away from homes, schools, and institutions. We also must realize that statistics can be very misleading because many runaways do not become statistics, i.e., they are found by their family or friends, or come home on their own. We as physicians are frequently called upon to help and provide another resource for families in trouble. We see adolescent runaways as divided into two groups--one, the smaller group that exhibits the serious individual or family problem. Then there is the larger group that is responding in a particular way to their common adolescent problems. The first group is now considered a real behavior disorder with a psychiatric diagnosis--runaway reaction of childhood or adolescence. This diagnosis can be defined as individuals that characteristically escape from

threatening situations by running away from home for a day or more without permission. Typically, they are immature, timid, rejected at home, inadequate and friendless. The second or larger group are those young people who are having difficulty with parents, school or peers, and react by running away as a means of coping with the problems that are common to most all of the teenagers.

In dealing with the problem of runaways, we, as physicians, are confronted with a number of frustrations. We see a serious lack of resources for families in trouble. The availability of competent crisis intervention facilities must be expanded. All too often as we heard today, the only way a family can get help is after the young person becomes involved with the criminal justice system. We also do not see the runaway child as a criminal.

There should be many more resources such as the shelters that have been described today, available to young people seeking help without getting involved with the law. However, these shelters should be adequately supported and staffed so that they get good quality social and medical care. And we have to

bear in mind, and particularly from our point of view, that some of these young people run away because they have physical problems which they are not able to cope with and that are not adequately taken care of. We would like to see good medical involvement in some of these shelters and for some of these problems.

We definitely do support this concept of using nonprofessionals to staff these facilities. Anyone who has worked with young people realize that the most successful programs dealing with young people are those that use youth-to-youth staff, peer groups, nonprofessional and paraprofessional people. So it is not necessary to be heavily weighted with individuals with degrees.

Better school programs which was briefly alluded to, I think are very important. They have to provide meaningful vocational training. They must be able to provide the young person with something that is going to show him a goal and not just window dressing.

There should be more forms of peer and family relations educational programs. Developing these certainly will be helpful in helping the adolescents

cope with his developing problems.

Effective treatment in some cases requires foster home placement. Unfortunately, again, good quality foster homes for teenagers are much too scarce.

The problem of runaways is a complex one and there is obviously no simple solution. All the fields such as education, medicine, law and social work, have to cooperate and coordinate their activities to help the young person and his or her family when trouble appears.

We, with the Academy of Pediatrics, are certainly willing to be available to help in anyway we can.

CHAIRMAN DYMALLY: Thank you very much, doctor. We have three members whom I did not introduce with the Advisory Task Force who are with us...Mrs. Charlene Smith, Mary Charles and Shirley Shore.

Let us hear from Davis--Mr. Downs and Mr. Baron.

MR. LEROY DOWNS: My name is Leroy Downs. I'm a Supervising Probation Officer with the Sacramento County Probation Department in charge of the 601 Diversion or Family Crisis Intervention Experiment.

MR. ROGER BARON: I'm Roger Baron, Legal Consultant for the Center on Administration for Criminal Justice at Davis, Coordinator of the Sacramento Diversion Program.

MR. DOWNS: If I may, make some comments on some of the things that I have heard so far today--I am personally concerned with the either/or observation that seems to be laid out regarding the 601. I find it difficult to believe that a child who is in such pain, frustration and anger that he or she has to leave his home, isn't in any kind of emotional state to make any kind of life decision on his own. And I feel very strongly that this removal of this statute, that is 601, from the hands of law enforcement without alternatives, as Senator Rodda has referred to, is to me of concern. I personally believe that with our project here we have demonstrated a means of offering a service to the family avoiding judicial intervention and records, and what I would hope that the committee would consider is the idea that possibly rather than change the statutes, change the way in which the 601 is handled once he or she is taken into custody.

CHAIRMAN DYMALLY: Would you give us some examples?

MR. DOWNS: Yes, I think I can relate them to the project that has been set up. But I have my own concern that a child that has made this kind of commitment, I can't quite relate to how this child is going to find a house in Berkeley or a house in San Francisco if he or she is so upset and so confused he has to leave his own home? How are they going to get to this service in the first place? I agree with the assumptions of community-based programs; I agree with the assumptions that if at all possible they should be voluntary and with the cooperation of the parents and the child; I find it difficult to believe you can resolve the problem between parent and child with the parent in one place and the child in another. I just don't think this would work.

We have presented the committee the research involved in the 601. There is a first year's report, second year report, and a report on the first year of the Sister Project (the 602 Diversion), which was the direct outgrowth of the 601. There is also a position paper in there that I have read and called Children's Crimes, an Alternative, which is a philosophical statement.

With those brief remarks I would like to get into my presentation of the project itself.

On October 26, 1970, Sacramento County Probation Department in conjunction with the Center on Administration of Criminal Justice at the University of California at Davis, began a project called--Preventing Delinquency through Diversion. The project was funded by the California Council of Criminal Justice. It was a project of three years. Our funding ran out October 26, this year...the Department still has the operation.

CHAIRMAN DYMALLY: Were you refunded?

MR. DOWNS: No. It was designed where you got 75% the first year, 50% the second, 25% the third...and no funding beyond that. The 602 was a direct outgrowth of the 601 and we are in our second year funding on the 602, using the same modality. But the intent of the project was to develop an alternative means of handling children's cases that fall within the provisions of Section 601, which have been alluded to many times today--"runaway, truancy beyond control, and incorrigibility."

The basic assumption of the project was that the problems between parent and child does not belong

in the hands of the court, which is required to function under its judicial model, rather than a model of casework intervention or treatment. The problem is that the child is certified incorrigible with the sustained petition of Judication of Wardship, and then the probation officers are required to work with this individual child and attempt to modify the behavior after a rather long and involved process, all of which functions on the behavior of the child and the judicial processes and the protection of the minor's rights...all of which are important; but little if any time or effort is spent during the jurisdictional portion of the probation officer's investigation and offering any kind of intervention or counseling. It's all information gathering for the court. The problem is soon compounded when you realize the fact that the child is sent into a Juvenile Justice system, detained and exposed to delinquents and all of the subtle reinforcement of delinquent identification becomes obvious as the child remains in custody and progresses through a system and has yet to have committed a crime.

It is important to note that about 40%

of any probation department's workload are cases that come within the provisions of 601. Approximately 70% of all the placements in the Sacramento County Probation Department that were analyzed in the detention study, prior to our experiment, began their juvenile court careers as 601's. The work that led to the grant proposal was done by Mr. Roger Baron from the Center of Administration of Criminal Justice. What he found was in most instances the problems facing the processing of the 601 cases--an absence of time for the intake officer to provide any kind of meaningful intervention at the point of referral, and the fact that the time the child was brought to court for the detention hearing and even after the time of dispositional hearing, very little work had been done to resolve the problems between parent and child; and the very nature of the judicial processes with all its safeguards and slow-moving, careful kind of procedures regrettably interferes with the kind of casework intervention that is best provided for a family at this time, which in our judgment is crisis intervention--at the time the child is taken into custody is the time you are going to get the most work done with that child and with his or her family.

The project contains certain features that we believe to be very unique and important:

1. Immediate and intensive handling of the case, rather than piecemeal and adjudication.
2. Avoiding the compartmentalizing of services at his intake or supervision. It carries different labels and different jurisdictions, but in essence different people do different things to this child until someone ultimately becomes responsible for the supervision.
3. Spending the majority of staff time at the initial stages of the case when it is in crisis rather than weeks or months later.
4. Providing special training and consultant support to probation staff.
5. Attempting to avoid entirely the formal court proceedings.
6. Attempting to avoid detention and Juvenile Hall through the use of family crisis counseling and/or alternative placements that are both temporary and voluntary.
7. A closer more effective tie with the existing resources in the community.

The design for the project calls for immediate intervention. When the child is delivered to the juvenile center as beyond control, the family is contacted immediately and every effort is made to get both parents down to the juvenile center to work on the presenting problem. The major problem we have is not the child's willingness to deal with the parent, it's the parent's concern and pain at dealing with their child who has left them. We have a tremendous amount of energy put forth to bring the parent back down here to deal with their child. As a parent they are hurt, they are angry, they are afraid the child is going to run again and they want to teach him a lesson...leave him in custody, it will straighten him out. And we had a tremendous amount of energy spent in absorbing that parental concern to bring them down to work on the problem with their child. The focus is taken off the child as an individual...and like a cameraman will pull back from the subject who is calling attention to himself or herself, focus on the family as a system, and if we can, to work on the family system rather than the individuals acting out.

I think you've heard in many different forms today that all of us have a common kind of sense that the runaway is really a symptom of a greater problem within the family and the family unit, and in order to do something about the runaway, you've got to do something about the family. And our sense of how you do something about the family, is to bring them together and work with them as a family and as a unit.

It has been found that by this method of intervention we are able to provide effective, meaningful, and immediate service at the time of crisis and still avoid detention and labeling the child as delinquent and avoid the very real stigma of Juvenile Court wardship. Briefly, on the hours of coverage we've had an experimental design for two years. Four days of the week we took cases from 9:00 a.m. to 2:00 a.m. each day. The experimental design ended approximately a year ago, and now seven days of the week we take cases. We have a team that works from 9:00 a.m. to 6:00 p.m.; another that works from 6:00 p.m. to 2:00 a.m., seven days a week. We find that we are able to in most instances bring the

families back for additional work. The program is voluntary. The family has the option of not returning. I have a concern that somehow there are those that might feel that those of us in corrections or law enforcement somehow have a tremendous need for authority. Rather, if we could take that and say that we have a tremendous concern of the welfare and safety of children and to give them full freedom without protection, is in my judgment a disservice to the welfare of the child.

I would like Mr. Baron to respond.

CHAIRMAN DYMALLY: The local Department of Probation in the scheme of things in the county fits in where...Administrative Officer? Who is your controlling agency?

MR. DOWNS: We have a Chief Probation Officer. The Probation Officer is actually an Officer of the Court. He is assigned to the Superior Court in and for the County of Sacramento, San Francisco, whatever.

CHAIRMAN DYMALLY: The last three lines of Section 601 reads: "It is within the jurisdiction of the Juvenile Court which may judge such persons to be a ward of the court." Let's try this on for

size...it is within the jurisdiction of the local Department of Probation which may judge such persons to be eligible for rehabilitative, costs and services. Could you buy that amendment?

MR. DOWNS: My sense would be that it sounds good, it would depend upon the availability of personnel within any given department to provide that kind of service. I might mention, although I think Mr. Baron will also agree, that we were the first in the country...in my sense, as I understand it, that have offered this kind of program. There have been many jurisdictions in California which have modeled our project right down to the forms. There have been visitors from out-of-state and out-of-country and I feel Mr. Baron has done a remarkable job in developing the program.

CHAIRMAN DYMALLY: Just a thought...I was thinking about the conflict between those who want to eliminate 601 and those who want to keep it...and maybe if we shift it over, take it away from the court and shift it over to the department so that the young person immediately gets placed not in Juvenile Hall, but the Probation Department finds some place for him.

MR. DOWNS: An alternative location somewhere with proper professional services available.

MR. BARON: The people we're talking about and basically what the problem and the project is all about and is trying to show, is that it is not just enough say, to change the orientation of a probation department, there are several problems involved. First of all, the way probation departments are set up now in terms of the number of cases that they have to handle, they just don't have the amount of time to do the kind of work that is needed to be done. The second point which this project got at, that even if the probation office had the time, they don't have the kind of training that is necessary to do this kind of work; in other words, to work with families. So that even getting into this project in the beginning, most probation offices prefer to have a burglary situation than a runaway; because they know a burglary gives them certain instances of facts...either did or didn't do certain things. The "runaway" means bringing the parents in...having the whole family fight go on in front of them and not really knowing what to do with it, because that kind of training doesn't really

exist. So basically one of the ideas the project was to see if probation officers could be trained to do work that formerly had been done by psychiatrists, social workers and clinical psychologists. I think this is where we feel that this has been demonstrated. And again, I think this project is unique in that it has a real experimental model built into it. In other words, a lot of projects are hard to evaluate; but what we did is that we operated four days a week on this system...three days a week the normal intake probation service operated. So the same kinds of cases went to them during the same period of time that went to us. So at the end of this year we could then compare what happened to the cases that the days they operated, and what happened to cases on the days we operated. Since we rotated days every month we controlled for this factor also. Basically, what it showed was several things in terms of being able to divert cases from court which was one of the objectives. Of initial cases that were handled approximately 20% of those cases handled by the regular intake group went to court; whereas only 3.7% of the cases that we handled went to court.

In terms of looking at informal probation, which is another way the kids are put into the system, by informally being put on probation without going to court--approximately 20% of the controlled group or the regular group went to court, as opposed to only 2% of ours. So in a sense, about 40% of the regular group got into the probation system, whereas only 6% of ours did.

The other thing is that we reduced the tension remarkably from about 55% of the kids in the control group that spent a night in Juvenile Hall as compared to about 15% of ours. The recidivism figures also showed quite a substantial reduction depending upon the kind of recidivism you are looking at, with the more serious 602 kind of recidivism showing the greatest differential.

I think another important thing is the cost factors of handling cases...since we had a control group and we could measure the costs each way, the cost figures again showed the way that we handled cases was half as expensive as the other; the other costing about \$561 a year as compared to \$274 a year.

I don't want to spend too much time on the data because it is all in the report and I know people are kind of skeptical about project claims as far as reducing cost and things, and all I can say is that we feel supported in the data and you can check this out.

CHAIRMAN DYMALLY: The reduced cost?

MR. BARON: Right. And the reason being is that again by spending, the cost of the system involves mostly all the different people involved, plus the judge time of going to court, being put on probation, being supervised over a long period of time. What we are doing is taking all this time, maybe this thirty hours that is spent over a given year on any particular runaway child, and taking this time and putting it at the very beginning point-- the time they walk into the Juvenile Hall and spending maybe 10 hours with the kid and his family at that point and showing them that you can reduce his coming back into the system, you can prevent his going to court and prevent his being detained. So that is where all the savings come in.

CHAIRMAN DYMALLY: That is an important legislative

fact because we were able to get the state to subsidize adoption of hard-to-place children on the grounds that the state was saving money by taking them out of foster homes. So if we can prove to the Legislature that this alternative system is going to save money, it might be most helpful in any proposed legislation.

MR. BARON: Right. And that's just the problem we've had in terms of convincing the county that it is worthwhile to show how this project makes sense economically so they can justify its continuance.

The other things in terms of the implications on the statewide basis, as we mentioned several other counties that picked this up, I think the important thing is that you don't need special funding to reproduce this kind of a program. In fact, Alameda County has done it on their own. And the reason for this is, is that aside from it being less expensive, from the standpoint of the way probation operates with certain people at the intake level, certain people that do court investigations, and certain people that handle supervision, if you are able to reduce dramatically the number of cases going to court, and you are able to reduce the number of cases that are going on to

supervision, you can pull people out from court and from supervision and put them into the intake unit to work with cases in this fashion. This again, is demonstrated in the report. So that basically any department can use this model simply by transferring people from court units and supervision units and putting them in intake and work with this kind of system.

The other thing I mentioned is the training component, and again, this is really critical. And we are talking about a specific kind of family crisis intervention...you are dealing with all members of the family, dealing with communication. The center has recently developed a 5-hour training film which is geared to training people and other probation departments, and even community agencies that are interested in this kind of counseling...how to do it by having actual demonstrations of family counseling interviews with some eight or ten different families in crisis, plus training sessions with probation officers going over some of the theories of techniques. This film is also available and this could be provided through the Universities...it is not a profit making

thing, mainly something to sort of foster this kind of approach. So the training film will be available to help a lot of counties that need some training to do this kind of work.

CHAIRMAN DYMALLY: A little bit of legislative, legal, history here...why was the act of runaway absent of any other criminal activity, deemed a crime? Do you have the history of that?

MR. BARON: I really wouldn't be in a position to say...I could only guess at that.

MR. DOWNS: I would say, and I think that it is due to crime, but technically it is not a crime because it appears in the Welfare and Institutions Code and not the Penal Code. But it takes police action to bring the child into custody. My assumption would be that possibly foul play or danger to the child gives the police the authority to intervene in a runaway.

CHAIRMAN DYMALLY: Let's take this 17-year old youth who had his parent's consent to travel to Las Vegas...he has a record now, right?

MR. BARON: In our jurisdiction if he had that consent and it was verified, he wouldn't have been

taken into custody in the first place.

CHAIRMAN DYMALLY: Well, he was taken into custody over the weekend. When he finishes law school and he applies to become a Deputy D.A., he has to answer the question..."Have you ever been arrested"? He has to answer, "yes." He was arrested in Las Vegas.

MR. BARON: Not in California. There are provisions in the code for sealing of the records in things of this nature.

CHAIRMAN DYMALLY: In California he doesn't have to answer a question like that?

MR. BARON: As long as there was no petition filed and he was not brought before the court, he was never arrested.

CHAIRMAN DYMALLY: Well, if he is writing an essay about his life, would you say he was "escorted" then in regard to that incident? Let's say...a 17 year old was walking down the street in Sacramento and he would say that he was escorted by the police officers over the weekend and spent a weekend in Juvenile Hall?

MR. BARON: I think you run into some real

practical problems as to what exactly is an arrest? What is considered a conviction? And when records are sealed, to have to answer that it was sealed, and what police department's records are as opposed to probation department's records...it's not a simple problem; but even provisions to seal records aren't always completely safe; that there are still ways of finding out about kids having records through police records and other things.

CHAIRMAN DYMALLY: Mr. Torres, our Consultant, has a question.

MR. TORRES: Mr. Downs, you have indicated before that you felt the Probation Department had a much better role and better ability to handle this problem than let's say, Huckleberry House and the FOCUS concept, would you comment on that?

MR. DOWNS: I would say that our sense of what we are here to do would be different than, Huckleberry; I don't think better than is appropriate or not. My concern with a program of that kind (and I feel they too, are needed) but my concern would be safeguards to responsibilities which frequently are a burden to those who want to provide service and are not particularly

interested in licensing, civil responsibilities, civil rights of parents, and things of this kind. I feel they are needed; and I feel if the family and child are willing to use those programs, then that's fine by us. My concern is that I doubt seriously that the majority of runaways get to these kinds of programs on their own. I don't know this, it is just a guess on my part. I don't see how they get into that service in the first place.

MR. TORRES: Well, then in fact the majority of runaways don't get into your service unless they are picked up?

MR. DOWNS: Yes. Unless they are found and brought to us, that's correct.

MR. TORRES: What we found out yesterday in Los Angeles in dealing with child abuse with the Senator's committee, was that there is a negative impact on the parent, on a police official, or law enforcement agencies which are involved in dealing with a parent who is a child abuser, and also a negative impact on the child when that child is confronted with the fact that his parents or parent are being arrested for child abuse. My question

is--we've had testimony from various organizations and various individuals, their data I'm sure is equally as competent and real as yours, what makes a probation department a better vehicle other than what you said about the civil safeguards, and that could be handled very easily...what makes the probation department a better vehicle for solving this problem than the self-help groups which are already in existence?

MR. DOWNS: I'd like to answer that in a slightly different way. I don't think it is a question of better or for worse...I think all these programs are necessary, I think the problems are attacked at different levels. I think that this project was designed to divert cases that are closest to really getting into the system. These are the cases that probably have had a record of several police pickups before, maybe several involvements with other agencies and that somehow have escalated to the point where the police are involved and then are taken to Juvenile Hall. So this is sort of a way of cutting those pieces off that seem to be the worse problem before having to go into the system. And in a sense our program is set up to refer cases

to other community agencies, that we're basically a short-term counseling approach. So that after we work with cases, maybe five sessions, we will refer to some community agencies...and again, keep them out of the system...we see ourselves as a last resort. But it certainly makes all the sense in the world to have these other kinds of systems set up along the way to divert cases at earlier points. So I think they are all necessary...each job would be more difficult if the other one didn't exist. It is sort of a succession of different kinds of interventions along the way, and this is what I say, ours is the last resort.

MR. TORRES: You would not be opposed to public financing of self-help groups?

MR. DOWNS: Not at all. With proper protections in terms of being able to be accountable to where it went and who it went to, sure, we need them.

CHAIRMAN DYMALLY: You are in Sacramento, and you are close to the Legislature, we will be in touch with you next month...February, sometime.

MR. DOWNS: We'll look forward to hearing from you, Senator.

SENATOR RODDA: What impresses me, they are demonstrating it seems to me on the basis of the pilot program, how within the framework of the existing law and judicial process and funding of local government, they can achieve constructive improvement in a manner and way in which society responds to these families and these children. That's fine, and we should encourage that, even to go beyond...and when we do go beyond, we have to talk about state funding with the kinds of programs we heard which now currently are being funded privately, introduces an entirely new element, and the next step, state funding; otherwise I presume we won't be able to see those kinds of programs developed to the extent and degree the need would warrant. I'm not going to argue state funding, but I would just like to let the audience know something about the fiscal picture of the state in a few simple sentences--if we project our workload budget forward, 1974 to 1975, and adjust for inflation, and we reduce revenues by \$100 million because of the petroleum shortage, and if we fund HR 1, as we currently must under the law, and if the Governor doesn't sign any additional expenditure bills, the state fiscal situation

at the end of the next fiscal year will be balance, zero, plus a minus of a few million dollars if we're lucky. You see what the picture is? We have to concentrate at least in the immediate present on doing the kinds of things that we can do within the existing structure of local government with existing funds. We must not turn our backs on these other programs.

MR. DOWNS: I agree. And I'm sure Mr. Baron is about to say the same thing...that is we feel that we have demonstrated this simply by changing of procedure and shifting of personnel and without adding any extra dollars you can do the job, and save money doing it. Alameda County is illustrative of that point. They received no grants, they simply made a commitment to use this kind of program. And my last contact with their program, their results were very comparable to ours in terms of recidivism and cases out of court. It changes the role of the probation officers intake from a jurisdictional determination to a therapeutic intervention; but it doesn't have to be done necessarily with extra monies except possible consultant services and a

little additional help in training staff.

CHAIRMAN DYMALLY: Thank you very much. Our next witnesses are Ms. Shari Bassett and Mr. Moran.

MR. FRANK MORAN: Chairman Dymally and Senator Rodda, my name is Frank Moran from the San Francisco Juvenile Probation Department.

MS. SHARI BASSETT: I'm Shari Bassett, I'm Juvenile Probation Officer of San Francisco Juvenile Court.

MR. MORAN: Senator Dymally, before I read my statement, I think I'll try to answer your question about the young man writing the essay of his life. I think there is a recent amendment to the Welfare and Institutions Code, and I wish I could quote the Section, but I can't; wherein if there is no official court action taken, the family and the minors are entitled to some statement from the Juvenile Court stating that he was not arrested, he was taken into custody and detained. The practical effect is probably nil in the mind of the particular minor, but there is some distinction in the law already existing.

There were 737 runaways referred to the San Francisco Probation Department in 1972, and at least 364 in the first six months of 1973. While there has been a constant decrease in the past several years, the problem of runaway youth still constitutes a significant proportion of referrals to the San Francisco Juvenile Probation Department. It appears to be a problem that pervades all classes of American society.

The Probation Department deals with nonresident runaways differently than resident runaways. If a minor who resides outside of the San Francisco Bay Area is referred to us by the police department, our main effort is to return him home. There is an attempt to provide brief counseling to the minor and his parents, sometimes accompanied by a recommendation that they consult an appropriate agency in their community. If a nonresident runaway is referred for a delinquent offense, the delinquent act is investigated and disposed of prior to his return home.

The major problem of runaway youth for our department is the runaway minors who reside in our own city. They are usually referred to us by the parent or the police department at the urging of

the parent as being "runaway from home."

This term, "runaway from home," encompasses the act of staying away from home overnight to extended absences from home.

While dissatisfaction with school and adolescent adjustment problems cause minors to run away, they often come from families with problems of marital conflicts, alcoholism, deviant sexual behavior, chronic illness, criminality and/or emotional deprivation. Basically, these problems are best handled by family counseling. However, by default, runaways are presently dealt within the law enforcement framework of the San Francisco Police Department and the San Francisco Juvenile Probation Department.

Generally, when runaway minors are first brought to the San Francisco Juvenile Department, the probation officer evaluates the situation and attempts to refer the minor and his family to community agencies (such as Family Service Agency, Catholic Social Services or Community Mental Health) for counseling.

Since families in crisis are more amenable to treatment when there is immediate intervention, an effort is made to refer the runaway minor and his

family as soon as possible. Unfortunately, these families frequently are discouraged from following through on this referral because of long waiting periods. If they are not seen when they are in crisis, the families frequently resolve their problems in an unsatisfactory manner by reverting to the old behavior patterns which led to the original runaway problem.

If the behavior is repeated, resulting in the minor's return to the probation department, he usually is detained in Juvenile Hall which he perceives as punishment for his behavior. Instead of dealing with the causes of the problem, detention begins the pattern of focusing on the child's behavior exclusively.

If detention exceeds 48 judicial hours, then a petition must be filed under Section 601 of the Welfare and Institutions Code and the minor is brought before the Juvenile Court which determines whether or not the minor will remain in custody pending disposition. Typically the disposition of such a petition is that the court orders the minor to return home under the supervision of a probation officer.

The only real service that the probation officer supervising a runaway minor can offer is some type of limited family counseling. If this type of service by the probation officer fails, either due to the parent's or minor's resistance to counseling or the particular probation officer's lack of training in family counseling, the probation officer is left with the alternatives of returning the minor to detention or removing him from the family. Since these two alternatives are essentially authoritarian, their implicit threat underlies and often undermines the process of counseling.

There are cases where a minor is removed from his home and placed in a foster home or institution. If he continues to run away, then he may be committed to the California Youth Authority under Section 602 of the Welfare and Institutions Code (that is violation of probation) for nothing more than being a chronic runaway.

Obviously, the presently existing system of dealing with runaways is not satisfactory.

CHAIRMAN DYMALLY: Let's assume he is 16, 17, and he is a habitual runaway, and from 601 he goes to 602, and he is confined to Youth Authority...what is the length of stay? Is he automatically released when he

18, or does he go beyond 18 and then spend some extra time as an adult for an offense committed as a minor?

MS. SHARI BASSETT: I think traditionally the kids would be released by their 18th birthday. I know the jurisdiction of the California Youth Authority can extend past that, but I doubt seriously whether the Youth Authority would hold them past their 18th birthday.

I'd like to make one comment here because in San Francisco frequently it's the girls who are committed to the Youth Authority for chronic runaway. We don't have any kind of real structured programs for girls who are chronic runaways. We put them in foster homes, and if the time comes where there is no placement available for those girls, and they cannot return to their own home; in San Francisco they frequently go to the Youth Authority for nothing more than being runaways. And it is primarily a problem with girls rather than boys.

CHAIRMAN DYMALLY: You may continue, Mr. Moran.

MR. MORAN: Making the Juvenile Court responsible tends to define runaway behavior in legal and disciplinary terms rather than recognizing the problem as symptomatic of a child or family in crisis.

There are some existing agencies such as Huckleberry House in San Francisco, which attempt to deal with the

problem of runaway youth outside the legal and disciplinary framework of the Juvenile Probation Department. However, there are not enough of them, and the existing ones are not adequately staffed or financed to deal with the total problem of runaways in San Francisco. As a result, our recommendation is that the California State Legislature promote and finance programs or agencies whereby runaways can be diverted from the juvenile justice system. Thank you.

CHAIRMAN DYMALLY: Thank you very much, Mr. Moran.

MS. GORDON: Would you mind elaborating a tiny bit on why it is you have more girls in this situation?

MS. BASSETT: Well, number one, girls are more involved in runaway than boys are generally. And there are not as many placements for girls as there are for boys. For instance we have the Hidden Valley Ranch Program, and the Log Cabin Ranch Program for boys. The only kind of placement that we have for girls at the county facility is our Girls' Treatment Center, which I think houses twelve girls...and they do not like to take runaway girls because it is a non-lockup situation. They like truants and kids that do have

the kind of family problems that can be dealt with without a locked situation. So what happens the girl usually goes in the foster home if she failed at home on probation for runaway. If she runs away from the foster home, she'll go to a lockup...Convent of the Good Shepherd, for instance. If she fails there, and applications go out to the other kinds of placements that are available to girls, and they find out she has run away from Good Shepherd, they don't want her. The alternative is, to dismiss the existing petition, which obviously is not going to be done, or return her to a home which may not be ready to care for her, or to commit her to a more locked setting, which is the Youth Authority.

CHAIRMAN DYMALLY: You talk about male commitment to CYA...do you have the same thing for the females?

MS. BASSETT: I don't understand?

CHAIRMAN DYMALLY: Do you commit the girls to the CYA?

MS. BASSETT: That's what I'm talking about. I don't think that the percentage of boys that are committed to the Youth Authority for chronic runaway is anywhere near the amount of girls.

CHAIRMAN DYMALLY: Where are some of the state facilities?

MS. BASSETT: I think there is only Ventura School for Girls now. So that is another problem, these kids are being uprooted from the community in which they are living in and going down to Ventura. There is probably no way the parents can visit on any regular basis.

CHAIRMAN DYMALLY: Especially if they are poor?

MS. BASSETT: Sure, and most of them are.

CHAIRMAN DYMALLY: Senator Rodda has a question.

SENATOR RODDA: I wasn't at the hearing yesterday when you took testimony on child abuse, and the thought occurred to me...is there a functional relationship between parental abuse of children and the fact that more of the runaways and the more persistent runaways are females? From your experience, could you tell?

MS. BASSETT: No, I don't think that's the reason. I think first of all, there might be as many boy runaways as girl runaways; but our culture is more protective of girls; so therefore they are going to be picked up easier...they are going to be reported by their parents more frequently. And I think that's probably the most important one. The other thing is, boys have more freedom in their own homes. They are

allowed to stay out later at night. It's kind of cute if a boy stays out all night...and it's not cute if a girl does it...so she is going to get referred to a law enforcement agency quicker. And I think that just generally girls tend to deal with their problems more by running away rather than staying home and maybe arguing or fighting or getting involved in delinquent behavior.

MR. TORRES: So a girl would be picked up more often than a boy would?

MS. BASSETT: Sure. I feel the police are going to have a more protective attitude towards girls than they will boys...and so they will be picked up. There is this protective attitude too, since the crime statistics on rape have risen dramatically in the last few years, and a lot of it has involved runaway girls.

SENATOR RODDA: I'm glad I asked the question as anyone that hears that statement wonders why... and then when you hear the response a lay person has a better understanding. And we are all lay persons except in our area of specialization. And I don't have any specialization anymore, I am just a lay person.

MS. BASSETT: Same here.

CHAIRMAN DYMALLY: Oh, that's why you're on this committee, to get some education? (laughter from audience)

MR. ART KNOFF: I think that one thing that has to be kept in mind regarding 601 in testimony which was addressed to the Legislature...I think that everyone that was here basically recognizes and wants to do the same thing. I think everyone who is here and is working with 601's, knows that who he has here is a runaway. He walks into Huckleberry House, etc., we have a body, we see this, the police department first becomes aware of this through not necessarily a runaway report but through a missing person report. And this is the only way that the police department can offer, for example, the community, parent, relative, or anyone, some resources to attempt to find the child who might just as well be lying at the road's edge in a ditch, or seriously injured, or kidnapped...whatever the case may be, it is through this means that we do have the authority under Section 601 to enter a case involving a missing child. We would in effect in the absence of Section 601

have to say to a parent, "Your child is missing? Well, I just don't really know what we can do about that." And I think this is a rather difficult kind of a thing...I think we all want to, once we identify the child as a runaway, refer and divert. But I think you have some basic fundamental problems in terms of getting to that point that I think has been ignored up until now...and I just wanted to toss that into the picture to give a little perspective to this.

CHAIRMAN DYMALLY: All right. Thank you.
Our next witness is Mr. Nielsen.

MR. NIELSEN: My name is Raymond Nielsen and I am Supervising Deputy Probation Officer, Santa Clara County, Juvenile Probation Department. I am the Project Director for the 601 Diversion Project in that county.

In essence this is a combined effort with the twelve law enforcement agencies in Santa Clara County. The project is sponsored by the Juvenile Probation Department. It is funded through the California Council on Criminal Justice. We've been in operation since July of 1972. Basically before the project began, the Probation Department did

receive about 3,000 to 3,500--601's annually. The goal of the project was to reduce that amount hopefully by two-thirds. At the end of the first year we had accomplished that. We did divert more than 2,000 juveniles from the Probation Department. The diversion concept does not utilize probation staff, but finds viable alternatives within the community. It gives the patrolman or the police officer alternatives to bring the child to the Probation Department. Before the project began, about 95% of the children taken into physical custody were brought to the Probation Department. Again, at the end of the first year there were 1,000 children brought to the Probation Department from the jurisdictions within the county, and there was hard data on 2,000 that were kept out of the system.

What the police officer utilizes is local community resources...in other words, we took the money, dispersed it through the twelve law enforcement jurisdictions, they identified diversion officers which were police staff, used the money for staff and for community resources. They then went into each of their local jurisdictions, developed local

community resources, received training and counseling procedures...and in other words, kept the children from even coming to the Probation Department. We have an independent research component where we measure the significance of the community resources, the flexibility of the law enforcement personnel in the project, and we also measure client satisfaction...primarily the parents at this stage. We are developing research methods into the client's satisfaction for the child also.

CHAIRMAN DYMALLY: Any questions? Thank you very much. Does anyone who has not testified already, wish to do so now? All right, Senator Rodda has a few comments.

SENATOR RODDA: Our son was at Stanford...he went off to school, I think he was 19, and he was supposed to report back and we didn't receive a telephone call from him and we became concerned and called the police. They asked us how old he was, and we told them...they told us there was nothing they could do about it, he has to be gone 24 hours before we can even classify him as a missing person. So we waited around for 24 hours, but we found out he

was safely in the dormitory. I just thought that might be interesting as sometimes parents want the police cooperation in these matters. We were a little bit upset because we couldn't have this cooperation.

CHAIRMAN DYMALLY: Our next witness is Sgt. Ken Coleman.

SGT. KEN COLEMAN: I'm Sgt. Ken Coleman with the Fremont Police Department. I also agree with almost everything that has been said here; but, I did want to add one other thing that we see as police officers--and that is the case of the juvenile that is reported missing. Once we do relocate the minor, our first concern is to get the child back within the home. And the parents once we have found the child, they are very happy, everything is fine. They don't want anymore help...their child is found. But we find this type of parent and the child being accepted back at home, they don't want anything further--but we find them running away again. Now, maybe if we could work out some program on the first offenders...really not offenders, but when they first run away. Then we could work with this type right away rather than waiting for them to end up at Huckleberry House or end of probation. Probation probably doesn't see

the kids that we see as police officers until we've warned them three, four, five, up to six times, maybe, with runaways, even criminal encounters as far as shoplifting, etc. With the first offenders I think we have to get in and start working with them, and if we can get some kind of program...maybe such as we have at Fremont which we are starting now with a federal grant, working with three counselors, and we divert as many kids as we can away from the judicial system. I think every police department is this way... we don't really like to throw everyone in jail. I don't have an answer other than saying that I think we should try and grab them when they are first starting to run away, and work with them then, even though the parents don't want to help and the kids don't want the help at first, because we find that they are running away again, and again, and again.

CHAIRMAN DYMALLY: On the first contact there should be available some counseling services in the communities for parents and child.

SGT. COLEMAN: That's right.

CHAIRMAN DYMALLY: Sometimes the parent is ready to defend them because the child has run away from

the parent.

SGT. COLEMAN: And once they come home the parent is happy.

CHAIRMAN DYMALLY: But they repeat themselves the next week when the romance is over. So we need to find somewhere the parents can go for counseling with the student...the child.

SGT. COLEMAN: Some type of social followup... whether it be by the police who would accept the responsibility, I'm sure, or someone who is better qualified or trained (or feel they are), to go out and meet with these people and find out why they ran away; find out why the original runaway occurred.

CHAIRMAN DYMALLY: Of course some coordinated services would also include school authorities.

SGT. COLEMAN: Yes.

CHAIRMAN DYMALLY: So that we could look at what they are doing in the classroom too; they might be failing for no other reason because they are unhappy at home.

SGT. COLEMAN: I think another factor that has been overlooked is the amount of work or resources the schools have in contact with the amount of kids.

My wife is a counselor in the junior high school and she may counsel seven, eight, maybe ten kids a week that are talking about running away. She will try to advise them of what could happen to them if they run away, etc. Many of these runaways are stopped right on that level. Maybe more effort should be pushed on the schools to work with the kids that may be thinking about running away.

CHAIRMAN DYMALLY: Thank you very much, Sgt. Coleman, for coming.

Next, we have Mrs. Crawford.

MRS. CHARLES CRAWFORD: Mr. Chairman, I'm Mrs. Charles Crawford and I'm speaking as an individual here. I am sorry I wasn't here this morning to hear Mr. ben David of the FOCUS organization. I have been concerned since 1967 with the runaway child and the drug abusers in San Francisco. And in this interest I visited the DeLancey Street Foundation and was told there that they have an age range from 13 to 52. The 13-year old was a girl sent from Las Vegas. So I was concerned about this age of young people being in the same communal-living arrangement...they have 102 registered voters in a 32-room house, and I was concerned with the youngsters

being in the same home with ex-convicts...older ex-convicts. Some of the young people are sent there by the California Youth Authority, and I had thought that this was the policy of the CYA of separating the young people from the older convicts. So when I checked with the police department on this, they discovered that this girl was sent from the FOCUS organization in Las Vegas. I wrote them, but was told she had run away about the time that I had made my request. The police report was filed...so I wrote to the FOCUS organization and asked them if they had found her? Mr. ben David replied that they had not sent a 13-year old there; they had sent several other young people and felt that it was a good organization. As far as I know, no followup has ever been made on this 13-year old girl, and this is my concern that if we do have alternative homes for these young people, we must be sure that they are in the best interest of the young people as this organization does not have a state license for the care of youth...and they do not comply with zoning laws, fire department laws, or they have not been effected by the City Health Department. We, in our city mental health services, are finding it very difficult as you undoubtedly know, to keep up on all the state licensing

requirements, and we are making an effort to have everything done as legally as possible. We are now in the process of setting up a home for disturbed adolescents, some of them referred by the Juvenile Court, or drug users, or schools, or coming back from state hospitals, and this is a very slow process in getting exactly the right conditions. So I hope that this will be considered to see that our young people have every protection in alternative homes or private homes...the same that they would have in a legally state or city sponsored home.

CHAIRMAN DYMALLY: Thank you very much.

Let me advise what the committee's agenda is: We are going to draft some legislation to conform with the federal Act and Child Abuse Prevention; and in this area we will be back and in touch with you because we have to find some happy ground, keeping in mind that the state is going to be fiscally strained this year. And we might have to look at the Sacramento model for diversion instead of funding new programs. I doubt seriously if we would be able to get any money from the state unless the federal Bayh Bill passes and gives us federal matching funds. But in any case, we

will be in touch with you through the mail or whatever. We hope to hold another public hearing possibly in Oakland or San Jose on Child Abuse, and one in Southern California on the Runaway Child, possibly in Orange County.

We thank all of you for coming, and we compliment you for your testimony. Good luck!

HEARING ADJOURNED

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