
Youth Truth



Official 'Zine of Americans for a Society Free from Age Restrictions www.asfar.org

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You Are Not Forgotten

Susan Wishnetsky

Roused from your bed at night. Armed giants demand that you go with them, now. Forced, bound, blindfolded, threatened, into the back of a van. Told you are being taken to a place from which there is no escape, outside the jurisdiction of the law, beyond the reach of friends and relatives, beyond the reach of U.N. inspectors. No one will come to rescue you; you can only rescue yourself. You can do it the easy way or the hard way.

Through miles of desolation and wilderness, a private road, a gate, a guard, barbed wire. No trespassing. This is the place. No contact with the outside world. Admission of guilt. No due process. Total obedience. Those are the rules.

If you were a suspected terrorist taken from your family to a foreign prison by government authorities, your experience would be called "extraordinary rendition." But what is it called if you are a child, and your family—your parents—are the ones who *arranged* to have you taken away in the dead of night?

The facilities say they help troubled kids, but they are really designed for troubled parents. They call themselves "schools," "homes," "therapeutic treatment centers." (The kids call them "gulag schools.") They say they will "save" the child, instill "discipline," practice "tough love." Most parents don't realize, until it's too late, that this means "torture."

Persistent fear frequently prevents the stories from ever being told, and when they are told, they are not believed. They are found on badly-constructed web sites or in cheaply-produced zines; school-owners deny their charges. Testimonials to the facilities (often written under duress) can be produced to discredit them. Whistle-blowing staff are called "disgruntled,"

and calls to regulate, inspect, or shut down these places by truly concerned citizens or youth advocates are easily trumped by campaign contributions to the people who write the laws.

Rarely do we learn of the abuses. By dying on November 3rd at the Thayer Learning Center Boot Camp and Boarding School in Missouri, 15-year-old Roberto Reyes called attention to the nightmare made real inside its boundaries; at last, the *Kansas City Star* reported what residents had undergone for years, unseen, unheard. Kids isolated for days, dragged over sand, doused with icy water. Kids forced to stand immobile for hours, crawl through snow, sit in tubs of urine, eat their own vomit.¹

On March 6, the *Deseret Morning News* gave a glimpse into Utah's Majestic Ranch: kids forced to "stand outside ... in sub-freezing temperatures" and "shovel manure with their hands."²

How many more are being tortured in secret? There is no one to count them. A drug treatment program called STRAIGHT, founded in 1976 by a man named Melvin Sembler, opened facilities all over the country; its tactics are described in an article, "His Own Private Abu Ghraib."³ All were shut down by 1993, but Sembler boasts of helping "more than 12,000 young people" during the program's 17-year history. We don't know where the 12,000 are now, but Melvin Sembler, having served as ambassador to Australia under the first President Bush, was appointed in 2001 as U.S. Ambassador to Italy.

The proponents of youth torture-as-treatment may be too well-connected and powerful to overcome. But we can, at least, read the tales of their victims, learn the truth, and remember Roberto Reyes. And the others, whose names we do not know.

1. "Teen's death raises concerns about boot camp." *Kansas City Star*, Sunday, Dec. 19, 2004, <<http://www.kansascity.com/mld/kansascity/10450103.htm>>.

2. "Utah boarding school under fire." *Deseret Morning News*, Sunday, March 6, 2005, <<http://deseretnews.com/dn/view/0,1249,600116696,00.html>>.

3. John Gorenfeld. "His own private Abu Ghraib." *Orkut Media*, March 23, 2005, <<http://media.orkut.com/articles/0145.html>>.

4. Biography, Melvin Sembler, <<http://www.state.gov/r/pa/ei/biog/7043.htm>>

Buzz

Protests Planned Against “Treatment” Centers

In cooperation with several other organizations, ASFAR is planning protests to stop the abuses of many private youth detention centers, residential facilities, or boot camps for “troubled teens” (commonly known as “gulag schools”). One protest is planned for mid-August in Albany, New York. An additional protest in Salt Lake City, Utah may also occur, but is lacking a coordinator to choose a location and handle other details. Please contact <secretary@asfar.org> if you can help, and check our web site for new developments and updates.

TV Show Acknowledges Voting Age Issue

The March 2nd episode of NBC’s *The West Wing*, entitled “A Good Day,” featured a group of middle-schoolers in favor of a lower voting age; the White House staffer named Toby was so impressed with their arguments, he arranged for one of them to attend the President’s press conference and ask a question; see <http://westwing.bewarne.com/sixth/617goodday.html>.

New Board, Officers

Congratulations to ASFAR’s new president, Tevi Abrams-Slep on his election (and his recent superb interview on the voting age with a Maryland newspaper). Former president David Schneider-Joseph will continue to serve as vice-president; Susan Wishnetsky remains on as secretary. Also elected to ASFAR’s board were Camille Bauer, Michael Graves, Andrew Jennings, and Elliot Temple.

Correction

A news item called “School Sued for Abuse” on page 7 of the last issue (volume 5, issue 4) mistakenly gave Pennsylvania as the location of the Bethel Boys Academy. The facility is actually in Mississippi.

Redirect

Columnist Neal Zupancic heard a news report on a proposed curfew for kids in New York City, and fired off an article full of excellent arguments against the move. Zupancic’s comments are at <http://www.lewrockwell.com/orig5/zupancic6.html>.

A curfew proposed in November for West Palm Beach, Florida inspired an editorial in the local paper, which argues that a curfew won’t stop crime, and will probably be struck down in court; see <http://www.palmbeachpost.com/opinion/content/custom/blogs/editorial/archives/001423.html>.

Author Rich Benjamin says Bush’s “Helping America’s Youth” initiative won’t help youth at all, and accuses him of taking a page from “the Clinton playbook.” Read his commentary at <http://www.tompaine.com/articles/behind_bushs_youth_agenda.php?dateid=200503_21>.

Even when the hour is early, the radio volume is low, and the driving is safe, police in Sioux City, South Dakota still won’t allow people to drive around town without a destination. The anti-cruising law is not age-based, but locals feel it especially targets youth, who have nowhere else to socialize. The impact of this ordinance and a similar one in Milwaukee, Wisconsin are discussed at <http://www.alternet.org/wiretap/21233/>.

Recent restrictions on sales of dextromethorphan and pseudoephedrine make them more desirable to potential abusers, and honesty about medications works better than more laws, says a Pittsburgh, Pennsylvania writer at <http://www.pittnews.com/vnews/display.v/ART/2005/03/22/423fc35b0b231>.

If you *have* to go to school, isn’t it better if classrooms aren’t crowded? That’s what Florida voters thought, but Governor Jeb Bush won’t honor the class-size amendment they passed; see <http://www.palmbeachpost.com/opinion/content/custom/blogs/editorial/archives/001834.html>.

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News Links

Juvenile Death Penalty Struck Down

On Tuesday, March 1 the Supreme Court voted 5-4 to prohibit sentencing juvenile offenders to death. The ruling affects 19 states that allowed the penalty for youth, and spares the lives of about 70 people who were on death row. See <<http://www.cnn.com/2005/LAW/03/01/scotus.death.penalty.ap/>>.

Canadian Voting Age Bill Will Get Voted On

Two previous bills to lower Canada's voting age died without a vote by the House. But changes in House rules now require a vote, so C-261, the latest attempt to lower Canada's voting age to 16, will pass or fail this year, says <<http://www.cnews.canoe.ca/CNEWS/Canada/2005/02/01/917153-cp.html>>.

New Hampshire Rep Preparing Voting Age Bill

Representative Susan Almy of Lebanon, New Hampshire has been drafting a bill modeled on last year's "Training Wheels for Democracy" bill, introduced by Senator John Vasconcellos of California, which would have counted votes of 14- to 17-year-olds as a quarter or a half of a vote. One article appears at <<http://www.concordmonitor.com/apps/pbcs.dll/article?AID=/20041229/REPOSITORY/412290354/1001/NEWS01>>.

Vermont Considers Lowering Drinking Age

Republican Rep. Dick Marron of Stowe, Vermont, has proposed lowering the state's drinking age back to 18, but he faces tough opposition from state police and MADD, as well as lawmakers reluctant to give up \$9 million in federal highway funds just to treat young adults fairly. A report is at <<http://www.wcax.com/Global/story.asp?S=3029306&nav=4QcSX5Eh>>.

ADD Drugs Under Fire

On February 10, Canadian regulatory agency Health Canada suspended sales of the attention-deficit disorder drug Adderal, finding the stimulant too frequently associated with stroke, cardiac problems, and sudden death. And on March 24, Abbott Laboratories voluntarily withdrew Cylert, another ADD drug, from the market, shortly after the consumer group Public Citizen linked the drug with a high incidence of liver failure; Abbott said its decision was based on declining sales. Stories appear at <<http://www.medicinenet.com/script/main/art.asp?articlekey=43455>> and <http://money.cnn.com/2005/03/24/news/fortune500/abbott_withdraw.reut/>.

Senator Wants More Censorship

On March 1, Alaska Senator Ted Stevens announced his desire to extend federal "decency" standards to cable and satellite broadcasts, as well as the public airwaves; see <http://money.cnn.com/2005/03/01/technology/satellite_decency.reut/>.

Letters

Juvenile Death Penalty Dissent

"The court's analysis is premised on differences in the aggregate between juveniles and adults, which frequently do not hold true when comparing individuals. Chronological age is not an unfailing measure of psychological development, and common experience suggests that many 17-year-olds are more mature than the average young adult." (from Supreme Court Justice Sandra Day O'Connor's dissenting opinion).

She argues that a case-by-case determination of the offender's maturity level is a better approach than a blanket ban. I agree with her logic and I hope that she would support case-by-case non-age determinations on *other* issues as well.

Daniel, 03/02/05

Why Politicians Don't Want Us to Vote

"I refuse to second that," [Canadian Councillor Allison Lobb] says, arguing doing so would make teenagers ... already at a confusing age, susceptible to wily politicians who could implement nefarious practices to garner their votes. She notes, for example, that youth could be bought off by some candidates."

How does she think politicians get any votes? They buy off the votes of the groups that have the highest voter turnout. All they do is offer better health plans for the elderly. More plans for the middle-aged working class. That is good and everything, but I have not yet seen a plan that benefits the young.

The young in America do not vote. What are we offered? Higher standards? Higher standards do not help us. Higher standards make us work harder for everything. Last year I had somewhere between five and six hours of homework a night ...

I think we need to get some plans that would really help us, not make our lives miserable. How about inner city schools? Those schools can have thirty teenagers to a classroom. The buildings are falling apart. The bathrooms have no stall doors anymore. There is no soap in the bathroom. There is violence everywhere and teachers can not stop it because they are so outnumbered. How can you learn in an environment like that? Oh, I know, let's raise the standards, then those teenagers will learn ... I think little Susy is more worried about what little Cindy said she was going to do to her after class, and the fact that little Cindy has done it before, than she is about trigonometry.

Heaven forbid the politicians would try to buy off our votes with a promise to give more federal funding to inner city schools or somewhere where we really need the money. The councillor is right, what an atrocity.

Marla, 12/30/04

News Links

Tracking Turned Off

A small California school district, given the opportunity to test a radio-frequency tracking system for free, decided to make all its students wear ID badges (bearing their name, photo, and grade level) which contained the tracking device. But school officials didn't anticipate the negative reactions of parents; on the first day of the new policy, one student came home with the ID badge and said, "Look at this. I'm a grocery item. I'm a piece of meat." Many parents agreed that the ID tags were offensive, and the tracking system was turned off in February, pending a decision by the school board, reports <<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2005/02/10/BAGG0B814D1.DTL>>.

No Escape From Missouri Law

Missouri has a parental consent law for abortions for minors, and now it may get a new law criminalizing the transport of a minor across state lines (to Illinois) to get an abortion without parental consent. Rep. Jane Cunningham, who sponsored the bill, says parents must be involved in their daughters' decisions: "Facing an abortion without a parent, to me, is unbelievably difficult, and anything just about pales in comparison." Really? What about facing it with a parent who verbally and physically abuses you? At any rate, it sounds like the bill will pass; see <<http://www.columbiamissourian.com/news/story.php?ID=12588>>.

Kids Need Freedom

In the March issue of *Developmental Psychology*, there's a long term study on parental supervision and later behavior of teens. Compared to kids with trusting parents and a moderate amount of freedom, say the researchers, kids with highly intrusive and controlling parents were more likely to get in trouble and be drawn to those "risky behaviors." The study is described at <<http://www.umich.edu/news/?Releases/2005/Mar05/r030805>>.

Georgia Wants to Pay Youth Less

The Georgia senate, believing that age discrimination is the way to ease youth unemployment and help businesses, passed SB 92, a "training wage" bill, on February 10. The bill lets employers pay young workers 90¢ below minimum wage—\$4.25 an hour—for the first 90 days of work, and includes employees up to the age of 20. The bill is discussed at <http://www.macon.com/mld/macon/news/local/states/georgia/counties/houston_peach/11035856.htm>.

WalMart Broke Work Laws

It seems everyone has *some* reason to hate WalMart, and now that they've been caught violating child labor laws, by allowing 16- and 17-year-olds to operate heavy machinery, most people would hate them more than ever. But while their motives were probably bad, the working conditions may have been unsafe, and the teens' pay was almost certainly lousy ... at least they trusted those kids and gave them a chance to prove themselves. Kind of a shame they got caught. A brief report of WalMart's \$135,540 penalty is at <<http://www.indybay.org/news/2005/02/1721646.php>>; an editorial by the American Federation of Teachers, which thinks WalMart got off way too easy, is at <http://www.aft.org/pubs-reports/closer_look/022805.htm>.

Sudafed Laws Sweep the Nation

Three years ago, a letter in *Youth Truth* asked why people under 18 couldn't buy common children's cold remedies in an Arkansas pharmacy. Well, now we know—somebody there thought kids were running meth labs! New laws in many states (including Arkansas) now place pseudoephedrine products behind the pharmacy counter and restrict amounts sold to customers—of any age. Articles appear at <<http://www.fremontneb.com/articles/2005/03/26/news/news2.txt>>, <<http://www.madison.com/wsj/home/local/index.php?ntid=31031&ntpid=1>>, and <<http://www.theeveningtimes.com/articles/2005/04/01/news/news1.txt>>.

Adults Not Immune to SSRI Harm

Antidepressants such as Prozac are supposed to help depressed people, but lately we've been told that they can make things worse for some kids. That's why British regulators banned all selective serotonin reuptake inhibitors (except for Prozac itself) from pediatric use, and in the U.S., the FDA now requires the drugs to carry the strongest warning that the drugs may increase suicidal thinking in children. Now, a study in the *British Medical Journal*, released on February 17, reports what many adult SSRI users found out years ago: the pills seem to have the same harmful effect on some adults. A report appears at <http://www.yourlawyer.com/practice/news.htm?story_id=9370&topic=Prozac>.

School Shooter on Prozac

Ever since SSRIs came onto the market in 1988, sporadic anecdotal evidence of violent (as well as suicidal) thinking and behavior in some users has been reported. Many of the cases have been tragic ones, Oregon school shooter Kip Kinkel, Colorado school shooter Eric Harris, and Andrea Yates of Texas (who drowned her five children). Now we learn that 16-year-old Jeff Weise of Minnesota, who killed nine people before committing suicide on March 21, was not only on Prozac, but his dosage was increased a week before the shooting, according to <<http://www.startribune.com/stories/462/5312255.html>>. For more evidence of the possible link between SSRI use and uncontrollable violence, see <<http://prorev.com/2005/03/minnesota-killings-raise-more.htm>>.

Anti-Smoking Programs Fail

The authors of an article in the March issue of *Journal of Adolescent Health* studied eight popular school smoking prevention programs over several years, and found only one of them seemed to have kept any kids at all from smoking, down the road. The study is described at <<http://www.medicalnewstoday.com/medicalnews.php?newsid=20653>>.

Thought As A Syndrome

by Justin Mallone

Youth Truth has previously talked about the problem of drugging young people into submission, the terrible side-effects of age-based laws in creating situations where young people are more prone to make stupid decisions (e.g., the drinking age encouraging the keg party phenomenon at college), and the inanity of the notion that playing Quake makes kids kill people. In my view, these phenomena are hardly examples of parents and society overreacting in their desire to protect youth, as is commonly believed. Rather, I see a far more worrisome trend: the continuing dehumanization of the young.

“Your Teen’s Brain: It Really Is Different!” proclaims a website.¹ “Teens don’t think, ‘Binge drinking is very dangerous and stupid.’ Rather, it’s ‘Oh, boy, a chugging contest! Wouldn’t it be cool if I won?’”

“Violent programs on television lead to aggressive behavior by children and teenagers,” the American Psychology Association informs us.²

There’s even a study blaming TV for the ill-defined Attention Deficit Disorder.³

The notions of contrary hypotheses and of correlation existing without causation must not even exist conceptually in the minds of these people!

Perhaps a culture that prohibits alcohol to the young winds up unintentionally making it more desirable?

Perhaps (assuming the said correlations *exist*) young people who view tremendous amounts of violent TV are more prone to aggressive actions in the first place?

Perhaps restrictive, prison-like schools are the cause of much of the “acting out” tossed under the umbrella of ADD?

Nah, couldn’t be.

Probably the single most significant barrier in getting across such ideas is that, at the present moment, there is a widely popular theory involving the medicalization of the Syndrome of Being Young. While there are important physical and cognitive differences between the young and the older, the commonly-held notion of “primal” emotions making teenagers do reckless things (justifying licensing restrictions), the invention of “disorders” needing significant (and costly) medical treatments, the “discovery” of the effect of that *terrible* electronic entertainment on malleable young minds, lend an air of respectability to practices that, without any “scientific underpinnings”, would be known as: age discrimination, drugging of children, and censorship, respectively.

This bias of the professional classes against the mental capacity of the young is borne out in some very explicit ways. To take one example, a review of studies of the possible causes of teen pregnancy, published in the journal *Adolescence*,⁴ included a study revealing that “less than half of the adolescents could identify the time of month with the greatest risk for conception.” (I wonder what percentage of adults can? or, more relevantly, what percentage of sexually active youths?)

Another of the studies asserts that the presence of reminders in the environment influence judgment and behavior, and concludes that school clinics, which “bring to mind thoughts of contraceptives by their very presence” may “cause an increase in contraceptive use.”

Missing from this clinical analysis is any exploration of the moral framework and mental maturity of the youth involved. Youths are instead brought down by the reductionist approach to the level of rats in a Skinnerian maze, performing a bit better due to repetitive messages at school and more clumps of matter inside the skull.

Perspective

Notions that young people might *decide* not to engage in acts which could greatly harm their aspirations in life due to such old-fashioned notions as character, morality, mental maturity, and goal-oriented living are not allowed into the reductionist framework, and the tragic result is the dehumanization of young people.

Youth are not a crop to be managed, nor lemmings to be prevented from marching off a cliff, but developing, moral, intelligent beings—Little Adults, as it were. Innocent, yes, to the many theories and complexities that form the fabric of understanding of the world, and in need of protection from those who would take advantage of their innocence, but no less deserving of the right to guide their own development as any of the rest of us.

The crisis of pseudoscience afflicting the young stands at the crossroads of two great evils in our society: the maltreatment of youth, and the unceasing rise of the Authoritative Professional Class, whose reductionist claims, shielded by a false veneer of science, increasingly form a dehumanizing framework of laws and policies which threaten all our liberties. When a guild can convince a population that the solution to its ills is numbness through neurochemistry,⁵ the situation is perilous indeed. It’s even worse for those whose minds are developing, when any instance of curiosity or activity is seen to justify ever-more-numbing treatment, any hint of “rebellion” against an oppressive and controlling society met with an ever-harsher Skinnerian remedy, when Independent Thought becomes a Syndrome.

1. <<http://familyeducation.com/article/0,1120,20-18205,00.html>>

2. <<http://www.apa.org/pubinfo/violence.html>>

3. <<http://tv.ksl.com/index.php?mid=5&sid=85776>>

4. Courtney P. Gordon “Adolescent decision making: a broadly based theory and its application to the prevention of early pregnancy.” *Adolescence*, 31.123 (1996).

5. “The use of psychotropic medication in depressed patients has increased in the United States by more than 40 percent over the last decade, from 32 million office visits resulting in a drug prescription to over 45 million.” Ronald W. Dworkin. “The Medicalization of Unhappiness.” *Public Interest*, Summer 2001: 85.

News Links

UK Forbids Spanking in All Schools

Four British Christian schools appealed court decisions denying them the right to use corporal punishment on their students at a hearing of the House of Lords on February 24. The Lords dismissed their appeal, says <<http://www.education.guardian.co.uk/faithschools/story/0,13882,1424321,00.html>>.

Jamaica Votes For More Protection

The Jamaican parliament voted in January to regulate all schools and “early childhood institutions,” with strict penalties for corporal punishment, says an article at <<http://www.nospank.net/n-n86r.htm>>.

School Spanking In the U.S.

On March 17, Pennsylvania’s State Board of Education voted for a ban on corporal punishment in all the state’s public schools; their proposal must pass the legislature, says <<http://www.post-gazette.com/pg/0507/473359.stm>>. In a Virginia county, where a superintendent’s order had already put spanking on hold, the school board vote on March 8 to change district policy and ban the practice once and for all failed by one vote, says <<http://www.enquirerjournal.com/articles/2005/03/10/news/news05.txt>>.

Adult Spanked At School

A charter school in San Antonio, Texas, made a big mistake last June when they paddled Jessica Serafin—so severely that she was hospitalized—for leaving school grounds; they didn’t realize she’d already turned 18. Jessica filed suit on January 10, says the article at <<http://www.nospank.net/n-n94r.htm>>.

Governor Suggests Closure

After millions of dollars and years of effort to improve a Connecticut reform school, on April 1 Gov. M. Jodi Rell said it may be time to give up on the place; see <<http://www.record-journal.com/articles/2005/04/02/news/state/state02.txt>>.

Four “Compounds” Closed in Mexico

On December 9, citing abuse of residents and other violations of Mexican law, Mexican officials shut down four fenced-in behavior modification “compounds” for “troubled teens,” run by U.S. owners just across the border from California. Mexican officials became worried when a wall was constructed around one of the compounds. Inspectors also found blood on the wall in a “punishment cell.” The future of such institutions in Mexico is discussed in the article at <<http://www.nospank.net/n-n88r.htm>>.

Girls Run From Mississippi Facility

On February 16, Mississippi police came to Bethel Girls Academy, a Christian school for “troubled” girls, to look into an apparent uprising and escape by some residents. Police notified the Dept. of Human Services of allegations of abuse at the school. One employee said she intended to quit, and would pass on the girls’ concerns to the agency as well. See <<http://www.nospank.net/bethel2.htm>>.

WWASPS Founder Eyes Property

Robert Lichfield, founder of the World Wide Association of Specialty Programs and Schools, based in Utah, has made inquiries about buying an old military school in Boonville, Missouri, closed since 2002 and currently owned by the town. Lichfield said if he decided to go ahead with the purchase, according to a March 21 article in the Kansas City Star, the school would not be a part of the WWASPS network, but he did plan to lease the property to a former WWASPS staffer to run. The archived article at <<http://www.nospank.net/kemper.htm>> includes some extra “bonus” material: links to correspondence between U.S. Rep. George Miller of California and former Attorney General John Ashcroft about the need to investigate abuse allegations concerning WWASPS programs (Ashcroft said the Justice Department had no jurisdiction over private facilities or those outside U.S. borders).

Utah Boy Flees Placement

No kid removed unwillingly from home by social workers and placed in a scary mental hospital can be said to be lucky. But one 15-year-old in this position had a big advantage that made him far more fortunate than most: he’s the son of the controversial polygamy supporter John Daniel Kingston, so he was able to get the attention of the press. After running from the institution to his mother’s home in March, the boy told stories of abuse at the facility, and said staff had pressured him to lie about his parents. After media coverage of the teen’s story, says <<http://radio.ksl.com/index.php?sid=158251&nid=19>>, the Department of Human Services agreed to let him stay at a different (better) facility, and a judge ordered an investigation into his allegations. If only other kids were so lucky.

The Judge Taketh Away

District Judge John Shabaz permanently rescinded the faith-based government grant of MentorKids, an Arizona group that works with children of convicts. The group reportedly hired only Christians and encouraged workers to “share their faith” with the kids. This is the first faith-based program to lose its funding, says <<http://www.firstamendmentcenter.org/news.aspx?id=14700>>.

Bible Study Decision Postponed

For over 60 years, parents in Staunton, Virginia have had the option to send their children to Bible study classes once a week during school hours; that option will continue for at least another year. Some parents complained that children who remained in school were stigmatized and had little to do during the “weekday religious education” period. Even a local pastor objected to the practice. But on February 14 the school board avoided a final decision by voting to “conduct a yearlong review of the program.” An article about the controversy appears at <<http://www.firstamendmentcenter.org/news.aspx?id=14836>>.

News Links

AmeriCorps OK in Religious Venues

On March 8, an appeals court ruled that it's perfectly fine for AmeriCorps (a government program) to place volunteers in Catholic schools, as long as time spent on religious activities isn't counted as hours of volunteer service in the program. See <<http://www.catholicnews.com/data/stories/cns/0501382.htm>>.

Evolution Warning Labels

The labels placed in high school science textbooks in Atlanta, Georgia, warning students that evolution is "a theory not a fact," were called "religiously motivated" and ordered removed by U.S. District Judge Clarence Cooper on January 13. The school district will appeal, says <<http://www.cnn.com/2005/LAW/01/18/evolution.stickers/>>. Evolution foes in Dover, Pennsylvania have a different approach: a statement presenting the theory of "intelligent design" as an alternative to the theory of evolution is read aloud to students in science classes. The statement was read in classes for the first time on January 18; fifteen students were excused from hearing the statement. (Why would they want to miss such a historic event?) Eight families have filed a lawsuit to overturn the policy, according to <<http://www.firstamendment.org/news.aspx?id=14708>>.

Teacher Really Is Too Religious

The last issue of *Youth Truth* mentioned California teacher Stephen Williams, whose school refused to let him use any instructional materials containing the word "God," such as the Declaration of Independence; we said it sounded like the school was being silly. Turns out the teacher's story was a big spin; it seems the guy *constantly* talked about religion in class, and made his students read all kinds of religious writings that would have had little educational value to them. Williams has sued the school, and, from the article at <<http://www.firstamendment.org/news.aspx?id=14779>>, it sounds like he's still teaching there.

Mississippi to Advertise Religion

In 2001 Mississippi enacted a law, apparently still in effect, requiring the motto "In God We Trust" to be displayed in all public school classrooms; the motto may now be joined by more religious displays. A bill passed by the state legislature and sent to the governor on March 30 would allow posting of the Ten Commandments, the Beatitudes (of Jesus' Sermon on the Mount) and the motto "In God We Trust" to be posted in public buildings in the state—including schools, we presume. See <<http://www.clarionledger.com/apps/pbcs.dll/article?AID=/20050330/NEWS010504/50330011>>.

School Boards Keep Praying

In defiance of a February 25 ruling by U.S. District Judge Ginger Berrigan, many Louisiana school boards continued to open their meetings with prayers, says <<http://www.firstamendmentcenter.org/news.aspx?id=14911>>.

Texas Cheerleaders Too Sexy

In March, Representative Al Edwards of Houston, Texas introduced a bill to ban "vulgar or suggestive" performances at high school events; more details appear at <<http://www.dfw.com/ml/dfw/news/legislature/11179929.htm>>.

Bill to Stop Funding "Gay" Material

Last December, Alabama Representative Gerald Allen introduced a bill to withhold government funding from "any materials or programs" that "sanction, recognize, foster or promote" homosexuality. An article is at <<http://www.decaturndaily.com/news/041201/homosexuality.shtml>>; a derisive editorial from the U.K. appears at <<http://www.guardian.co.uk/arts/features/story/0,11710,1369643,00.html>>.

Stick Figures Found Obscene

The February 2 issue of *The Tattler*, a student paper in Ithaca, New York, ended up with a blank spot instead of a cartoon, see <http://www.splc.org/newsflash_archives.asp?id=95&year=2005>.

Judge Reverses Drinking Penalty

Seventeen Ohio teens who drank beer, quite legally, on a class trip to Germany last year were vindicated on March 7; a judge found the school hadn't told them to obey U.S. laws while travelling abroad. See <<http://www.channelcincinnati.com/news/4258700/detail.html>>.

School Papers Confiscated, Trashed

A revised version of the February issue of *The Wave* had been issued, but just to make sure no student would ever see Amanda Escamilla's piece on virginity, officials at Amanda's Florida school sent janitors with trash bins to remove every newspaper they could find in the student press area, including the paper's entire run of backfiles. Escamilla now has a job reporting for an online news site as a result of the controversy, says <<http://www.splc.org/newsflash.asp?id=993>>.

Student Editor Fired Over Interviews

On February 4, California student Ann Long was told she could no longer serve as editor of *The Oracle*, her school paper. By interviewing fellow students, who were openly gay, about their sexual orientation, Long, said administrators, had violated a section of California's education code that prohibits such personal questions on any "test, questionnaire, survey, or examination." But an information officer for the state's department of education disagrees, saying the section was not meant to apply to school newspaper staff. See <http://www.splc.org/newsflash_archives.asp?id=945&year=2005>.

No Debating the Issue

A "point-counterpoint" about whether a gay-straight alliance should be allowed to meet on school property was cut from a Georgia school paper as potentially "disruptive." The idea of filling the space with a "censored" stamp was also vetoed, according to <<http://www.firstamendment.org/news.aspx?id=14701>>.

News Links

Critical Web Sites Allowed

On February 18, U.S. District Court Judge Jimm Hendren overturned the suspensions of Justin Neal and Ryan Kuhl, now seniors at Greenwood High School in Arkansas. Hendren felt that the school's actions caused more "disruption" than the boys' web site criticizing the school. See <http://www.splc.org/newsflash_archives.asp?id=965&year=2005>.

Two Confusing Rulings

District Judge Steven McAuliffe praised a teen for having "stood up for his First Amendment rights," but ruled on March 17 that his New Hampshire school could refuse to let him pose for his senior photo with a rifle, even though other seniors posed with their hobbies. On March 11, U.S. Magistrate Roger B. Cosbey decided an Indiana student shouldn't have been suspended for wearing a Marine Corps t-shirt depicting a rifle; he felt the school's policy against "symbols of violence" was too broad. See <<http://www.firstamendmentcenter.org/Allnews.aspx>>.

Girl Must Wear Girl Costume

The dress code for senior photos at a Florida high school is a black "drape" (for females) or a tuxedo and bow tie (for males). Senior Kelli Davis didn't like the looks of the "drape" and chose to wear the tux instead. The principal refused to include her photo; on February 24, the school board upheld his decision. Kelli decided not to pursue legal action, but, says <http://www.splc.org/newsflash_archives.asp?id=975&year=2005>, she almost certainly would have prevailed.

Young Rockers Get Help

Hearing that rock music had been banned from a nearby high school talent show for fear of violence, Philadelphia DJ Dee Snider, formerly of the group Twisted Sister, spoke up and changed school officials' minds, says <<http://www.firstamendment.org/news.aspx?id=14946>>.

Spellings Starts Off With A Bang

On January 25, 2005, before she was even sworn in as U.S. Secretary of Education, Margaret Spellings wrote a letter to the Public Broadcasting System expressing her disapproval of the presence of a child with lesbian parents in an episode of the PBS children's program *Postcards From Buster*. The letter warned that Congress did not want government funding to be used on "this type of subject matter." PBS said that Spellings' letter did not influence their decision not to air the episode, says <http://www.washblade.com/print.cfm?content_id=4835>. Hah.

Books Withdrawn

Pulled from school libraries: *Anastasia Again!* by Lois Lowry, from a Florida elementary school, for references to beer, *Playboy* magazine, and suicide; *Whale Talk* by Christopher Crutcher, from an Alabama high school, due to "offensive" language; and *Bless Me, Ultima* by Rudolfo Anaya, from a Colorado high school, after complaints about "obscene" language and depiction of "paganistic" practices! See items at <<http://www.firstamendmentcenter.org/Allnews.aspx>>.

Kids Today Just Don't Appreciate

A study that surveyed over 100,000 high school students says kids are less likely than adults to care about or support free speech protection. More than adults, students thought that citizens do not—and *should* not—have a right to express unpopular opinions, or that government does—and *should*—have the right to control speech in the media; see <<http://firstamendment.jideas.org/findings/findings.php>>. Since student journalists were better-informed and more concerned about free speech than their peers, the authors suggest that more students be exposed to media education and activity. *Please*. Why not just *give* kids free speech rights, not just in journalism, but everywhere? People regularly punished for expressing their opinions are hardly likely to believe in that right for *others*.

Bills For Freedom of Student Press

In February, legislators in Michigan and Vermont introduced bills to restrict the ability of school administrators to censor school newspapers. A 1998 court case, *Hazelwood School District v. Kuhlmeier*, lets principals censor student speech for any "legitimate pedagogical reason," but the two bills would limit censorship to speech that is obscene or defaming, an invasion of privacy, or poses a "clear and present danger" of illegal or disruptive activity. Both bills are described at <<http://www.splc.org>>.

Shield Law May Even Apply to Kids

"The Free Flow of Information Act of 2005," introduced in the U.S. House on February 2 as H.R. 581 and in the Senate a few days later as S.B. 340, aims to protect journalists from being forced by the government to disclose confidential information (such as names of sources) for no good reason. The protection won't apply to bloggers or others with personal web sites, but *will* protect student journalists, says <http://www.splc.org/newsflash_archives.asp?id=963&year=2005>. High school journalists, too? Probably, but only from a "federal entity" such as the FBI—not from your school principal.

Student Arrested for Stories

A Kentucky student was arrested for making terrorist threats after his grandmother found and turned over to police his journal of violent fantasies, such as the takeover of a school by a student "militia." See the article at <<http://www.lex18.com/Global/story.asp?S=3046416&nav=EQ1pXDvT>>.

Stick Figures Called Threats

On January 24, two boys, 9 and 10 years old, were led from their school in handcuffs because their stick figure drawings of people being stabbed or hung were interpreted as threats against a classmate; the story appears at <http://www.usatoday.com/news/education/2005-01-26-drawings_x.htm>.

News Links

Kids! Don't Talk to Friends!

On February 1, on his way to school, a 10-year-old Missouri boy found a gun partially buried in the ground, and put it in his backpack, planning to turn it in to the principal. But before he did, he told another student what he'd found. That was his mistake, said the principal who suspended him. (At least he didn't get arrested.) The gun turned out to be a toy, says <http://www.themurchannel.com/education/4155928/detail.htm>.

Wrong Person Protected

Beverly Brekke of California disapproved of 15-year-old Dean Wills, the boyfriend of her 17-year-old daughter Danielle. When she found letters Wills sent her daughter describing bizarre plots to kill Danielle's parents, the mother did not take them seriously as a threat, but did nevertheless use the letters to obtain a restraining order against Wills, which prohibited him from coming within 100 feet ... of Danielle! Wills is appealing the restraining order on free speech grounds, says http://www.splc.org/newsflash_archives.asp?id=949&year=2005. Perhaps a better ground for appeal is that Beverly Brekke misused this legal mechanism to enforce her parental will.

"Mismatch" in Teaching Philosophy

Scott McConnell, a master's student in the education program of LeMoyn College in New York, was dismissed from the program in January because the views he expressed in an assigned paper—that schools should permit and practice corporal punishment—were at odds with the philosophy and beliefs of the college's program. Now *there's* a story that's got it all: free speech, corporal punishment in schools, and (for our libertarian friends) the right of a private corporate entity to refuse to serve an individual! Before deciding whether the college was right or wrong, take a look at the details at <http://www.newsmax.com/archives/articles/2005/2/15/120501.shtml>.

Brave Students Boycott Tests

Despite the risk of being held back in school or failing to graduate, a few gutsy kids are refusing to take their states' required standardized achievement tests. See <http://www.team4news.com/Global/story.asp?S=3005607&nav=0w0vWscT> and <http://www.seattle.indymedia.org/en/2005/02/244819.shtml>.

Judge Reverses Drinking Penalty

Seventeen Ohio teens who drank beer, quite legally, on a class trip to Germany last year were vindicated on March 7; a judge found the school hadn't told them to obey U.S. laws while travelling abroad. See <http://www.channelcincinnati.com/news/4258700/detail.html>.

Failing Schools May Not Tutor

A December 8 letter from the U.S. Dept. of Education informed Illinois officials that Chicago's Public Schools (and ten other school districts) must immediately stop providing tutoring services to its students or lose federal funding. The letter explained that the No Child Left Behind Act requires districts "in need of improvement" to use only "third party service providers" to tutor kids. An article at <http://www.bridges4kids.org/articles/12-04/eSchoolNews12-23-04.html> calls the provision "a boost to for-profit providers."

Private Tutoring Just As Bad

Last fall, Chicago Public Schools did comply with the No Child Left Behind Act, dutifully hiring a private tutoring company, Platform, to help students at its failing schools. But on March 7, school superintendent Arne Duncan expelled the company from its schools, announcing that Platform had "failed to perform." Duncan is checking out other tutoring companies, but an article posted at <http://news.bostonherald.com/national/view.bg?articleid=72060> suggests that he may consider violating the Act's requirements by placing kids "in the district's tutoring program."

NCLB Resistance Grows

Signs of the growing dissatisfaction of states with the No Child Left Behind Act: In January, Illinois school district officials got together to consider a class action lawsuit challenging some unreasonable provisions of the law, reports <http://www.newstrib.com/main.asp?SectionID=1&ArticleID=15753&SubSectionID=60>. In February, a 77-page report from the National Conference on State Legislatures, a bipartisan group of elected officials, lambasted the act for stifling local initiatives, imposing an unworkable system of accountability, increasing segregation, and driving away teachers from needy schools. The report also suggests that enforcement of the Act is unconstitutional; see http://www.tdn.com/articles/2005/02/24/nation_world/news04.txt and <http://www.washtimes.com/upi-breaking/20050223-063141-2523r.htm>. And in March, Secretary of Education Margaret Spellings met with Governor Jon Huntsman of Utah to try to stop a bill in the Utah state legislature that rejects federal control over its education system. Seven other states are debating similar bills, says <http://tv.ksl.com/index.php?nid=5&sid=155908>. Rep. Margaret Dayton, the author of the Utah bill, was quoted at <http://washingtontimes.com/national/20050317-112954-4170r.htm> as saying "It is not acceptable for the 6 percent of Utah's education budget which comes from the federal government to control 100 percent of the education policy."

Notable Passings

Psychologist Brandt F. Steele, who coined the phrase "battered child syndrome," died on January 19, and psychologist Sheldon H. White, who helped develop such programs as *Sesame Street*, died on March 19. Obituaries appear at <http://www.bannergraphic.com/copy/obits/obit4207.htm> and <http://wtop.com/index.php?nid=114&sid=99880>.

Sue's Review

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Ramsey, Sarah H. and Abrams, Douglas E. *Children and the law in a nutshell*. (West nutshell series.)
St. Paul, Minn. : West Group, 2001.

Youth law textbooks are just as depressing to read as youth law handbooks for laypeople, and they can be kind of difficult to understand, too. After ploughing through for awhile, I found it getting easier, and even began thinking in new ways about how to attack age restrictions in the courts. It was like struggling in a foreign language class for several weeks or months, and one day unexpectedly finding oneself *thinking* in the new language.

If you stop practicing a new language after only one class, you'll likely forget all you learned. So when these books go back on my shelf, they will probably have little lasting influence on me, aside from some new knowledge of specific court cases. For others, reading these books might lead to lifelong careers.

The two books I read are not of much use as reference books, to sit on the shelf until needed—they've got to be read and absorbed. If you want to look up a particular aspect of the law, and you don't know the name of the court case, their indexes probably won't help you find it. For that, you're better off with a (much cheaper) handbook for the general public. (I especially liked the old ACLU handbooks, *The Rights of Young People* and *The Rights of Students*, but no new editions of these have been published in many years.)

At \$25.50 for a compact, 600-page paperback, *Children and the Law in a Nutshell* is not a bad deal. It covers all the major cases, providing very brief—often inadequate—descriptions of the cases, and discusses the decisions' implications.

The extremely brief mentions of cases left me puzzled at times:

A number of states provide exemptions to immunization requirements for parents whose opposition is based on their religious beliefs, although some state courts have struck down the exemption. See, e.g., *Brown v. Stone* (Miss. 1979) (immunization exemption violated equal protection rights of immunized children who would be at risk of contracting communicable diseases from non-immunized children). (p. 336-337)

For me, this raised not a legal question, but a medical one—why would the immunized children be at risk? Do vaccines only work if you don't come in contact with the disease? If so, what's the point of getting vaccinated? Another example:

In *Belcher v. Charleston Area Medical Center* (W.Va. 1992), for example, the parents of a 17-year-old child who was suffering from muscular dystrophy and related serious illness executed a "do not resuscitate" order. After the child died, the parents sued the hospital, alleging that the child's consent to the order was required. The court recognized the common law mature minor exception to parental consent and remanded the case for a determination of whether the child was mature. If the child was mature, the child's consent was needed, but otherwise the parents' consent was sufficient. (p.345).

So, let me get this straight: the parents asked the hospital not to resuscitate the kid, and then sued the hospital for doing as they asked? How did this come about? And what was the outcome? This little "Nutshell" book leaves me hanging!

Some facts or data cited by the book may surprise the reader: "According to a 1999 study, approximately 2-5% of adults in the United States are compulsive and problem gamblers. By contrast, 6-12% of 13-17-year-olds have serious gambling problems" (p. 435). (I suspect the study's definition of a "gambling problem" skewed the results—if, for example, they used "law-breaking" as an aspect of having a "gambling problem," many kids would be unfairly labeled, since certain gambling activities are legal for adults, but not for minors.) Elsewhere, the book states without qualification, "many sex offenders are not recidivists" (p. 235)—not surprising to me, but contrary to the currently-accepted view of a "sex offender".

As I said, reading this stuff can be depressing—there's not much here to help individual kids or the youth rights movement—but it's good to know where we stand. The inadequacy of the case descriptions might motivate a reader to do further research. And the authors do occasionally express a bit of sympathy for kids, as in this passage:

By characterizing commitment as voluntary and assuming that custodians act in the child's best interests, *Parham* reached a stark conclusion about the custodial status of children: Children's views play only a negligible role in the commitment process, at least as a constitutional matter (p. 324).

Sue's Review

Harris, Leslie J. and Teitelbaum, Lee E. *Children, parents, and the law : public and private authority in the home, schools, and juvenile courts*. New York : Aspen, 2004.

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For an exploration of youth law with some real depth, shell out \$80 for *Children, Parents, and the Law*. This book could almost be called an anthology, consisting largely of lengthy passages of legal writings and legal opinions on children and families from throughout history. It is also a real textbook—each section ends with “Notes and Questions” for students to ponder and try to answer.

In exchange for depth, the book sacrifices some breadth. I tried to satisfy my curiosity about the two baffling cases mentioned in *Children and the Law in a Nutshell*, *Belcher v. Charleston Area Medical Center* and *Brown v. Stone*, by looking them up in this impressive book of over 900 pages; sadly, neither case was included. But the cases that *are* included are fully explained, with background information and outcomes, as well as implications for children in similar situations.

The authors seem to try to be unbiased at all times, presenting various opinions without taking sides. But sometimes the facts of a particular case make impartiality nearly impossible:

... juveniles were a particular “target” for inpatient mental health ... “recruiters” during the 1980s when stockholders began suffering ... a dwindling number of adult patients due to insurance cut-backs Children’s insurance providers would frequently be billed for several hours of group therapy a day ... [and] dosages and types of medications that, if actually taken, would have been lethal. With alarming frequency, adolescent patients were deemed “cured” the same day their insurance benefits ran out many of the discharged children’s behavioral problems were worse, rather than better, after their inpatient treatment (p. 243-244).

And the passages selected often have a pro-youth attitude:

The acts of children who are adjudicated status offenders are not very different from the acts of most adolescents. Yet some adolescents come to court and others do not (p. 447).

The passage goes on to explain how poor, female, or unwanted children are unequally charged with status offenses such as truancy or “ungovernability”. Other passages:

Status offenses accounted for about a quarter of all girls’ arrests in 1996, but less than 10 percent of boys’ arrests Why are girls more likely to be arrested than boys for running away from home? There is some evidence to suggest that parents and police may be responding differently to the same behavior (p. 450-451).

It seems bizarre to justify the variable treatment of young people currently manifested in the patchwork of legal regulations as though it expressed careful judgments about their competencies for various tasks and responsibilities. Why would [a girl] be competent to consent to her own abortion but not entitled to miss school for her doctor’s appointment without parental permission? Why would the seventeen-year-old be competent to be treated as an adult in criminal court but not competent to sign a contract? A theory of variable competence ... does not supply the rationale for the particular choices the law has made up to this point (p. 210-211).

Want arguments against youth curfews? This book has some of the best ... although these arguments failed to prevail in a panel of circuit court judges, in the 1999 case *Hutchins v. District of Columbia*. *Children, Parents, and the Law* devotes over 12 pages to the opinions of the judges, both concurring and dissenting, in that case. Good stuff.

Both books give at least the basics on the major cases such as *Gault and Tinker*. *Children, Parents and the Law* touches briefly on the issue of homeschooling, a topic left out of *Children and the Law in a Nutshell*. Both discuss the 1986 case *Bethel School District v. Fraser*, in which a student was suspended for a sexually-suggestive campaign speech, but neither gives the text of the speech, crucial to the case (the speech was carefully phrased so that no word would be unambiguously sexual). Describing the *Parham* case is as close as either book comes to addressing the private, unregulated treatment centers for “troubled teens” we call “gulag schools.”

They won’t tell you everything you want or need to know about youth law, but as you read, you may start feeling or thinking more like a lawyer than a victim of discrimination. And just imagine the looks on people’s faces if they see you reading these on a lovely day at the beach this summer.

Sue's Review

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Levesque, Roger J. R. *Adolescents, sex, and the law : preparing adolescents for responsible citizenship.*
Washington, D. C. : American Psychological Association, 2000.

Lawyer and psychologist Roger J. R. Levesque likes to focus on particular issues in adolescence, presenting not only laws and legal decisions but a wide range of research on his topic.

He does a pretty good job with *Adolescents, Sex, and the Law*. The imposing volume looks at teen sex historically, legally, psychologically—and *practically*. Subsections in many chapters called “Realities of Adolescent Life” contain some of the best passages in the book.

Although Levesque's writing style is clear and readable, he does have a thing for excessively numbering his talking points. Lists are numbered “first” “second” “third” (sometimes up to “sixth” and “seventh”), each item consisting of multiple paragraphs. I found myself forgetting what the list was about by the time I came to the next number. Even the author sometimes seemed to get mixed up—a couple of these lists ended up including arguments *against* what the list was introduced to support. The author also repeats himself unnecessarily, apparently forgetting that he'd already included certain bits of information and introducing them again as if they were new.

No precise definitions of what the author means by “minor” or “adolescent” are given, which leads to confusion, as when he says first that adolescents have the right to engage in sexual activity (p. 60), but later states that “sexual activities involving minors tend to be illegal” (p. 196). In the second proposition, perhaps the author left out the words “younger than the age of consent.” But the first proposition is debatable no matter how “adolescence” is defined. Doesn't a right to do something include the right to be free from interference while doing it? Even though the law doesn't forbid sexual activity among kids over the age of consent, neither does it stop parents or others from restraining their actions or punishing them.

Levesque is inconsistent in his skepticism of research, as well, at times pointing out possible flaws and cautioning the reader, but elsewhere seeming to accept the conclusions with no qualms at all. He questions the “causation” of sexual behavior by media portrayals of sex, ending up with what seems to me a reasonable and balanced conclusion—that media influence can be powerful only if a person has no other strong influences in his or her life (p. 173). But he doesn't question studies on the bad “effects” of drugs and alcohol, asserting that “youth who

use drugs experience increased pressure to sell drugs” (p. 25)—clearly the pressure to use *and* sell drugs comes from the environment, and precedes the decision to do either.

When mentioning problems of youth consenting to sex, being coerced, knowing where to get legal help, counseling or birth control, the author repeatedly asserts that adults have the same problems, or *would* have, if they were in the situation that kids are. I like that. He also stresses that kids' fears of parental notification policies at clinics, or of talking to their parents, are often quite justified and rational, and that involving parents does *not* reliably lead to better outcomes for kids and families.

Tidbits to use: “two out of three children born to an unmarried parent are born to a person who is not a teenager” (p. 123) and “teenage parents account only for 3% of all nonmarital births in any given year” (p. 295). There are nice passages, too:

... returning [runaways] home ... assumes that adolescents will cooperate and want to return home when they actually do not the focus on family reunification apparently discourages adolescents from reaching out to shelters ... [and] hampers providing informal family and community shelter services some states still make it a crime or tort ... to knowingly or intentionally provide housing to a runaway minor (p. 203).

... the presence of a father in the home actually only had a modest impact, and regular contact with fathers outside the home led to no discernible positive outcomes for the children highly involved fathers who subsequently decrease their involvement, or fathers who have poor relationships with their children throughout the child's life, prove more detrimental to their children than fathers who opt for no relationship at all (p. 301).

Levesque also covers major laws and court cases, and indexes them beautifully at the end. He connects the Parham decision of 1979 with the excessive mental hospital commitments of youth in the 1980s far more coherently than was done in *Children, Parents, and the Law* (also reviewed in this issue).

Adolescence, Sex, and the Law cost me about \$28 new, and despite its problems, I'd say it's worth the price.

Sue's Review

Levesque, Roger J. R. *Not by faith alone : religion, law, and adolescence.*
New York : New York University Press, 2002.

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To follow up his "masterpiece" *Adolescents, Sex, and the Law*, author Roger Levesque chose to tackle religion in adolescence, a subject with which he is clearly less comfortable. In *Not By Faith Alone*, the confident assertions and opinions of the earlier book are gone, replaced by long reviews and confusing interpretations of the research of others.

The book is much shorter than his previous book, but even so, it is padded with pointless repetition and, at times, what seems to me to be meaningless gibberish:

Research in this area generally understands religious judgment in terms of the way we cognitively organize religious reality Some posit that we develop a deep "mother-structure" that constitutes the basic religious-cognitive structure (p. 30).

Research in this area, buttressed by research on the stages of cognitive development, suggests that cognitive development necessarily relates to the sophistication or complexity of faith structures. Faith structures result from the individual's process of "meaning-making" (p. 31).

Levesque does provide sources for this stuff, so I suppose one could look them up; maybe then they'd make more sense. I am a bit curious about the types of "research in this area" that are being cited—is it the sort of research that conforms to scientific methodology? or just some psychologist giving opinions?

As the book goes on, it gets a bit better, exploring differences between religious and non-religious adolescents, the influence of parenting styles and parental support, and influences of religion (or some religions) on teens and families. In this latter section, some religious influences are deemed "positive" ones by the author (commitment to educational achievement, participation in volunteer work, avoidance of delinquency, improved ability to cope with problems); others are called "negative" (corporal punishment practices in the home, religious or racial intolerance, discrimination against females, guilt or depression over sexual orientation or desires, isolation from and deprivation of "worldly" sources of information, decreased likelihood of practicing "safe sex," or embrace of Satanism or other non-mainstream religions). Even "coping mechanisms" are not always enhanced by religion:

... many religious groups frame problem behavior as sin and ascribe responsibility ... to an individual's flawed character such a view ... fosters feelings of guilt and shame, erodes feelings of competence, self-worth, and hopefulness, and distracts the person from more productive coping responses some groups may encourage or tacitly condone the withdrawal of community support, a factor clearly related to negative outcomes ... in one study ... unmarried adolescent mothers who were more religiously active suffered higher rates of depression than those who were less religiously active (p. 59).

If you just want to know about the law pertaining to religion, skip to page 79. If you only want to know about laws affecting youth, skip to page 89. There follows a fairly good historical review of court cases dealing with religion or having a potential impact on religion. One, *Bellotti v. Baird* (1979) was mentioned twice in an interesting context, but never described by the author; I had to look it up elsewhere to recall what it was (it struck down a Massachusetts law mandating parental consent to a minor's abortion). Levesque discussed why religious decisions of minors are not treated as private, as are abortion decisions:

... adolescents' religious autonomy would enlist the state (generally in the guise of the court system) in determining whether the religious decision at issue was best for the individual adolescent. This role raises rather challenging issues, such as the competence of the courts to understand adolescents' needs, the potentially massive intrusion of the courts in family decision making, the high risk that harm would result ... it is not surprising ... that the legal system ... has not addressed adolescents' right to practice their own religious beliefs ... when those beliefs ... conflict with those of their parents (p. 138).

Or, as the author puts it on the next page, "the legal system typically does not directly address the rights of adolescents and seemingly prefers to address the rights of those who can exert control over them." There you have it. But if youth autonomy became an accepted cultural value, we could argue, courts *wouldn't* be flooded with cases they couldn't handle.

At about \$40 new, this book is not such a great deal, but I'll give it a marginal thumbs-up.

News Links

School District Scandals

On March 8, the former superintendent of schools in Pattonsburg, Missouri reportedly admitted embezzling \$844,477 from his school district over the past four years, to cover gambling losses; the story appears at <http://www.thekansascitychannel.com/education/4264992/detail.html>. But that's nothing compared to the corruption in the Roslyn, New York school district: at least three district officials, including former superintendent Frank Tassone, were charged last fall with spending over \$11 million in school funds over an eight-year period on lavish gifts for friends and relatives and luxury items for themselves. See http://www.theempirejournal.com/03020565_roslyn_school_employees.htm; a long expose is at <http://newyorkmetro.com/ny/metro/urban/features/9908/>.

Model Home, Hidden Horrors

Wealthy and educated, John and Linda Dollar of Florida seemed ideal parents to their eight adopted children ... until their 16-year-old son was hospitalized for an injury on January 21—weighing less than 60 pounds. The other kids were similarly emaciated, showing signs of having been brutally tortured; the abuse may have gone on for a decade without ever being noticed. See <http://archives.cnn.com/2005/LAW/02/20/family.torture.ap/>.

Taser Stops Boy's Heart

Police say he "lunged" at them; other witnesses apparently disagree. Either way, the force of 50,000 volts turned out to be excessive for one 14-year-old Chicago boy, who remained hospitalized on February 9, two days after the incident, according to http://abclocal.go.com/wls/news/020905_ns_taser-teen.html.

Suspension for Catching Principal

The principal broke the rule, but the kid who caught her in the act was the one who got punished. Eliazar Velasquez, a Rhode Island high-school sophomore, took photos of Principal Elaine Almagno violating state law by smoking outside the school and posted the evidence on his web site. Velasquez was promptly suspended for having "disrupted the learning environment." But on March 23—after a call from the ACLU—district officials lifted the penalty, says <http://www.cnn.com/2005/EDUCATION/03/24/smoking.principal.ap/>.

Bus Driver's Plan Backfires

To make it onto the TV show "Survivor," you gotta show you don't crack under pressure. So on January 6, a school bus driver in Pennsylvania allegedly asked her passengers to be extra wild and crazy as she drove—all the while recording the mayhem for her audition tape. But the bus had a security camera of its own. On viewing the footage, police charged the driver with reckless endangerment, says http://wcco.com/Survivor/survivor_story_043222932.html.

Police Arrest Girl For Tantrum

On March 14, police took a 5-year-old girl from her Florida school, her ankles handcuffed and her wrists bound with plastic ties. The child had reportedly been destructive and kicked her teacher. Police later released the girl to her mother without charges, says <http://www.local6.com/news/4297182/detail.html>.

Spank Your Son Or Else

On March 3, an Illinois Christian school told a mother to spank her 6-year old son, then and there, or he would be suspended. The mother withdrew her son from the school, says <http://www.nbc5.com/education/4257962/detail.html>.

Father Visits School to Beat Son

A 44-year-old Missouri man came to his 8-year-old son's school on March 5 and allegedly beat the boy for two minutes in a bathroom, belligerently shoving a female counselor who tried to intervene, telling her to butt out. The principal stopped the beating, but the father continued to angrily insist it was none of the school's business. The boy told a nurse that his father said he'd "finish the spanking" at home, and that the punishment was for wearing sneakers with no shoelaces. The man was arrested, says an article at <http://www.nospank.net/n-o20r.htm>.

Mom Wields Tire Iron At Students

A 48-year-old Massachusetts mother was arrested on March 17 in a high school parking lot, where she was waiting to pick up her daughter. One student said the woman blocked his car with her own and angrily refused to move it; when he responded with a "sarcastic" remark, the mother allegedly sprayed him with pepper spray and began chasing other kids with a tire iron. The mother claims she acted in self-defense, since the kids threw snowballs at her. See <http://www.thebostonchannel.com/news/4294243/detail.html>.

Out-of-Control Teachers

On February 7, a Chicago teacher allegedly bit a 9-year-old autistic student—in self-defense, the teacher claims. And on March 9, a Florida teaching assistant was arrested for abusing a 12-year-old autistic boy. At the end of her rope, she allegedly strapped the boy into a wheelchair and blockaded him in a bathroom; the boy tipped over the chair in his struggle to escape. The reports can be seen at http://abclocal.go.com/wls/news/022805_ns_teacher_bites_student.html and <http://www.wftv.com/news/4269348/detail.html>.

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