

# KIDS UNDER FIRE IN TEXAS, CALIF. BERGEN-BASED DRUG PROGRAM

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KIDS of Bergen County Inc., which cares for children and young adults addicted to drugs and alcohol, is seeking a license from New Jersey amid accusations of mistreatment similar to those hanging over two affiliated centers in other states.

The Texas Commission on Alcohol and Drug Abuse has moved to close KIDS of El Paso County, and the California Department of Social Services says KIDS of Southern California is running up complaints while operating without a required license.

All three programs are affiliates of KIDS Centers of America, sharing a therapy style promoted by the Hackensack-based organization.

The Bergen County Prosecutor's Office says its findings include "excessive use of force," strip searches, solitary confinement, and administrative shortcomings in the organization's 5-year-old pilot center in Hackensack. The prosecutor's office has recommended that the state not issue a license until KIDS of Bergen County makes corrections.

The Texas commission revoked KIDS of El Paso County's license last year after concluding that teen-agers in the program were at times physically mistreated and poorly supervised. \*

While the revocation is under appeal, KIDS of El Paso County continues to treat about 50 teen-agers troubled by drugs, alcohol, and eating disorders.

In California, the Department of Social Services told KIDS of Southern California to apply for a license a year ago, said Barbara Gossett, the agency's licensing program analyst. Since the program has not done so, the department may now take legal action to require an application, she said.

Until recently the Hackensack program was not required to be licensed by the New Jersey Department of Health because it does not dispense medication or keep teen-agers overnight. In 1987, however, the state determined that all drug treatment centers require state regulation.

Should New Jersey Health Commissioner Molly Joel Coye grant the license, KIDS would be subject to state monitoring and unannounced inspections. A denial of the license could mean closure, according to Charlotte Kitler, the department's director of legal services.

Trenton is following developments in Texas and California, but it is not clear what impact, if any, action by those states will have on KIDS of Bergen County's application, Kitler said.

Patients in the non-profit, private centers range from ages 12 through the early 20s. In the early stages of treatment, a patient will spend days in marathon "rap sessions" and nights in the homes of parents whose children are further along in the program. Peer pressure landed most teen-agers in trouble, the program holds, so peer pressure should lead them out.

"We have no problem with their philosophy it's just the way they carried it out," said Bob Dickson, executive director of the Texas Commission on Alcohol and Drug Abuse.

The El Paso staff, according to the commission, hit, pushed, and assaulted patients in 1987 and 1988. Patients were also routinely deprived of sleep, billeted in overcrowded rooms, and denied permission to use the bathroom, causing them to soil themselves, the commission said.

Miller Newton, president and clinical director of KIDS Centers of America, said a few incidents, while not condoned, did occur. He cited one patient's pushing another against a wall before staff members could intervene.

In El Paso, the daily program remains sound, Newton said. "I believe they've gotten an unfair shake from that state agency," he added.

Newton is the architect of the KIDS approach to treating adolescent compulsive behavior. Newton, 50, a medical anthropologist, author, and lecturer, says the treatment centers are misunderstood by public officials whose research has been superficial.

As president and clinical director of the national organization, Newton oversees two affiliates KIDS of El Paso and KIDS of Southern California. A Salt Lake City affiliate is due to open this summer, and KIDS may cross the border to Calgary, Alberta, in the fall. Newton is program director of KIDS of Bergen County, responsible for the daily operations.

"I don't really think the [New Jersey] Department of Health or the prosecutor's office is gunning for us," Newton said. "I think they're caught in between this public outcry by a small minority of former families and patients that has been fueled by some competitors of ours. After all, we have a lion's share of the adolescent business in this county. "

Newton declined to name those competing programs.

At KIDS of Bergen County, 146 patients are enrolled along with their families. Patients are asked to pay \$700 per month for a maximum of 18 months, although many are unable to afford that bill, Newton said. No one is turned away because of inability to pay, he said. Scholarships are available and care beyond 18 months is free, he said.

A teen-ager's family must agree to attend therapy sessions and group meetings two evenings a week. The families also open their homes to new patients as their own children advance through the five phases of therapy.

While most of the 45 or so host families are in Bergen County, some are in New York City and Morris, Passaic, and Hudson counties.

Controversy swirls around the program, as a public hearing in Hackensack demonstrated last month. The hearing was arranged by the state Department of Health, which wanted public comment before deciding whether to license KIDS. State officials say they do not know when a decision will be made.

KIDS claims a high success rate. Of the 66 to 70 percent who graduate from the regimented program, Newton said, 90 percent remain free of their addiction.

Joel Messaros, a 22-year-old graduate, said he was reliant on drugs and facing a jail term when he enrolled. During an interview, he said KIDS turned him "from a loser to a winner. " In July he will celebrate his five-year "straight birthday. "

But not all former clients report similar good fortune. Some complain of suffering black eyes and bloody lips, strip searches, sleep deprivation, and solitary confinement, Assistant Bergen County Prosecutor Fred Schwanwede said at the public hearing. The injuries occurred as patients were restrained by staff and other patients, said Schwanwede, chief of the Sex Crimes and Child Abuse Section.

These "recurrent complaints" are not indictable offenses and would best be addressed by the Department of Health through the licensing

mechanism, Schwanwede said. The prosecutor's office recommends that KIDS hire more professional staff members and advise patients of their rights, including the freedom to leave when they are 18 or older.

Newton, who serves on the New Jersey Substance Abuse Advisory Council, said Schwanwede should have done "his homework" before leveling charges like sleep deprivation. While Monday and Friday meetings may have sometimes led to short nights a couple of years ago, patients are now required to sleep at least six hours those nights, he said.

Donald Hanson, chairman of KIDS of Bergen County's board of directors, also objected to Schwanwede's statement at the hearing.

"Mr. Schwanwede seemed to imply that the prosecutor's office had evidence that the program used excessive force," Hanson said. "If he's got evidence, he should prosecute, and if he doesn't, he should shut up; and if he's not prosecuting on the basis of evidence that he has, he should resign. "

Newton said KIDS withdrew a pending license application days before the public hearing because the program intends to leave its rental property in northern Hackensack and buy an undisclosed Bergen County site. Kitler said the public comments will be considered with the next application.

The state agency sent KIDS of Bergen County a letter April 6, ordering the program to file a license application within 20 days of the letter's arrival. After that, KIDS risks a \$25 daily fine and closure until it complies.

KIDS of El Paso's future is uncertain. An administrative hearing officer handling the appeal last month recommended suspending KIDS of El Paso's license for two years while allowing the program to operate, subject to monthly visits from the Texas Commission on Alcohol and Drug Abuse.

The commissioners will decide whether to uphold Executive Director Dickson's decision last summer to revoke the license or just suspend the license as the hearing officer recommended. Should the license be revoked, KIDS could appeal the decision in Texas courts.

The KIDS affiliate in Yorba Linda, Calif., may also face closure.

"If they are made to get a license, I think they'll shut down," said Capt. Jim Oman of the Brea Police Department, which covers Yorba Linda. "I don't think they can stand the scrutiny of state licensing. " KIDS could find itself subject to "too many regulations," he said.

California will require "host homes" to meet medical, fire safety, and other state regulations, said Gossett, the licensing program analyst.

Gossett said her department has received complaints alleging mistreatment at the KIDS affiliate. They include holding patients over 18 in the program against their will and refusing permission to use the bathroom, she said.

Newton said KIDS of Southern California is suffering from "an organized effort" on the part of a few families, "a vocal minority," to discredit the program. He said treatment programs like KIDS that are "tough on drugs" are finding themselves under attack these days, often by people sympathetic to drug legalization.

Newton said KIDS of Southern California's "host homes" should not have to be licensed. The state agency is mistakenly viewing nighttime quarters as though they were foster homes, he said.

"We have given them notice they need to be licensed so far they have refused to," Gossett said.

Several calls made to KIDS of Southern California's program director, Daniel Wheeler, were unreturned. Newton said Wheeler has been hospitalized recently.

When asked about the El Paso center, Newton, an ordained United Methodist and Congregational Church minister, said, "That's an independent organization. We licensed them. We provide training for staff members and ongoing monitoring. But their board of directors run it. " The affiliates are "like a McDonald's or Wendy's they sign up and offer the same menu. "

Under the license agreement, KIDS Centers of America at the start provides materials, staff training, consulting, and budget planning. KIDS provides continuing supervision, including on-site visits by the clinical director, a position held by Newton. KIDS also approves the hiring and firing of the affiliate's program director and may remove its sanction should deficiencies persist.

Newton acknowledged that he is a member of the El Paso center's board of directors. However, he said, he is unable to attend most of the monthly meetings.

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• **Caption:** COLOR PHOTO - MILLER NEWTON, Architect of KIDS approach

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