

JUDGE: PARENTS MAY FORCE KIDS TO GET DRUG TREATMENT

Orlando Sentinel, The (FL) (Published as THE ORLANDO SENTINEL) - February 1, 1986

- Author/Byline: Associated Press
- Edition: 2 STAR
- Section: LOCAL/STATE
- Page: D2

A judge has ruled that parents can force minor children into drug- treatment programs without their consent, but attorneys for the state argue that the decision ignores recent rulings on children's rights.

The ruling by Circuit Judge Charles Miner of Tallahassee was issued last week in favor of Straight Inc., a nationally known drug treatment program with headquarters in St. Petersburg.

Straight Inc. has fought with state officials for several years about whether parents have to get court orders to force their children into the controversial drug treatment program, The St. Petersburg Times reported Friday.

The state has no right to limit "the legally protected and time-honored prerogative of responsible caring parents in the exercise of control over their minor children," said Miner in a written opinion.

Straight Inc. sued the Department of Health and Rehabilitative Services a year ago after HRS ordered the program to stop treating teenagers under 18 against their will, unless a judge approved the treatment.

"We're just delighted with the decision that has been made," said William D. Oliver, executive director of Straight Inc. "This is the issue that has surrounded Straight since its inception."

Theodore Mack, an HRS attorney, said the state will appeal.

"I think it is pretty much ignoring all of the latest decisions and national trends that show children have rights to keep from being locked up just like anybody else, whether the parents want them to be locked up or not," he said.

Mack believes the ruling would set a bad precedent. If parents can force children into drug treatment programs without approval of the child or a judge, "then any parent could walk in and say, 'I think my child has been shoplifting. Lock him up in jail for a few weeks.' We don't do that."

The HRS said children need some legal protection because well-meaning parents can make mistakes.

Straight argued that children often are incapable of making appropriate decisions about seeking drug treatment.

Anthony Battaglia, who represented the drug treatment program, predicted that the ruling would affect policies of other drug treatment programs in Florida.

But HRS officials said Straight was the only program that treated young drug abusers against their will.

That policy changed in 1984 after HRS threatened to revoke Straight's license. Officials charged that Straight kept 13 youths in the program against their will and that 15 others were coerced or tricked into joining.

- *Index terms: RULING DRUG TREATMENT CHILD DECISION*
- *Dateline: TALLAHASSEE*
- *Record: 0190390216*
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