Dear Candidate and Policy Maker

We write on behalf of a large number of Louisiana citizens. Over the past year we have worked tirelessly on behalf of an issue critical both locally and statewide: Juvenile justice reform. We seek your support for effective and meaningful reform now and offer you an opportunity to become better educated about the issue.

In 2003, the legislature and Gov. Foster took positive action to change our system. Act 1225 — the Juvenile Justice Reform Act of 2003 — is now law. While critical to improving public safety and protecting youth, their families and ultimately our communities, it delays implementation of many important reforms to the next governor and the 2004 legislature.

We the undersigned provide you with the information you need to address this important issue. In addition, we provide a Platform for Effective Juvenile Justice Reform, which was provided to all major gubernatorial candidates and all candidates for the legislature. We believe that the six points addressed in the Platform represent the most critical steps needed to move our broken system toward reform.

Thank you for seeking public office to lead our great state and considering this important issue. For more information, see Contacts and Resources on page 28 of this handbook.

Sincerely,

Coalition for Effective Juvenile Justice Reform
Louisiana Appleseed
YouWho Coalition
LOUISIANA’S JUVENILE JUSTICE SYSTEM IN THE NEWS 1993-2003

Over the past ten years, Louisiana has earned a reputation for having one of the worst juvenile justice systems in the country.

Since 1993, almost 700 print media articles have covered juvenile justice in Louisiana. A list of the headlines can be reviewed at www.jjpl.org. Few of the headlines discuss a juvenile justice system of which we can be proud.

The good news to date came out of activity initiated by the Supreme Court and the legislature, i.e. the Juvenile Justice Commission. The public is informed and interested in the juvenile justice reforms as evidenced by the many polls, letters to editors, and editorials produced during this period demanding that the state rescue and rehabilitate its troubled youth and its reputation. This call for reform rises not only from Louisiana daily newspapers, but from periodicals as far-reaching as The New York Times, Miami Herald, Boston Globe, Houston Chronicle, and international sources such as The Guardian and The Economist.

On behalf of Louisiana’s youth, their families and communities, we urge you to make it a priority to change our juvenile justice system into an area of policy and practice of which Louisiana can be proud.
Platform for Effective Juvenile Justice Reform

Preamble:
Louisiana’s juvenile justice system is broken. There is a lack of an overarching vision or policy framework for defining the juvenile justice system and for guiding its development. There is inadequate communication, coordination, and collaboration between and among existing juvenile justice services. Juvenile justice services are often poorly planned and are not research-based, nor are such services systematically monitored and evaluated. Most of the State’s financing of juvenile justice is organized into rather inflexible vertical domains, each claiming a separate piece of federal and state funding with very little collaboration among the domains for meeting the needs of each child in the system.

There are serious gaps in the needed continuum of services for children and families, especially with respect to prevention, early intervention mental health, substance abuse treatment, and family strengthening. Furthermore and most unfortunately, our current system does not provide, to the extent that it should, safety to our communities, a voice for victims, and opportunities to educate, counsel and rehabilitate troubled young people. Instead, it wastes millions of dollars incarcerating children in ineffective state secure juvenile facilities. In spite of lawsuits by the United States Department of Justice and advocacy groups and the appropriation of tens of millions of dollars to the Department of Corrections to remedy the conditions under which young people are incarcerated in Louisiana, our state secure facilities, because of their size and their philosophy, continue to be ineffective. It now costs more to incarcerate a young person at Tallulah – more than $67,525 a year – than it does to send him or her to Harvard University. Our current juvenile secure system costs over $125 million a year and has a recidivism rate double that of the less expensive, more treatment-oriented systems of other states. Meanwhile, our state, because of the high cost of its over-reliance on juvenile incarceration, is forced to cut more and more mental health and other social services which are not only critically needed to assist people but also to prevent future crime.

Louisiana’s legislature responded to the community outcry for change by passing the Juvenile Justice Reform Act of 2003 (“Act 1225”) and House Concurrent Resolution 56. These acts provide a long-term blueprint for reforming and restructuring the system. We, the members of The Coalition for Effective Juvenile Justice Reform, YouWho, Inc, and Louisiana Appleseed, believe very strongly that the next Governor of Louisiana should pledge general support for the implementation of Act 1225 and House Concurrent Resolution 56 and should specifically pledge the following:

1. I commit to support Act 1225 and to act on my support by appointing a Juvenile Justice Reform Implementation Committee as part of my transition team. The Committee will coordinate closely with and support Act 1225’s five-member Implementation Commission. In addition, I will appoint, as chair of this Committee, a respected and experienced individual with a demonstrated commitment to reform. My transition team will include a broad base of citizens including representatives of the judiciary, prosecutors, defense counsel, parents and representatives from community groups, service providers and advocates.

2. I commit to move immediately to reduce the number of youth in expensive and ineffective secure care and to close Tallulah to all youth before June 30, 2004. As part of the removal of non-violent youth from secure care, my administration will transition all youth out of the Tallulah facility as expeditiously as possible and will never use the facility again to house adjudicated delinquent youth. Not only is such action feasible and safe, it sends a clear message that my administration strongly rejects the harmful and wasteful policies of the past and is committed to real reform. I also commit to move the Office of Youth Development and its concomitant funding, as quickly as possible, to an interim location within state government outside of the Department of Public Safety & Corrections. Ultimately, however, I commit to move youth corrections to the new Department or Office of Children, Youth, and Families as indicated below.

3. I commit to restructure services to children and families by creating a Department or separate Office of Children, Youth and Families. My administration will create a separate Office or Department of Children, Youth, and Families that will provide greater coordination and communication among agencies dealing with children and families. The new department or office will eliminate redundant management
and programmatic services and invest the monies saved into direct services for children and families. In addition, the new department or office will establish a decentralized system of community-based service delivery with single points of entry, comprehensive case management, and wraparound services for all children and families. Finally, the new department or office will provide a suitable permanent location for all youth correctional services.

4. I commit to obtain sufficient financial resources to ensure that needed services are generally available, instead of generally lacking to our people. I commit to build, over time, a comprehensive continuum of services, including juvenile justice services, for all children and families in the state. I believe that children should come first, not only in our words and intentions, but also in our budgets and actions. I believe that, by investing directly in children and families, we will not only reduce the scale of our social problems, but also save enormous amounts of money that can then be re-invested in economic development and the quality of life.

5. I commit to create a knowledge-based juvenile justice system. I commit to create a juvenile justice system that uses strategic planning, automated information systems, research, measures, benchmarks, monitoring and evaluation.

6. I commit to seek out and work with national and local experts in Juvenile Justice to create more community based alternatives and improve the juvenile justice system, including training and increased resources for judges, prosecutors and public defenders. Louisiana has many gifted and talented people who deeply care about our children. My administration will work with foundations such as the Annie E. Casey Foundation and the Child Welfare League to improve and enhance outcomes for children as well as public safety. In addition, I recognize that without more resources, training and supervision for the talented and dedicated individuals who prosecute, defend and pass judgment on our young people, Louisiana will never have the juvenile justice system it deserves. I promise to support these individuals and improve our system.

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LOUISIANA JUVENILE JUSTICE
KEY FACTS AND FIGURES

Louisiana's System Among the Worst in the Nation:
- Since at least 1995, when Human Rights Watch found that Louisiana's juvenile prisons violated international human rights standards, Louisiana's juvenile justice system has stood out as one of the worst in the nation. In every year since 1995 — including 2003 — there has been press coverage and public reports of abuse and violence in Louisiana's facilities.¹
- From 1992-1998, Louisiana more than doubled its number of juvenile prisons beds and financially starving more effective and humane community-based programs.²
- In 1999 (the most current figures available) Louisiana ranked second among all states for locking up the most youth — over 50% higher than the national average. We incarcerated 580 youth per 100,000, compared with the national average of 371 per 100,000.³
- Louisiana is one of only 11 states nationwide and only two in the South where juvenile justice services and programs are run by the adult corrections system.⁴ At the Juvenile Justice Commission public hearings, many concerns were raised about our adult corrections approach which has led to high rates of abuse and punitive, non-rehabilitative treatment of youth in Louisiana's justice system.

High Costs, Wasteful Investments:
- Louisiana spends more than 62 million dollars per year on its youth prisons,⁵ spending at each facility nearly 45% on security, as opposed to 16% on rehabilitation and education.
- Louisiana takes the most expensive approach in addressing delinquency. The state spends up to $185.75 a day to incarcerate a youth (whereas, residential and day treatment programs would

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¹ See page 2 of this book for examples
cost $85 and $60 per day, respectively). It now costs Louisiana’s taxpayers $67,525 a year to lock up a youth in Tallulah — nearly twice as expensive as the cost to send a student to Harvard for a year, and almost eight times as expensive as a year at LSU.

There are four juvenile prisons in Louisiana, all of which hold large numbers of youth. One facility houses over 500 youths (Jetson Correctional Center for Youth), two hold between 300 and 225 (Swanson Correctional Center for Youth and Swanson Correctional Center for Youth — MPU in Tallulah, respectively), and one holds about 170 youths (Bridge City Correctional Center for Youth). Juvenile justice experts generally agree that such high population capacities make it impossible to provide the extensive programming and treatment youth need. Missouri, one of the nation’s leaders in juvenile delinquency treatment, has no facility larger than 40 youth.

The System Abuses the Children:

In spite of lawsuits by the Department of Justice and advocates, and tens of millions of dollars appropriated by the legislature to remedy the problems, Louisiana’s juvenile prisons remain violent and dangerous places for youth. Guards have been found to abuse youth and fail to protect weaker youth from stronger ones. Children are subject to extended stays in isolation and other psychological abuse.

On average, there are more than 500 injuries to incarcerated young people due to violence each month — 100 of those injuries from staff on youth abuse or use of force. On May 1 of this year, one young man, 17-year-old Emmanuel Narcisse, died at the Bridge City Correctional Center for Youth after a guard punched him in the face. The guard was brand new at the facility and had received the standard “training” provided to all juvenile prison guards.

A System of Inequality and Racial Disparities:

- African American youth are over-represented among Louisiana’s incarcerated youth (80%), and yet African-American youth make up only 39% of Louisiana’s youth population. Additionally, White youth are more likely to receive probation or non-secure care.

- According to the American Bar Association (ABA), poor children in Louisiana who are accused of delinquent acts often go unrepresented. In some parishes, the ABA reported that 90% of youth waive counsel and enter the system virtually defenseless. In addition, those youth are represented by public defenders who are poorly trained, inadequately supervised, and woefully under-resourced. The ABA found that the vast majority of juvenile public defenders work part time and do not have the resources to do basic investigation and advocacy for their clients.

Incarceration is Overused and Arbitrary:

- More than 75% of Louisiana’s incarcerated youth are locked up for non-violent and drug offenses. Instead of receiving the support and community-based alternatives that would better serve their needs, these non-violent youth are placed in violent juvenile prisons that fail to provide effective counseling and treatment and fail to incorporate their families in their “rehabilitation.”

- Louisiana, like the rest of the nation, experienced a decrease in juvenile crime during the last six years. Nevertheless, detention admissions continued to grow over the same time period. For example, in Jefferson Parish, while juvenile arrests in 2000 were down by 22% (back to 1978 levels), detention admissions increased over 300% since 1978 (from 458 to 1,890).

Few Options Available to Judges:

- A recent report by the Annie E. Casey Foundation found that Louisiana judges have too few options when making sentencing and treatment decisions. They often have to decide between probation and incarceration, with nothing in between.

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6 Act 14 (see note 5) page 7 (Swanson Correctional Center for Youth — Madison Parish Unit in Tallulah average cost per day per juvenile offender bed is $185.75). 7 Harvard University 2003-04: $37,928 - tuition $26,066; room $4,706; board $4,162; health services fee, $1,142; and room $2,982; and board $1,986; and board $1,986. 8 LSU fulltime resident 2003-04: $8,443 - tuition & fees $3,475; room $2,982; and board $1,986. 9 www.hno.harvard.edu/gazette/1999/10/21/lsu/tuition.html 10 LSU fulltime resident 2003-04: $8,443 - tuition & fees $3,475; room $2,982; and board $1,986. 11 Average cost per day per youth — Madison Parish Unit in Tallulah average cost per day per youth is $185.75. 12 See, e.g., “Teen inmate testifies of beatings at Tallulah Prison,” Associated Press, April 11, 2003 and numerous other articles at www.jail.org. A review of the June 2003 Accident and Injury reports at one facility — JCCY — reveals over 140 injuries due to fights, abuse, and/or use of force that month alone. 13 During the summer of 2002, JPL toured all four facilities and gathered every injury report produced from youth appearing at the infirmary with visible injuries. By carefully counting the source of the injury — whether from fights with other youth, use of force by guards, self-mutilation or allegations of abuse — and averaging the numbers from the four facilities, JPL was able to determine that over 500 injuries occur to children due to violence in the four facilities every month. 14 “Teen inmate dies after altercation,” The Times Picayune, May 2, 2003, p. A1. 15 U.S. Census Bureau, 2000. 16 Department of Public Safety & Corrections, Quarterly Statistical Performance Report: 2003-Q1. 17 The Children Left Behind: An Assessment of Access to Counsel and Quality of Representation in Delinquency Proceedings in Louisiana, American Bar Association Juvenile Justice Center, June 2001 (Updated June, 2002). 18 Reducing Juvenile Incarceration in Louisiana, prepared by the Annie E. Casey Foundation, Casey Strategic Consulting Group for the Joint Legislative Juvenile Justice Commission, February 2003. 19 Id.
REPORT CARD ON LOUISIANA’S JUVENILE JUSTICE SYSTEM

FAILING OUR KIDS...
Abusive conditions
Kids are incarcerated in violent, unsafe facilities that compound the challenging issues many young people already bring with them. Since 1995, experts have found Louisiana’s juvenile prisons to be violent and dangerous places, within which education and therapeutic care are impossible.18

Inappropriate placement in juvenile prisons
Almost 8 out of 10 (78%) of the youth held in secure facilities are incarcerated for non-violent offenses.19 This is in spite of decades of research proving that incarceration is the least effective and most expensive means of treating delinquent behavior.20

Lack of appropriate treatment and education
According to LSU, almost 20% of the incarcerated youth in Louisiana have been identified as seriously mentally ill or mentally retarded. National studies indicate that between 50-75% of young people in the juvenile justice system have a diagnosable mental disorder, and most have suffered from abuse, neglect, and loss already in their young lives.21 Despite this, Louisiana does not provide appropriate treatment and education for young people with special needs, and instead relies on force and solitary confinement to deal with their problems.

FAILING OUR COMMUNITIES...
High recidivism rates
The juvenile justice system fails to rehabilitate or educate young offenders due to the violent conditions and lack of treatment in the facilities. Youth are harmed in the system more than they are helped. In fact, since 1995, more than 70% of youth released from secure care have committed another crime. Of those, 83% returned as adult offenders.22

FAILING OUR JUSTICE SYSTEM...
Ineffective, often absent advocacy for youth
Many youth in the system do not have an attorney and go unrepresented in court.23

Too few options for judges
Judges in Louisiana often have little choice but to send youth to juvenile prisons. They do not have a good range of choices to adequately meet the needs of the young people who come before the court.24

Virtually no accountability
The juvenile justice system in Louisiana is supposed to protect and rehabilitate children and youth and increase public safety. It does none of these things.

FAILING OUR TAXPAYERS...
High costs, abysmal results
In 2003, Louisiana will spend over $62 million per year to incarcerate youth in juvenile prisons that are notoriously abusive and ineffective.25

Most expensive results
Louisiana takes the most expensive approach in addressing delinquency, spending up to $185.75 per day to incarcerate youth, while more effective alternative and community-based programs are far less costly.26

18 See, e.g., Children in Confinement in Louisiana, Human Rights Watch Children’s Project, October, 1995; see also IN THE INTEREST OF S. D., 00-147-04 (La.App. 4 Cir, 11/21/02), 832 So. 2d 415 (finding that May 2002 “conditions of S.D.’s confinement and the lack of individual rehabilitative treatment at the Tallulah facility are unconstitutional. Such unconstitutional treatment of a youth that has been placed in state custody for the purpose of rehabilitation cannot be tolerated if we are to maintain any hope for the future of our youth. Human dignity and the constitutions of the United States and State of Louisiana demand no less.”)
19 Casey (see note 16)
23 The Children Left Behind, (see note 15).
24 Casey (see note 16)
25 Act 14 (see note 5) p.20
26 Act 14 (see note 5) p.90.
RESEARCH SAYS
“WE KNOW HOW TO DO IT!”

Reduce over-reliance on incarceration
Research from the Annie E. Casey Foundation (Casey) on behalf of the legislature’s Juvenile Justice Commission shows that Louisiana’s juvenile justice system inappropriately and unfairly incarcerates youth. For example, the research indicates that treatment and sentencing decisions do not appear to meet the guidelines set by our state’s Children’s Code, and judges do not consistently receive comprehensive assessments of youth’s needs and risks. Judges have too few options between probation and incarceration, and objective decision support tools don’t exist to assist judges in making these critical decisions. The report says that recommendations made by probation officers are based on a flawed decision tool that is overly skewed toward incarceration for minor offenses. Additionally, the use of the “ticket system” in the juvenile prisons to determine release recommendations for youth is “especially problematic” since it is not related to a youth’s risk to public safety.

Expand alternatives
Experts from Casey concluded that in order to improve Louisiana’s juvenile justice system the state must greatly expand alternatives to incarceration. Currently, far too many non-violent and low-level offenders are incarcerated because judges have too few options when making disposition decisions and probation services are inadequate. Consequently, youth with behavioral, mental health, and substance abuse problems are often incarcerated, not because they pose a public safety risk, but because they have these needs.

Invest in programs that work
Louisiana could invest in research-proven, cost-efficient programs that have been shown to work to reduce juvenile crime and increase public safety, while saving taxpayers millions. For example, national youth policy expert Dr. Richard Mendel documents in “Less Cost, More Safety: Guiding Lights for Reform in Juvenile Justice,” compelling evidence on successful programs in eight states that have reduced delinquency, eased overcrowding in juvenile detention and corrections facilities, diverted delinquent youth from criminal careers, and reduced reliance on expensive “residential treatment” programs for disturbed and delinquent teens. Most importantly, these programs are making communities safer and saving taxpayers millions of dollars. Additionally, the “Blueprints for Violence Prevention” by the University of Colorado’s Center for the Study of Violence Prevention highlights model programs and promising approaches to reducing juvenile crime. The vast majority of states — including all but one other southern state — vest authority for delinquent youth in a centralized, youth-oriented department, not an adult correctional agency.

REFORM MAKES FINANCIAL SENSE

Juvenile Justice reform will enhance accountability and provide a high return on our investment
Through juvenile justice reform, we will be investing in a more effective approach — essentially redirecting resources away from wasteful spending toward more cost-effective programs that will rehabilitate youth, increase public safety, and reduce juvenile crime. Considering the expense and ineffectiveness of secure care — Louisiana currently spends up to $185.75 per day to lock up a youth and up to 70% of these youth re-offend upon release — decades of research tell us that this money should be reserved for youth who are a clear threat to public safety, not non-violent youth and those who pose no danger to others. By directing non-violent youth to alternative programs, other states save millions of dollars each year without increasing juvenile crime rates. The research and facts speak for themselves: community based alternatives decrease juvenile criminal behavior.

Current leadership has failed — we need to critically examine how money is being spent
With the major financial considerations for next year, the new administration will struggle to fund new programs. The current DPS&C administration has focused on the expansion of juvenile prison beds to the exclusion of community-based alternatives. A
freshest look at how money is currently being spent and a redirection of resources is necessary to fund the critical reform effort needed to save our youth and protect our communities. The Annie E. Casey Foundation recommends closing at least one of our juvenile prisons and utilizing the savings — up to $18 million annually — for community-based alternatives. Reform will reduce wasteful spending, ensure more financial accountability, and redirect those resources to pay for badly needed changes to the juvenile justice system.

**It will save us countless millions in the long-term**

By ending our investment in a juvenile justice system that has proven to be an abysmal failure to young people, to the system’s stakeholders, and to Louisiana’s taxpayers, we will stop wasteful spending. The current system is not providing a good return on our investment or ensuring accountability. Instead, through reform efforts, we will be investing in a new approach for Louisiana similar to what has worked so well in other states. Decades of research show that implementing a range of sanctions, with more community-based alternatives and fewer jail cells, will reap huge benefits by reducing juvenile crime and rehabilitating youth. On-the-ground implementation of juvenile justice reform in other states, such as Missouri, where kids are two and a half times more likely NOT to return to the justice system than in Louisiana, show us that it can be done right here in Louisiana. In the long term, we will be saving millions while re-investing in the health and safety of our youth, families, and communities.

**KEY PRINCIPLES OF A MODEL JUVENILE JUSTICE SYSTEM**

An ideal juvenile justice system has a continuum of well-planned, coordinated, comprehensive, developmentally appropriate, and accountable public and private services which include a range of prevention, immediate and intermediate interventions, and graduated sanctions. Secure care must be available, but should only be used for serious, violent and chronic offenders whose placement elsewhere would endanger public safety. In all cases and in all facilities, safety of the child is paramount, for without feeling completely safe, no adolescent can learn to change their behavior.

Services should be provided to children and families who are either at risk of being involved in the juvenile justice system or are currently involved in the system. The 15 major components necessary to a model system include:

**Family support and involvement**
The system must support the family by providing services that strengthen the family's capacity to provide guidance and supervision and prevent delinquency.

**Interagency collaboration**
All agencies that work with youth and families need to coordinate and integrate their efforts. A variety and possible mixture of factors contribute to the onset of delinquency, so all must work together to rehabilitate.

**Fair treatment of youth of color**
In a balanced and restorative system, all youth should be sanctioned fairly and equally for delinquent and illegal acts, and they should have equal access to culturally appropriate services that meet their individual needs and are likely to prevent criminal behavior.

**The wraparound approach**
Youth with mental health issues, emotional disturbance, or serious chronic issues often need services from more than one public system. This approach formulates a single, individualized, youth-
centered, family-focused, and community-based treatment plan that delivers services across the mental health, juvenile justice, child welfare, and educational systems.

**Case management**
To reform service delivery, a strong, results-based case management system must be in place. Family-focused training, reasonable caseloads, and adequate funds can ensure success and the ability to link youth with the correct services.

**Admissions, screening and assessment**
Youth and their families must receive appropriate services with the least restrictive supervision necessary. Sound, culturally-appropriate screenings and assessments are vital to ensure that appropriate services are provided in the proper setting.

**Diversion services**
Many arrested youth do not need or benefit from formal involvement in the system or courts. Instead, informal strategies are more appropriate and effective and less expensive.

**Best practices that prevent out-of-home placement**
For youth who are adjudicated delinquent, interventions exist that protect public safety, keep them in their homes and communities, and result in better outcomes at a much lower cost than out-of-home placement.

**Youth development and prevention**
The developments of youth competencies in academics, social skills, citizenship, and healthy behaviors help prevent problem behaviors. They must be addressed in the families, neighborhoods, and communities in which youth and their families live.

**Detention, shelter care, and community alternatives**
Detention is a legal status with varying levels of supervision (it is not a building). Secure detention is necessary only for the few youth who pose dangers to public safety.

**Residential placement and secure care**
The use of institutional placements should be limited to serious, violent, and chronic juvenile offenders who must be held accountable for their delinquent acts and require a structured environment to ensure public safety. Small facilities of 25 beds or less can best provide the services these youth need.

**Aftercare**
The supervision and services youth receive after leaving facilities is critical in preventing recidivism.

**Qualified personnel**
A dedicated, effective, and properly trained workforce is essential. They must have a commitment to preventing out-of-home placement, involving the family, and treating the youth fairly.

**Jurisdiction of the juvenile court**
All youth are better served by the juvenile court, with access to secure care appropriate to ensure public safety and keep violent youth off the street. Youth under the age of 18 should not be incarcerated with adults.

**Independent citizen oversight and advocacy**
Oversight of the juvenile justice system's programs and facilities is important in protecting youth, enabling community involvement, monitoring and reporting on reform efforts, and fostering a legitimate and humane system. Effective legal representation of children should be provided so that the system does what it is supposed to do — provide appropriate services with the least restrictive supervision necessary.
THE PUBLIC SUPPORTS REFORM

The Council for a Better Louisiana (CABL) and YouWho conducted the 2003 Survey on Public Attitudes toward the Juvenile Justice System and Juvenile Justice Reform. They polled approximately 500 Louisiana residents between March 31 and April 22. Generally, the survey reveals that while citizens support tough policies for dealing with youthful offenders, they do believe in a strong focus on rehabilitation, and not necessarily within a prison setting. The results revealed:

- Only 26% rate the current juvenile justice system as good or excellent.
- 54% believe youthful offenders are less likely to commit future crimes if they are rehabilitated in a program outside of prison.
- 78% want the juvenile justice system to focus on providing rehabilitative programs.
- 76% believe it is less expensive in the long run to rehabilitate youth than to keep them in jail.
- 82% believe that most youthful offenders have the potential to be rehabilitated.
- 77% believe that substance abuse should be handled through counseling and treatment as opposed to incarceration.
- 78% believe that prison, in general, should be reserved for youth who commit violent crimes.

Once told that community-based programs can save the state $25,000 per offender annually, 73% of voters agree that closing an institution is a good idea.

- 92% believe it is a good idea to provide legal counsel for youthful offenders who otherwise cannot afford legal representation.
- 81% believe more training regarding child development and other issues about youth should be provided to judges and lawyers to improve their ability to deal with cases.
- 73% believe it is a good idea to allow judges more discretion in determining the appropriate sentence for each individual.
- 85% believe it is a good idea to consolidate services and programs aimed at youth into a new department dealing with the whole family.
- 87% believe it is a good idea to require law enforcement and social service agencies to share information with each other.

In a two-year campaign to address juvenile crime and public safety, the legislature's Juvenile Justice Commission (JJC) aggressively sought public input and developed recommendations for reforming the current system. Their recommendations were developed from consulting extensively with law enforcement, judges, state agencies, prosecutors, indigent defense attorneys, social service providers, and other experts throughout the state. More than 2,000 citizens appeared at public hearings in regions across the state and a wide variety of people provided testimony addressing challenges, barriers and needs of youth in the system. The 2003 survey also questioned the public’s opinion on these recommendations of the JJC. The results of public testimony reflect the findings of the CABL/YouWho poll:

- Judges testify that too few placement options exist which offer appropriate services and treatment to meet youths' needs and that all youth would be better served by a single agency outside the Department of Public Safety and Corrections
- Youth ask for more advocacy and representation in the system
- Community leaders talk about the need for more resources, services, and programs in communities
- Parents raise concerns about brutal conditions in Louisiana's youth correctional facilities, the complexity of the system, and the lack of support to parents to help youth stay out of trouble
- Attorneys and advocates talk about the need for better support, training, and standards for juvenile justice professionals and the importance of ensuring youth a voice in the system
- Mental health professionals testify about the lack of mental health services in the community that would treat youths’ needs more effectively than correctional facilities
- Law enforcement officials push for more prevention services to help youth stay out of trouble in the first place

From the results of the newest survey, combined with the extensive discussions facilitated by the JJC, it is clear that the public overwhelmingly supports reform of Louisiana's juvenile justice system.
ACT 1225: A Summary
The Juvenile Justice Reform Act of 2003

Recognized as one of the most important pieces of legislation to come out of the 2003 session, Act 1225 (the Act) establishes a framework and sets in motion work to transform Louisiana’s juvenile justice system. The key provisions of the Act are:

1. **Closure of the Tallulah Youth Prison to Juveniles** p. 3-5
   Mandates that no juveniles be held at the Swanson Correctional Center for Youth – Madison Parish Unit in Tallulah, Louisiana after December 31, 2004, unless the Governor declares a “public safety emergency” necessitating the use of the facility, for an additional period not to exceed 5 months. Nothing in the Act prohibits the next Governor from closing it sooner. Finally, the Act mandates that the DPSC provide a transition plan detailing aftercare services and placement of all youth in Tallulah, recommendations for how best to divert money currently spent on Tallulah to community-based alternatives and recommendations on the possible future uses of the facility.

2. **Placement Review Process** p. 5-7
   The DPSC shall periodically review every juvenile in their custody to determine whether the juvenile is placed in the least restrictive placement most appropriate to their needs and public safety. The Act includes provisions for the DPSC and Courts to remove juveniles who are inappropriately placed in secure care.

3. **Juvenile Detention Standards and Licensing** p. 7-10
   Mandates the creation of uniform standards and licensing procedures for local juvenile detention facilities.

4. **Interagency Agreements for Information Sharing** p. 10-13
   Mandates the development of a comprehensive strategy to foster interagency agreements and cooperation regarding the sharing of data about children, youth, and families involved in the juvenile justice system.

5. **Education and Juvenile Justice Partnership Act** p. 13-15
   Recognizing the importance of good behavior in schools and the critical linkages between the education and juvenile justice systems, the Act mandates the development of a model master plan for improving behavior and discipline within schools.

   Creates a five-member board to implement the recommendations contained in the Act, as well as HCR 56 or SCR 31 – resolutions passed in 2003 noting the will of the legislature to ensure that broad reform is accomplished. The Implementation Commission shall address issues such as the closure of the Tallulah youth prison, the development of a plan to reduce Louisiana’s over-reliance on incarceration, the creation of a single state agency to provide services to children, youth and families, and the priorities of state entities funding children and family services. The Implementation Commission shall submit its initial report regarding these and other issues prior to the 2004 Regular Session of the Legislature.

7. **Single State Entity for Children** p. 21-24
   Finds that there may be many benefits to reducing the number of state agencies currently dealing with children and streamlining the delivery of services, and recommends the creation of new leadership with a more appropriate mission for juvenile justice. It mandates that the Implementation Commission develop a proposed plan incorporating specific agencies within DHH, DSS, DPSC, and DOE into the new agency.

8. **Children’s Cabinet** p. 24-35
   Re-establishes the Children’s Cabinet and requires it to submit a plan for reforming the delivery system of juvenile justice services to the Implementation Commission. The plan should include a system of intake, case management, and community-based services to serve children and families. Requires that the Children’s Cabinet shall prepare a children’s budget, including estimates of all costs associated with the juvenile justice system.

9. **Children’s Cabinet Research Council** p. 35-37
   Establishes a research council including representatives from all of Louisiana’s universities to ensure that the juvenile justice system has the best available research, data, and best practices.

To view Act 1225 - the Juvenile Justice Reform Act of 2003 - in its entirety, go to http://www.legis.state.la.us/leg_docs/03RS/CVT10/OUT/0000KTKP.PDF
References to page numbers are to the Act itself.
10. La. Juvenile Justice Planning and Coordination Board p. 37-42
Establishes an interim planning and coordination board of the Children's Cabinet. Composed of stakeholders within the juvenile justice system, the board is responsible for developing a strategic plan for Louisiana's juvenile justice system and for advising the Children's Cabinet and Implementation Commission.

11. Regional Service Areas p. 42-43
In order to ensure efficient and effective delivery of services, the Act mandates that DSS, DHH, LCLE, DPSC, DOE, and DOL develop a plan to coordinate the delivery of services by region throughout the state.

12. La. Children, Youth and Families Investment Fund p. 43-49
Establishes a fund for monies saved from reducing the use of juvenile prisons and restructuring state agencies to be used for prevention and early intervention, alternative sanctions, and other key components of an effective juvenile justice system.

Allows the Governor's executive budget to allocate up to 40% of the savings from closing Tallulah to community-based programs in East Carroll, West Carroll, Madison, Richland, and Tensas parishes.

PUBLIC ATTITUDES
2003 SURVEY

EXECUTIVE SUMMARY
Introduction
The 2003 Survey on Public Attitudes Toward the Juvenile Justice System and Juvenile Justice Reform is based on a telephone survey of 498 Louisiana residents. The survey was designed to assess general attitudes toward the juvenile justice system as well as specific support for the recommendations for reform made by the Juvenile Justice Commission. The findings show that the public recognizes that the current system is not working effectively and is supportive of reform, but is also concerned that youthful offenders be held accountable for their actions.

Method
The Public Policy Research Lab conducted the survey between March 31 and April 22, 2003. Calls were conducted from noon until 9:00 p.m. Monday through Friday, 10:00 a.m. to 6:00 p.m. on Saturday and noon to 5:00 p.m. on Sunday. Telephone numbers were selected using random digit dialing. Numbers where callers received no answer were called 10 times before being removed from the pool of eligible numbers. When possible, a message was left briefly describing the survey along with a toll free number for the Public Policy Lab. Three attempts at refusal conversion were made no sooner then 72 hours after the refusal.

Out of 4947 telephone numbers called, 2376 were inoperable numbers, and 557 refused to take the survey. The response rate for the survey was 37%, meaning that 37% of the calls to operable numbers resulted in complete. The cooperation rate was 43%, indicating that 43% of the people contacted agreed to take the survey. The survey has a sampling error of +/- 4.4% at a 95% confidence level. This means that if we
replicated the survey twenty times, only once will the answers differ by more than 4.4% over the answers in this report.

Findings and Recommendations

SUMMARY
On questions of criminal justice, there is often widespread misconception among politicos that the public will only tolerate “get tough” approaches. The misconception is not without some basis in reality as there is considerable public support for tough-minded policies. But the public also wants policies that are effective — in that they reduce the incidence of future crime, efficient — in that they reduce the costs of the administering the criminal justice system, and fair — in that individuals arrested or convicted for the same offense should be subject to the same treatment or sentence.

Such is the case within the context of juvenile justice reform. If public opinion on juvenile justice can be easily summarized, it is that the public wants tough, fair, and effective policies. Tough but ineffective policies are simply not — by the standards of public opinion — an acceptable answer. With this in mind, it is not surprising that, by overwhelming margins, the public supports the principles of reform outlined by the Juvenile Justice Commission. Broadly speaking, the public supports the idea of rehabilitating youthful offenders because they recognize that rehabilitation is at once more effective and less expensive than imprisonment. Support is likely also rooted in widespread recognition that the current system simply isn’t working as well it should.

Remarkably, support for juvenile justice reform exists despite public misconceptions about the juvenile justice system. As the public learns more about the juvenile justice system, support for reform should increase as well.

Overall, if reform adheres to the principles outlined by the Juvenile Justice Commission and to a system designed to rehabilitate rather than imprison youthful offenders, opponents to reform will be unable to claim that reform is politically untenable or politically unpopular. As this study makes clear, support for juvenile justice reform is considerable. The need now is for leadership to recognize this support and move to create a more effective, more efficient, and fairer system.

Selected Findings

THE PUBLIC EXPRESSES OVERWHELMING SUPPORT FOR THE RECOMMENDATIONS OF THE JUVENILE JUSTICE COMMISSION

81% believe that providing training to judges and lawyers so that they are better equipped to deal with cases involving youth is a good idea.

85% support is found for both consolidating services and programs into a new agency and creating a new centralized data base. A comparable 87% supports the idea of requiring law enforcement agencies to share information.

Less support is garnered by the proposal to allow judges greater discretion, but even here 73% of respondents believe this is a good idea.

There is nearly a consensus belief, 92% that youthful offenders who cannot otherwise afford it should be provided with legal counsel.

The most controversial proposal involves closing one of the existing juvenile facilities and using the savings on community-based rehabilitation programs. Only 52% of the respondents indicated that they thought this was a good idea. However, over a third of respondents (36%) reported that they needed more information to decide. In comparison, only 12% of respondents said that they believed this was a bad idea. Clearly, the public is willing to consider the possibility.

Among those respondents who initially said that closing a facility was a bad idea or that they would need more information to decide, 45% said a closing a facility would be a good idea if it cost less money, 67% said it would be a good idea if rehabilitation were more proven to be more effective, and 54% said it would be a good idea if it affected only nonviolent offenders.

Under each of these scenarios, support for closing a facility increased as respondents were given additional information. Combining responses, support for closing a facility increased from 52% to 74% when respondents learned that it costs less, from 53% to 83% when respondents learned that it would be more effective, and from 53% to 77% if it only
affected nonviolent offenders. Clearly, there is potential support for closing one of these facilities and refocusing efforts on rehabilitation.

**IMPRISONMENT VERSUS REHABILITATION: THE PUBLIC RECOGNIZES IMPRISONMENT IS MORE EXPENSIVE AND LESS EFFECTIVE**

- When it comes to the question of rehabilitation versus imprisonment, a majority of respondents (51%) recognize that imprisonment costs the state more money. Still, a substantial proportion (40%) of respondents believe that rehabilitation outside of prison is more expensive.

- A majority of respondents (54%) recognize that youthful offenders are less likely to commit future crime if they are rehabilitated in a supervised program outside of prison. 40% believe that rehabilitation in a prison setting is a more effective means for reducing future crimes.

**RESPONDENTS EXPRESS SUPPORT FOR REHABILITATION OVER IMPRISONMENT**

- 63% of respondents said they believed that Louisiana should focus on providing rehabilitative programs for adult offenders. Only 28% of respondents said that Louisiana should focus on imprisonment. An additional 9% of respondents indicated that they didn’t know. Among respondents willing to offer opinion, 70% believed that Louisiana should focus on rehabilitation.

- Support for rehabilitation increases to 78% when the target is youthful offenders as opposed to adults. Only 15% of respondents said that Louisiana should focus on imprisonment for youthful offenders, while an additional 7% indicated that they didn’t know. Among respondents willing to offer an opinion, 84% opt for rehabilitation over imprisonment.

- Among respondents who support imprisonment for youthful offenders: 65% continue to support imprisonment even if they learned that imprisonment was more expensive; 56% continue to support imprisonment even if they learned that individuals who are imprisoned are more likely to commit future crimes.

- With each contingency, support for rehabilitation increases. 32% and 42% of respondents, respectively, move toward greater support of rehabilitation when they learn that imprisonment is more expensive or and less effective.

- While more respondents indicate that they would remain in opposition, once respondents learn that imprisonment is more expensive than rehabilitation, support for rehabilitation for youthful offenders increases from 78% to 83%.

- Once respondents learn that rehabilitation is more effective in reducing future crimes, support for rehabilitation increases from 78% to 84%.

Given low levels of public awareness and misperceptions about the extent and nature of the juvenile justice system, the level of support for rehabilitation is considerable. As the public learns more about juvenile justice and the need for juvenile justice reform, it is likely that support for policies based on rehabilitation — as opposed to imprisonment — will increase.

*Using Formula 3 from the American Association of Public Opinion Researchers.*
Resources

To view a complete copy of the Juvenile Justice Act of 2003, the Juvenile Justice Commission recommendations, or the publication, "Reducing Juvenile Incarceration in Louisiana", prepared by the Casey Strategic Consulting Group of the Annie E. Casey Foundation, contact:
Juvenile Justice Commission
P.O. Box 44371
Baton Rouge, LA 70804
www.jjc.legis.state.la.us/index.htm

To obtain "Less Cost, More Safety: Guiding Lights for Reform in Juvenile Justice" and "Less Hype, More Help: Reducing Juvenile Crime, What Works — and What Doesn’t" by Dr. Richard Mendel, contact:
America Youth Policy Forum
1836 Jefferson Place NW
Washington, DC 20036
(202) 775-9731
www.aypf.org

For information on Missouri's Juvenile Justice System, contact:
Mark Steward Director
Division of Youth Services
Department of Social Services
P.O. Box 1527
Jefferson City, MO 65102
(573) 751-3324

For information on the Coalition for Effective Juvenile Justice Reform, contact:
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“For these are all our children. We will all profit by, or pay for, whatever they become.”

James Baldwin