

JUVENILE JUSTICE IN LOUISIANA – 2023 THE CRIMINAL JUSTICE COMMISSION OF THE LOUISIANA INTERCHURCH CONFERENCE

Jack Harrison, Director, Juvenile Defense Clinic

LSU Law Center

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**THE STATE OF JUVENILE JUSTICE:
WHAT WE ARE DOING,
WHAT WE HAVE DONE,
AND WHAT WE CAN DO TOMORROW**

What is Delinquency?

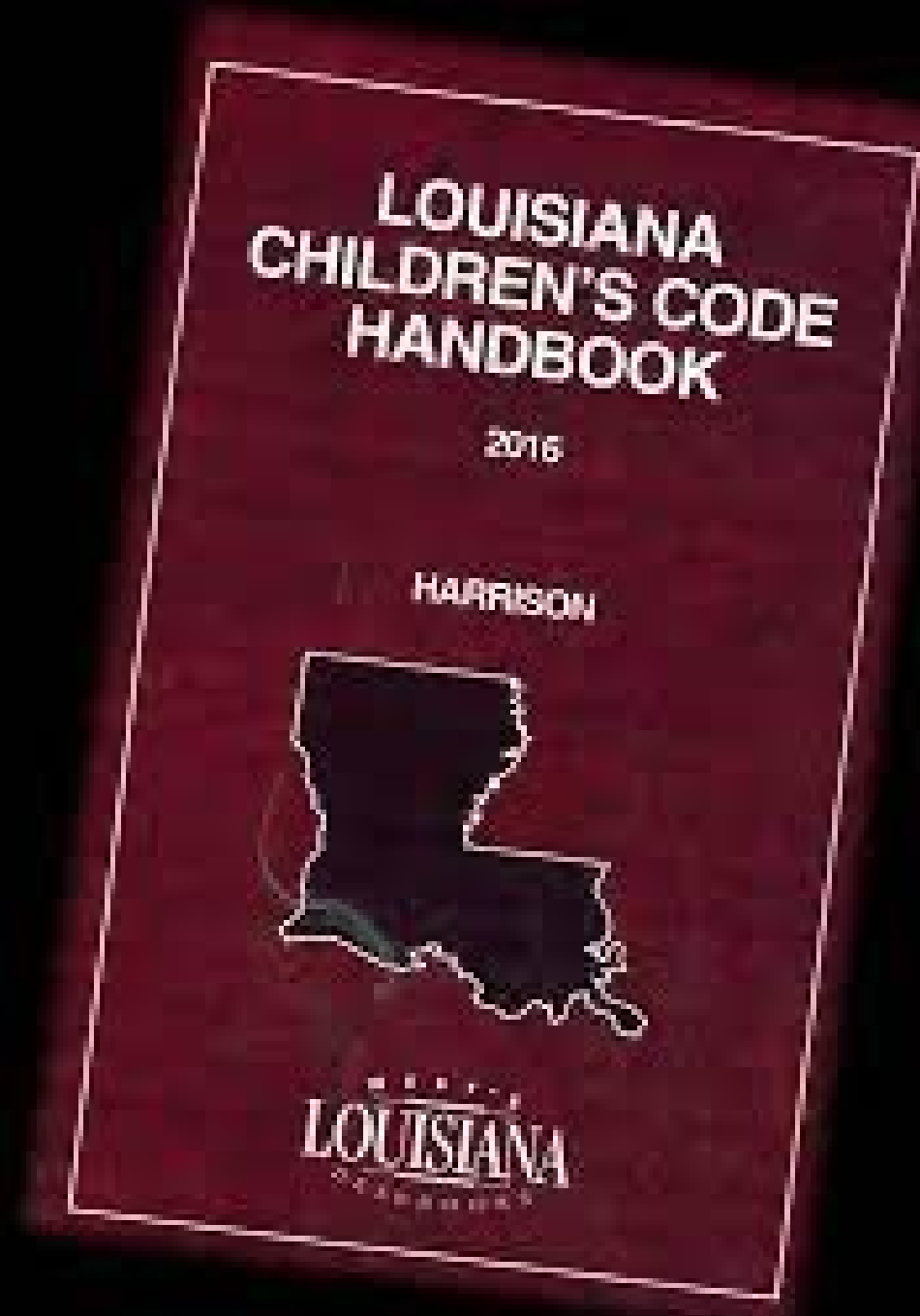
- An act committed by a child from the ages 10 to 18 which, if committed by an adult, would be a crime.

Constitutional Rights

- Young people in delinquency proceedings have all the constitutional rights enjoyed by adults in criminal proceedings
 - Right to counsel;
 - Right to presumption of innocence;
 - Privilege against self-incrimination;
 - Right to...due process
 - *But....*
 - No right to a trial by jury

Louisiana Children's Code

- The purpose is to ensure that each child shall receive, preferably in his own home, the care, guidance, and control that will be conducive to his welfare...
- ...and when he is removed from the control of his parents, the court shall secure for him care as nearly as possible equivalent to that which the parents should have given him...



Transfer Laws

- Children ages 15 through 18 may be tried as adults for certain charges.
- If prosecuted as adults, and convicted, they will be held in an adult correctional facility for the duration of their sentence.
- The majority of transfer decisions are made by District Attorneys

What are Status Offenses?

- Behavior of a child which can result in court involvement due to the child's status, i.e., their age of minority

- *Runaway*

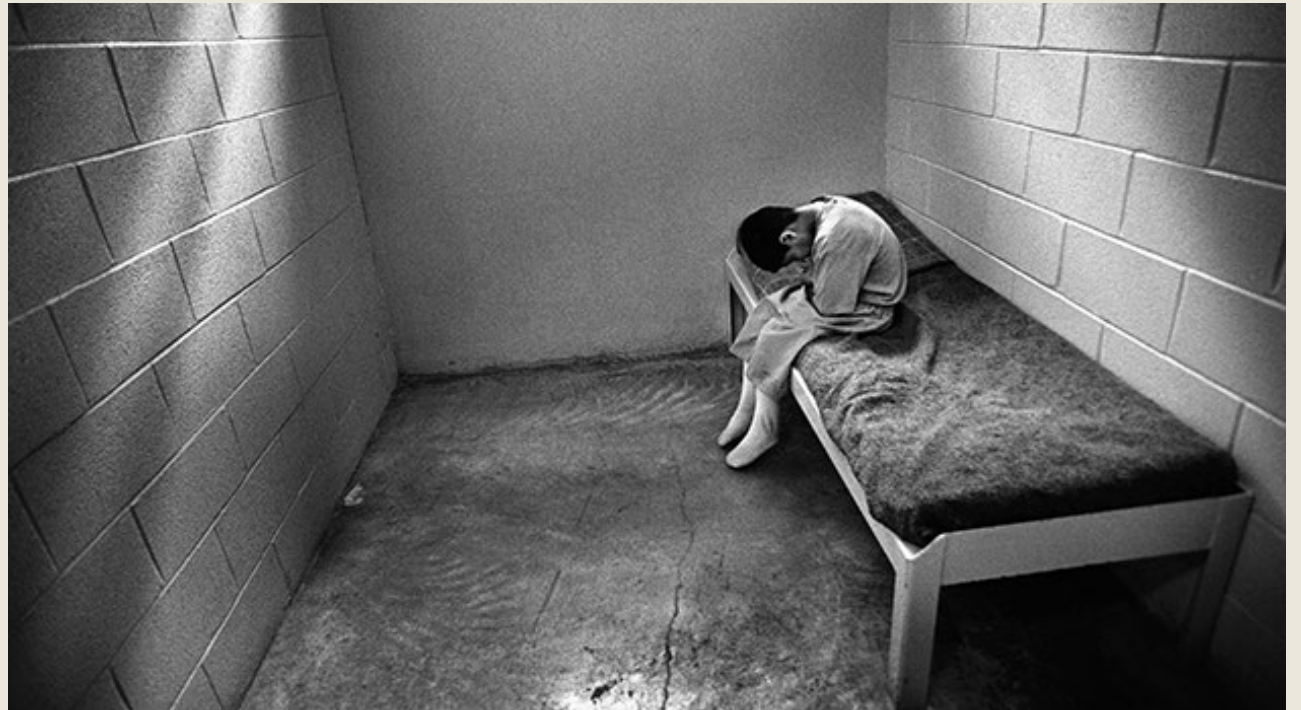
- *Truancy*

- *Ungovernable*

Families in Need of Services (FINS)

1990s

- Federal officials began to scrutinize the secure care facilities and practices.



1996-1997

- U.S. Department of Justice letter to Governor Foster:
 - *“At each of [Louisiana’s secure] facilities, we uncovered systemic life-threatening staff abuse and juvenile-on-juvenile violence.”*
 - *“Many conditions in Louisiana’s four secure correctional facilities for juveniles violate the constitutional and statutory rights of the juveniles contained therein.”*
- At the time of the DOJ letter, approximately 1700 youth were held in the state’s secure facilities.
 - *83% were African American*
 - *Fewer than 25% were committed for “violent” crimes*

2000s

- Reports of inhumane conditions attracted worldwide attention
- Federal litigation closed the worst of the facilities (Tallulah, privately owned)
- The state looked to better examples
 - *The Missouri Model provided some guidance*
 - Smaller facilities
 - Closer to home
 - More therapeutic strategies

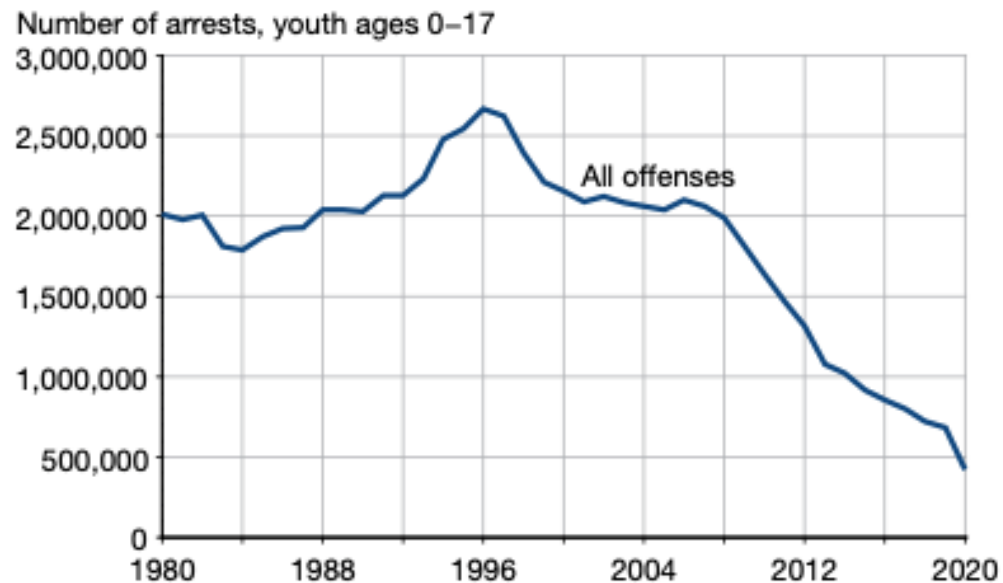
2010s to today

- Continued budget crises stymied further improvements
- Jetson Center for Youth was closed
- Problems with the Swanson Center for Youth led to the opening of a facility in St. Martin Parish
 - *Propublica/The Marshall Project/NBC News reported extensive solitary confinement and squalid conditions*
- Problems with Bridge City Center for Youth led to the placement of youth on the grounds of the Louisiana State Penitentiary (Angola)
- Problems with Ware Center for Youth
 - *New York Times: ‘Dying Inside’: Chaos and Cruelty in Louisiana Juvenile Detention – October 30, 2022*

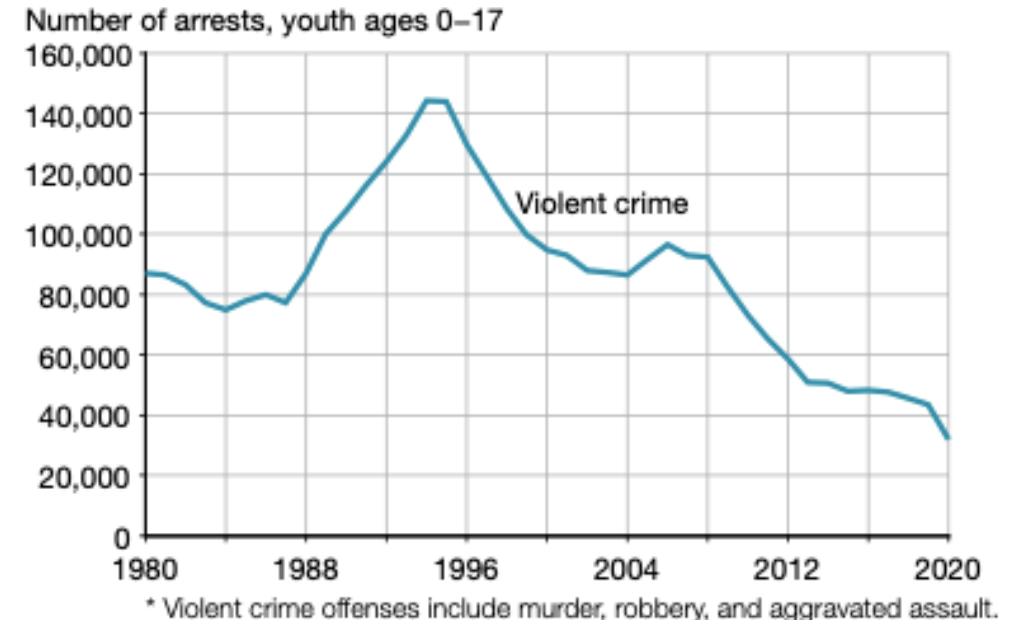
Today: Delinquency Rates

- Based on data from the FBI's Uniform Crime Reporting Program, arrests of youth declined through 2020
- Office of Juvenile Justice and Delinquency Prevention (OJJDP) estimates:

The number of arrests involving youth fell 84% between the 1996 peak and 2020



The number of youth arrests for violent crime in 2020 was one-third the number in 2006



Today: Delinquency Rates – New Orleans 2022

2022 – 392 Juvenile cases and 4966 Adult cases (Juvenile cases 7.3%)

- 2021 – 446 Juvenile cases
- 2022 – 392 Juvenile cases
 - *12.1% decrease*
- OPDA accepted 87.4% Juvenile felony cases and 61.1% Juvenile misdemeanor cases.
- OPDA accepted 64.2% Adult felony cases and 45.9% Adult misdemeanor cases.

Today: Delinquency Rates

- Office of Juvenile Justice Report for Fourth Quarter, 2022
- 412 Youth in Secure Custody
- 383 boys, 29 girls
- 78% African-American (state population less than 40%)

Today: Racial Disparity

- East Baton Rouge Parish Juvenile Detention Center
- Second Quarter, 2022
 - *132 Admissions*
 - 125 African-American youth – 94.7%
 - 7 White & Hispanic youth – 5.3%

Today

- Kids Count Data – Annie E. Casey Foundation
- 4 Domains
 - *Economic Well-Being*
 - *Education*
 - *Health*
 - *Family and Community*
 - *Overall Child Well-Being*

Today

- Kids Count Data – Annie E. Casey Foundation
- 4 Domains – Louisiana Rankings
 - *Economic Well-Being* 50
 - *Education* 48
 - *Health* 49
 - *Family and Community* 49
 - *Overall Child Well-Being* 49

Today

- 85% of all youth who interface with the juvenile court system are functionally low-literate
- 3d Grade reading scores can predict a student's likelihood to graduate high school
 - *Readiness for school*
 - *Chronic absence*
 - *Summer learning loss*
 - *Family-oriented stressors*
 - *Quality of teaching*

Tomorrow - Reforms

- Raise the Age (2016-2019/2020)
- JDAI (began in Louisiana in 2006)
- Act 499, 2016



JACK HARRISON

SPECIAL THANKS TO ALI MILITANA
LOUISIANA CENTER FOR CHILDREN'S RIGHTS
LSU LAW CENTER JUVENILE DEFENSE CLINIC

JHARRISON@LSU.EDU

