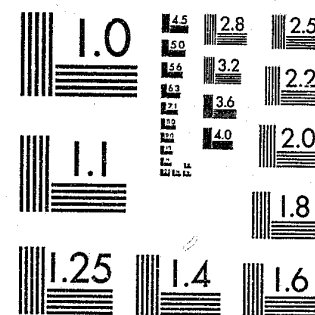


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United States Department of Justice
Washington, D. C. 20531

8/16/83

STAFF REPORT

to

JOINT JUVENILE JUSTICE COMMITTEE

in response to
HOUSE CONCURRENT RESOLUTIONS 92 and 133

Prepared by

Daniel L. Lombardo

Committee Resource Coordinator

U.S. Department of Justice
National Institute of Justice 86237

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ACQUISITIONS

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PART I

HCR 92

The following is a committee and staff report to satisfy the requirements of HCR 92 of the 1979 Regular Session.

Mandate of the Resolution:

House Concurrent Resolution 92 of the 1979 Regular Session urges and requests the Joint Juvenile Justice Committee (House Committee on the Administration of Criminal Justice and Senate Committee on the Judiciary, Section B) to study and report on the rehabilitation programs in the juvenile correctional facilities of the state and make recommendations regarding same.

Description of the Juvenile Correctional Facilities:

Louisiana's juvenile correctional facilities are established within the Department of Corrections under the assistant secretary of the Office of Juvenile Services. In accordance with LA R.S. 36:158 D, the Office of Juvenile Services "...shall, in accordance with the law, perform functions of the state relative to correction of juveniles, including operation and maintenance of the branches of the Louisiana Training Institute for Juveniles in Quachita Parish (LTI Monroe), East Baton Rouge Parish (LTI Baton Rouge), the greater New Orleans area (LTI Bridge City), Rapides Parish (LTI Ball), and the Juvenile Reception and Diagnostic Center (JRDC), which may consist of one or more branches to undertake medical, educational, psychiatric and social studies of juveniles committed to facilities under the jurisdiction of this office."

Committee Action:

Following the 1979 Regular Session, the Joint Juvenile Justice Committee directed staff through Senate Concurrent Resolution 48 (See Attachment 8), to initiate research to satisfy the requirements of HCR 92. During October and

November of 1979 and January, 1980, staff visited all Louisiana Training Institute facilities and programs. Staff on-site visits were used to interview institution personnel, interview youth incarcerated within the institutions and Special Treatment Units, review client records, and observe program operations.

Following this comprehensive staff review, the joint committee traveled to each of the LTI facilities to observe programs, interview staff, ascertain program operations, and determine needs on a facility-by-facility basis.

The onsite visits were immediately followed by a series of committee hearings to discuss findings and explore areas of improvement and/or legislative intervention. (See Attachments 1, 2 and 3)

Committee Findings and Recommendations:

A. The Office of Juvenile Services - General Findings and Recommendations

The assistant secretary, Office of Juvenile Services has the overall management responsibility for all Louisiana Training Institutes and the Juvenile Reception and Diagnostic Center.

For fiscal year 1979-80, the Office of Juvenile Services incorporated 747 classified civil service employees and 85 unclassified employees for a total of 832 staff persons. The operating budget for this same fiscal year is \$13,573,820. This represents a per diem cost to the taxpayers of \$37.31/day.

For fiscal year 1980-81, 62 new positions have been requested which would represent a total of 894 or a 7.5% increase in staff. The budget request for the up and coming fiscal year is \$16,435,404 reflects an increase of \$2,861,584 or a rise of 21.1% in additional revenues. This represents a per diem increase to \$45.03/day.

The Youth:

In order to obtain an understanding of the types and kinds of youth being served by the Office of Juvenile Services, staff initiated a comprehensive

record review during the on-site visits to the various facilities. With the possible total of 901 youth who can be incarcerated within the LTI system, staff was able to obtain record information on 690 youth or 76.6% of the total number potential clients.

This survey did not include youth in temporary custody or those waiting general population placement in the Juvenile Reception and Diagnostic Center.

This survey produced the following information:

1. Race 77% Black 23% White
2. Sex 607 Males (88%) 83% Females (12%)
3. Ages 9 - 13 4.94%
 14 12.05%
 15 20.03%
 16 26.56%
 17 29.89%
 18 - 20 6.53%

Mean age: 16.6

4. Number of Delinquent siblings in family other than self as reported by youth:

none	43.33
1	26.96
2	15.36
3 or more	11.35

5. Reading Scores:

0 to 1st grade	6.81
1st to 2nd grade	19.13
2nd to 3rd grade	21.30
3rd to 4th grade	19.42
4th to 5th grade	12.61
5th to 6th grade	7.68
6th to 7th grade	8.55
7th and above	14.49

6. IQ Scores*

60 or below	18.7
61 to 70	29.71**
71 to 80	27.1
81 to 90	12.17
91 to 100	5.8
100 to above	6.52

*Testing instruments used may be questionable.

**An IQ of 70 or below has been traditionally used as a cut-off point to designate the status "legally retarded." Total in this category 48.41%.

7. How long youth have been known to police before incarceration:

10.59% - since 1979

89.41% - from 1978 through 1963

8. Offenses of those Incarcerated:

OFFENSE	OFFENSE FOR COMMITMENT	PREVIOUS DELIQUENCY
Murder/Attempted Murder		
Rape/Manslaughter, Arson	4.50	1.02
Aggravated Assault/Battery*	4.06**	3.48
Armed Robbery		
Attempted Armed Robbery	7.84	2.47
Aggravated Burglary	1.16	
Burglary, Theft, Simple Theft, Shoplifting, Unauthorized Use	58.94	69.68
Drug Offenses	1.16	1.45
Probation Violation	7.98***	.44
Parole Violation	3.34	.44
Status Offenses	.73	8.57
All other offenses	10.49	12.45

*A total of 16.56% of youth surveyed were committed for serious person offenses.
 **6.97% of those committed had a previous delinquency for a serious person offense.

***83.44% were committed to Department of Corrections for property crimes and all other offenses.

9. Parishes Committing Most:

1. Orleans	29.75
2. Caddo	11.76
3. East Baton Rouge	7.4
4. Ouachita	6.82
5. East Carroll	2.32
6. Jefferson	2.18
7. Acadia	2.03
8. Lafayette	1.74
St. Tammany	1.74
9. Calcasieu	1.60
Morehouse	1.60
Terrebonne	1.60
10. Bossier	1.45
Madison	1.45
Washington	1.45

All remaining 49 parishes 25.16.

10. Average Length of Commitment:

6 months or less	7.68
1 year or less	16.52
2 years or less	10.87
3 years or less	5.80
4 years or less	4.49
5 years or less	8.41
6 years or less	5.94
7 years or less	4.35
7 years or more	2.17
Indefinite Commitments*	33.77

**

*Indefinite commitments were permissible until Code of Juvenile Procedure January 1, 1979.

**75.8% were committed for two years or longer

Department of Corrections, Office of Juvenile Services Overall Findings and Recommendations:

1. The Office of Juvenile Services must take all youth as committed by the courts exercising juvenile jurisdiction.

Recommendation:

As the research indicates, some youth sent to the Department of Corrections may be better served in a mental health or mental retardation setting. [It is recommended that upon determination by the Juvenile Reception and Diagnostic Center that a youth could be more appropriately served in an alternative setting other than the Department of Corrections, the department should request a "modification of disposition."]

2. When a child is sent to Department of Corrections, the information that accompanies the child may be inconsistent and sometimes lacks facts relevant to a child's needs.

Recommendation:

[The Department of Corrections and DHHR enter into an interagency agreement to insure information shared between departments regarding incarcerated youth as comprehensive as possible.] Both departments should work together to insure that data coming from sources outside of their jurisdictions meets the informational needs of both agencies.

3. Some courts exercising juvenile jurisdiction discourage the release of some youth from Department of Corrections programs.

Recommendation:

The Department of Corrections should establish a pre-release program to aid in the successful reintegration of the youth into parish of residence. This program could be used to demonstrate to the courts reluctant to discharge child from a juvenile facility, his chances of succeeding in his parish of residence. As indicated in No. 1, a request to modification of disposition by Department of Corrections could be an assistance in resolving this problem.

4. The Department of Corrections lacks a range of treatment alternatives for children incarcerated in the LTI system.

Recommendation:

The Department of Corrections, through JKDC, should evaluate the effectiveness of the Special Treatment Unit programs. If treatment and rehabilitation is more likely to occur in a Special Treatment Unit, additional program components could be developed and coordinated by JRDC.

5. Staff training needs to be expanded and systematized.

Recommendation:

The Department of Corrections will be initiating comprehensive training program for employees which shall meet existing national standards of 80 hours of training within the first year of employment.

6. The Department of Corrections juvenile facilities are in serious need of capital improvements.

Recommendation:

Urge and request Department of Corrections to work with Facility Planning and Control to develop a three-year plan for capital improvements.

7. The Department of Corrections juvenile facilities cannot meet certain national standards.

Recommendation:

In accordance with the recommendations stated above, capital improvement plan should be developed to address national and constitutional standards. (See Attachment 4)

- ✓ 8. The Department of Corrections has difficulty measuring the impact of their programs. It cannot assess how successful their programs have been in rehabilitating a child.

Recommendation:

As indicated in No. 3, a pre-release program may be of assistance to Department of Corrections in determining program success. Further, through interagency agreement with DHHR, coordinated aftercare services could help Department of Corrections determine program effectiveness and impact.

- ✓ 9. Staff salaries for cottage parent staff are not competitive enough to attract skilled or college educated personnel.

Recommendation:

Support the upgrading of cottage parents salaries to the level of corrections security officer. As currently structured, cottage staff positions are non-competitive (no civil service test is required). By upgrading staff positions to the correctional security officer series, employment requirements and minimum standards could be established.

- ★ 10. By following the intent of the Code of Juvenile Procedure, Department of Corrections juvenile facilities should be a program of last resort. However, research indicates that Department of Corrections juvenile facilities may be the program of first or only resort.

Recommendation:

Emphasis should be placed on the development of a broad range of community-based alternatives. This would expand the treatment options available to courts exercising juvenile jurisdiction.

B. The Office of Juvenile Services Juvenile Facilities

Each of the four LTI facilities have similar organizational structure and program components. Each have an administrative component, an education component, a social services component and a cottage life/security component. Each program operates under a merit system. (See Attachment 5 "definitions")

Although similar in structure, each institution has its own personality or character along with their own particular needs. The following will be a brief description of each program and the individual facility findings.

LTI BATON ROUGE

Louisiana Training Institute Baton Rouge, established through Acts 150, 1928 and 128, 1968, is located just outside of Scotlandville, Louisiana to serve adjudicated delinquent youth 15.6 years of age or older. The population is 77% black and 23.1% white. The institution can house 300 plus males.

The campus of LTI Baton Rouge houses five Special Treatment Unit programs (Our House, INSTEP, Drug Unit, ADAPT and the Juvenile Training Academy--see attached). The Juvenile Reception and Diagnostic Center is located on grounds and responsible for LTI Baton Rouge perimeter security. This facility utilizes the Department of Corrections merit and level systems supported by education, social services and recreation programs. A majority of the youth attend school one-half day, and are engaged in chores or on-campus jobs for the other half-day. Due to lack of funds, this program was phased out. Currently, this training institute has very limited psychiatric and psychological support services.

The facility, constructed during the 50's, is in great need of physical improvement and renovation. Dormitories are overcrowded and in need of major repair.

Total staff positions allocated to this facility are 224. The 1979-80 fiscal year allocation is \$4,008,689. The 1980-81 fiscal year budget request of \$4,953,757 represents a \$945,000 or 23.6% increase over the previous years.

Findings:

1. Although LTI Baton Rouge houses some of the oldest delinquent youth, this facility lacks a Vocational Education Program.
2. This program needs to have improved psychiatric and psychological support services.
3. Social services staff for this facility should be expanded to meet nationally accepted standards.
4. This facility needs improved recreational facilities and programs.
5. Record keeping practices for this facility need improvement.
6. This facility is in need of major capital improvements.
7. Staff training should be expanded and routinized in this facility.
8. The Special Treatment Unit programs on the Baton Rouge campus should be evaluated to determine impact and effectiveness.
9. Pre-release programs should be developed for this facility.
10. The campus work release program needs evaluating. Upon review, program should become part of a coordinated treatment approach.

JUVENILE RECEPTION AND DIAGNOSTIC CENTER

The Juvenile Reception and Diagnostic Center (JRDC) was established in 1970 by Act No. 353 of the Louisiana Legislature. JRDC was developed to provide custody, diagnosis, evaluation and planning, as well as ongoing short-term treatment. JRDC has three primary functions:

1. To attempt to determine the major causes of an individual's delinquent behavior - for example, educational deficiency, lack of family supervision, emotional disturbance, etc.
2. To provide a mechanism for the development of an individual treatment concept as well as overall treatment program development.
3. To provide for continuing evaluation and modification of this program as a given youth progresses or, in some cases, regresses.

JRDC's supervisory staff is responsible for perimeter security of LTI

Baton Rouge and the management of the Juvenile Adjustment Center, the Department of Corrections 36-bed maximum security unit for juveniles.

JRDC, physically located on the campus of LTI Baton Rouge, is not considered part of the Baton Rouge program. LTI Baton Rouge prepares the meals for JRDC.

In addition to performing a diagnostic and evaluation function, JRDC is also responsible for the youth committed under the 15-day contempt provision (Article 83C of the Louisiana Code of Juvenile Procedure). That particular article specifies that a child can be found in contempt, and if no detention facility is available, can be sent to the Department of Corrections (JRDC). However, according to the law, the youth must be separated from the existing delinquent population. As currently physically structured, it is impossible for JRDC to meet that legislative requirement.

JRDC has the capacity of 50 males and 25 females. Research indicates that some courts are using JRDC inappropriately. Some courts use the facility to give youth "a little taste of LTI" by temporarily removing the child from the community. Other courts use it for diagnostic and evaluation services which can be provided through the Department of Health and Human Resources.

As indicated earlier, JRDC also supervises the Juvenile Adjustment Center, a maximum security facility used by the Department of Corrections for youth who exhibit aggressive or violent behavior while on commitment to various Department of Corrections LTI facilities. Juveniles may either be assigned directly to the Juvenile Adjustment Center or go through the diagnostic and evaluation services of JRDC, first, before reassignment either to another facility or to the Juvenile Adjustment Center.

The total number of staff positions allocated for JRDC is 128. In fiscal year 1979-80, JRDC received \$1,832,928 in state general revenues. For fiscal year 1980-81, JRDC has requested \$2,578,085, a \$745,157 or 40.7% increase.

Findings:

1. JRDC should coordinate all psychiatric and psychological services for all Department of Corrections juvenile facilities.
2. JRDC should be responsible for evaluating the effectiveness and impact of existing programs and services. This program should also be used as a coordination mechanism for all LTI programs and services.
3. JRDC should be considered as a program option to coordinate pre-release planning and programming.
4. Evaluation Only commitments to JRDC should be discouraged. Diagnostic and evaluative work-ups can be performed either through the existing mental health system or by purchase of service agreement by Client Placement and Evaluation Services.
5. When a child enters the JRDC program, if an evaluation accompanies the child, this program should review the assessment to determine accuracy and thoroughness. If JRDC determines a child could not effectively be served through Department of Corrections juvenile facilities, JRDC should request a modification of disposition within the court exercising juvenile jurisdiction.
6. Department of Corrections administration should determine if LTI Baton Rouge security coverage and the supervision of the maximum security unit known as the Juvenile Adjustment Center is an appropriate function for a diagnostic and evaluation program.
7. The programs and services within JRDC should continue to be examined and improved or upgraded.

LTI BALL

* Louisiana Training Institute Ball is the only Department of Corrections facility for adjudicated delinquent females. Created by Act 175 in 1926, the facility, located north of Alexandria, has a capacity of 115. The age of the population ranges from nine to 20 years of age. Sixty-three percent (63%) of the residents are black, 27% are white. Fifty-seven point eight percent (57.8) of the young ladies in residence come from families which have one or more delinquent siblings other than themselves. Of the ladies in residence, 9.6% were either pregnant or the adolescent mother of one or more children.

The physical plant varies in age from buildings built in the 20's to an administration building constructed in the 70's.

The LTI Ball program is the Department of Corrections merit system, augmented by a "token economy" point system. The merit system is used to determine eligibility for discharge. The point system is used as a way of purchasing privileges and necessities by substituting points for money. This system permits the student to have access to items and privileges to ease the institutional stay.

The merit and point systems are supported by a comprehensive education program, some recreational activities, and vocational education programs of cosmetology, clerical skills and home economics.

The facility also has a Behavioral Control Center (BCC). BCC is used for controlling aggressive or acting out students. BCC is usually used only for short periods of time.

Total staff positions allocated to LTI Ball are 90. The 1979-80 fiscal year operational budget was \$1,686,205. The 1980-81 fiscal year request is \$2,180,213, a \$494,008 or 29.3% increase. This LTI is also slated to obtain a federal funded Special Treatment Unit for the upcoming fiscal year.

Findings:

1. Counseling and Social Services staff needs training and expansion.
2. Expand and improve existing programs for adolescent mothers who may be incarcerated within the program.
3. Develop a placement capability for those girls who have successfully completed or have graduated from LTI Ball vocational education programs.
4. Facility is in need of capital improvements.
5. Program effectiveness and impact should be assessed through JRDC.

LTI MONROE

Louisiana Training Institute at Monroe was created by Act 173 in 1904. It has a capacity of 300 male adjudicated delinquent youth. Population during the survey was 74% black and 26% white. Of the males incarcerated, 55.4% had delinquent siblings other than themselves in their families. The facility is surrounded by 1,700 acres of farmland used by the institution, as well as Department of Corrections Agribusiness.

Population ages in this facility range from the youngest LTI population (9, 10 and 11 years old) to some of the oldest LTI students (18, 19 and 20 years old). The facility has several special programs. One is a Special Treatment Unit (Pecan Lodge--see attached) with specific intake criteria for youth adjudicated for felony offenses, capacity 18.

Another program component is the Discipline Unit. This unit is for youth who act out aggressively while on commitment to the Monroe facility.

Also, several vocational education programs such as auto mechanics, welding, printing, upholstery, arts and crafts are available to youngsters. (The print shop component of the vocational education program is on contract for services to the Department of Corrections.)

The physical plant of this program is in major need of replacement or repair. Some of the buildings on campus have been either closed or condemned due to life safety code violations.

For fiscal year 1979-80, this facility was allocated 198 staff positions and has an operating budget of \$3,230,350. The fiscal year 1980-81 request of \$4,206,076 represents a \$795,726 or 24.6% increase.

Findings:

1. LTI Monroe program serves two age ranges of youth, the very young offender (9 through 12) and the older offender (15.6 and older). This dual population creates serious programmatic and administrative problems. The younger youth should be removed from the facility and placed in a program to meet their special needs.
2. The Special Treatment Unit on campus (Pecan Lodge), should be evaluated. If warranted, additional Special Treatment Unit programs may be considered for this facility.
3. The existing vocational education program should be expanded to include work release and on-the-job training types of programs.
4. Psychiatric and psychological support services should be expanded and coordinated through JRDC.
5. This facility has several buildings that are either condemned or do not meet life, safety standards. Capital improvements should be administratively coordinated by the Assistant Secretary's office.

LTI BRIDGE CITY

Louisiana Training Institute Bridge City is located outside of the city of New Orleans. Created by Act 246, 1968 and Act 452, 1970, this facility has a capacity of 150 and serves males, ages 13 - 15 years. Built sometime during the early 60's to serve as a Catholic orphanage, LTI Bridge City was purchased by the state from the Archdiocese of New Orleans. Population is 87% black, 13% white with 60% of the youth incarcerated having one or more delinquent sibling other than himself in his family.

LTI Bridge City sits on 20 acres of land with the general physical condition of the facility being fair. Bridge City program is the Department of Corrections merit system supported by education, counseling and psychiatric services. This LTI does not operate a Special Treatment Unit.

LTI Bridge City serves only adjudicated youth from southern Louisiana parishes.

Total staff positions allocated to this program are 130. The fiscal year 1979-80 budget allocation is \$1,853,935. The 1980-81 fiscal year request is \$2,499,696 which represents \$645,761 or 34.8% increase. A federally funded Special Treatment Unit is to be implemented during the next fiscal year.

Findings:

1. Social services and counseling staff need expanding.
2. Education program needs improved materials, programs and facilities.
3. Salary scales of Bridge City employees need upgrading in order to remain competitive with the New Orleans job market.
4. Pre-vocational education programs should be considered for incorporation into existing campus program.
5. Psychiatric and psychological services should be expanded and coordinated through the JRDC.

JOINT COMMITTEE ON JUVENILE JUSTICE

of the

SENATE COMMITTEE ON THE JUDICIARY, SECTION B and

HOUSE COMMITTEE ON THE ADMINISTRATION OF CRIMINAL JUSTICE

Minutes of Meeting

January 17, 1980

I. CALL TO ORDER :

The joint committee on Juvenile Justice met at 2:05 p.m. on Thursday, January 17, 1980, in Committee Room 3 of the State Capitol in Baton Rouge, Louisiana. The co-chairman, Representative Grisbaum, called the meeting to order.

II. ROLL CALL

Members Present:

Senator Randolph
 Senator McLeod
 Rep. Bopp
 Rep. Charbonnet
 Rep. Richey
 Rep. Weaver
 Rep. Turnley
 Rep. Grisbaum, Co-chairman

Members Absent:

Senator Kiefer	Rep. Kimball
Senator Mouton	Rep. Lanier
Senator Guarisco	Rep. Strain
Senator Lauricella	Rep. Bolin
Senator Shehee	
Rep. Byrnes	
Rep. Dimos	
Rep. Faucheux	

Staff Members Present:

Kerry Williamson
 Dan Lombardo
 Etha Terrance
 Donna Houghton
 Brenda Ricks

Witnesses:

Charles F. Castille, Attorney /
 Department of Health and Human Resources
 Post Office Box 3836
 Baton Rouge, LA 70821

Jeanie Vidrine, Director
 Division of Youth Services
 Post Office Box 44141
 Baton Rouge, LA 70804

Judge Thomas W. Tanner J
 22 JDC
 Post Office Box 480
 Covington, Louisiana

III. PRESENTATIONS

Mr. Grisbaum stated that Senator Kiefer had spoken to him and said that due to previous legislative commitments he would be unable to attend the meeting. Mr. Grisbaum further stated it was understood that this initial meeting was an organizational meeting to get a brief overview from the staff as to what they have done during the interim in respond to committee direction and what they plan to present. Mr. Grisbaum stated that in all due deference to the Senate, it would be untimely to ask for a vote to select a chairman, and he also suggested that it would be inappropriate to select a subcommittee from the Senate side; without concurrence from the Senate chairman. Senator McLeod offered a motion to defer such action until the Senate chairman would be present. He asked if the committees were organized as the joint legislative juvenile justice committee as called for in Senate Resolution 48.

Mr. Grisbaum stated that that was the purpose of the hearing today. Senator McLeod suggested a motion should be offered to temporarily postpone the organization of the joint committee. Mr. Grisbaum replied, "No Senator, I'm simply asking that we defer to the next meeting the selection of the chairman out of due deference to Senator Kiefer, since he is chairman of the Senate side for this joint committee." Senator McLeod then asked if it would be in order simply not to organize today in terms of even assuming the character of a joint committee.

The Senator then asked about quorum requirements with respect to both houses. Mr. Grisbaum stated that it was his opinion that no quorum was necessary, since no votes will be taken. Senator McLeod asked if a vote was necessary to organize themselves as a joint committee. Mr. Grisbaum stated "I don't think that is necessary." Senator McLeod then referred to SCR 48 that stated "to urge and request these two committees to establish a joint committee." The Senator stated further that the resolution establishes a joint committee which would require some action with a vote which can't be taken without a quorum. Mr. Grisbaum stated he and Senator Kiefer have been following the intent of the legislation and have agreed to act as the joint committee, with today the whole purpose being to simply meet and listen to the staff as to what they have done during the interim. Also, this meeting was convened to select a subcommittee and appoint the chairman of the joint subcommittee.

Senator McLeod stated that he was perfectly willing to listen to the reports, but he questioned whether the committee would have the authority, in the absence of a quorum, to organize. Mr. Grisbaum stated that at this point, the committee could defer action. Senator McLeod suggested that the staff be directed to present prepared materials while deferring all formal actions pending subsequent meetings of the committee. Mr. Grisbaum then asked the staff to proceed.

Dan Lombardo then proceeded by giving a brief statement on Legis/50 and the length of time the staff has been with the legislature. He discussed SCR 48 stating that the concurrent resolution encourages the two committees to form a joint committee. The purpose of today's meeting was to basically organize and to give the committee an accounting of the work performed to date. Also staff suggested a tentative schedule of meeting dates to present findings before the next legislative session.

Mr. Lombardo stated that before the first work plan was prepared, the staff met with the two chairmen and was given the direction to "find out what's out there, and how much it costs, how it works, and how we can make it work better." Therefore, staff prepared and discussed the tentative work plan. Staff stated that they have completed many onsite visits and have met with various agencies to determine feelings, impressions, concerns, and need, etc. Six weeks were spent onsite with the Department of Corrections facilities. He also stated that Kerry Williamson has also been on the road with her emphasis primarily on the Division of Youth Services. The meeting was then turned over to Ms. Williamson to present the tentative research plan. Ms. Williamson stated that in order to complete the assignments as directed by the chairmen, a research outline and a chart of the research plan was developed and presented to the chairmen and subsequently the committee for comments, questions and suggestions. The first step was to undertake a preliminary issues survey, in order to develop the research guide. Secondly, a community resource inventory has been planned to give the committee information on what is actually available for children by parish and throughout the state. Staff has come to the conclusion that they cannot give the committees an exhaustive study within the limited period of time during the interim. Yet the staff can provide the committees a very good idea of the answers to most of the suggested direction.

A \$4500 budget approved by the legislature was used by the staff for statistical analyses and support. The staff was able to contract, through the Legislative Council, with the LSU Department of Experimental Statistics, to provide the statistical support for them (a copy of the contract was provided to the committee). An anticipated eight-week completion date was offered for the committee's approval. Senator McLeod asked where the staff was in completing the research outline. Ms. Williamson replied that implementation was in process.

The discussion was returned to Mr. Lombardo who expressed his thanks to Don Wydra, Deputy Secretary of the Office of Juvenile Services, Department of Corrections, for his assistance and elaborated on assessment of the Office of Juvenile Services. He stated that he has collected data on each of the individuals in the institutions during the six-week period of the onsite visitations. Information included date of birth, offense for which youth were committed, parish of residence, parish of commitment, IQ reading scores have been gathered. This information is in the process of being put in a tabular form so that it can be key punched, put into a computer from which interesting statistics can be presented to the joint committee. Mr. Lombardo said he could give the committee such basic information. For instance, 77 percent of the population in the institutions is black, 23 percent white; the average ages of the youngsters incarcerated are between 15 and 16 years of age; the facilities vary in types and kinds of population served; there is some concern regarding the testing instruments being used right now at the Juvenile Reception and Diagnostic Center, with the summation indicating that final report will be coming out in subsequent committee meeting and will give the committee a full outline of the Department of Corrections juvenile facilities.

Ms. Williamson then presented the third component of the research, a legislative evaluation of the Division of Youth Services, Department of Health and Human Resources. This evolved from the original research idea into a more functional review of the juvenile justice system and the role the Office of Youth Services plays within that system. She stated that she has completed almost half of the site visits of the Division of Youth Services regional offices and included within those visits meetings with private providers, law enforcement officials, and private probation departments, and also stated that the staff wants to look at some specific concepts within this study, particularly what's happening in prevention, what kind of coordination exist between different governmental agencies, how is the client placement process working, how are intake and evaluation procedures functioning, as well as aftercare. Shelter care and detention were initially placed in the research plan, but the Division of Youth Services and the Law Enforcement Commission are currently undertaking a study of needs in this area.

A statistical review of DYS clients was also a part of the plan; however, after meeting with Mel Meyers and the Office of Human Development, Jeanie Vidrine, and Division of Youth Services attorney, an interpretation was made by Division of Youth Services attorney that it was not appropriate for Division of Youth Services to release client records based on existing statute. The staff disagreed and indicated that an amendment to the Juvenile Code last session provided access to records and reports for statistical purposes thereby giving the staff access to certain information. The staff reached a tentative compromise in that Division of Youth Services agreed that they can utilize statistical logs of children which would provide much the information staff needs without using the children's names. However, staff indicated a tracking problem but would proceed at the direction of the committee.

Mr. Turnley posed a question as to whether the staff had done research regarding the types of programs offered at the various institutions and how well these programs are functioning in terms of rehabilitating the youngsters or just exactly how these programs function. Mr. Lombardo responded by saying that the existing institution programs use the legislatively mandated merit system requiring a youngster committed to an institution to accumulate so many points or merits before a parole consideration is given by the institution to the committing court. In addition to the established institutional programs consisting of three program components--social services, cottage life and education, there are special treatment units within most facilities. For example, LTI Monroe has a special treatment unit which functions separately from the LTI Monroe program. LTI Baton Rouge has several, and LTI Ball is implementing a special treatment unit this year which was funded during the 1979 session. With this in mind, staff will give you solid feedback on what's happening, in response to HCR 92 which requested an assessment of rehabilitation programs in the juvenile facilities and to HCR 133, which asks for an assessment of the adult preparation programs within LTI Baton Rouge. Mr. Turnley responded that's what he specifically wanted to know. Mr. Lombardo said that at the suggestion of the chairman, staff has been saving that information for a full committee hearing.

Ms. Williamson then discussed the last component of the research outline, the statewide needs assessment. She stated that staff would mail the survey along with the community resource inventory to respondents, then take new data and put on the computer (also through LSU Department of Experimental Statistics). She also stated that a number of research projects are under way concerning Louisiana children. The staff will be in touch with these projects and hopes to incorporate their findings and, in some cases, present their findings to the committee. Data will also be provided by the Academy for Contemporary Problems, in Columbus, Ohio, doing a study of transfer. The National Academy of Sciences was commissioned to do a study of eight states on the impact of the Bayh Act on status offenders in Louisiana. Research is also being undertaken by several state groups. DHHR's task force on community alternatives will have a report ready in the next few weeks. The Bureau of Child Development has almost completed and has ready to release a report called "Children at Bayou State--Status of Children and Youth in Louisiana."

Mr. Turnley asked if the staff would have the statistical information that would point out to the committee the number of youngsters that have passed through the juvenile facilities that have ended up in Angola or are in Angola now or have been there, so that they can get some type of background or knowledge of what happens to those youngsters once they are incarcerated in the juvenile institutions and then go back into the community. Do they end up, in large numbers, in penal institutions and will this information be included in the report? In answer to the question, Mr. Lombardo stated that a problem exists with juvenile records and transferring those juvenile records along with the child to an adult facility. He said the Department of Corrections can give the staff, and they are currently working on that for them, an indication on a voluntary basis. He also reminded the committee that last session the state police requested a bill that would have the central identifier and this identifier would go along with the young person if he would travel through the system from juvenile to adult facilities. He also gave some national statistics, one of which stated that if a juvenile is incarcerated in an institution, he has about an 80 percent chance of becoming an adult offender.

Senator McLeod then raised a question pertaining to a juvenile being incarcerated in a juvenile facility, having an 80 percent chance of going into an adult facility. Mr. Lombardo stated that if a child is diverted before the formal juvenile justice system process begins, he has a much greater chance of not ever entering a system as an adult offender. But because of processes such as labeling and having been known to the police as a juvenile offender, because of previous identification, chances significantly increase as a juvenile offender. Senator McLeod stated that something Mr. Lombardo said led him to believe that the 80 percent figure is simply a figure that is arrived at by labeling and may not be as bad as that or implies in respect to those children who are offenders but not put in the formal juvenile justice system. Mr. Lombardo stated that of the juvenile institution stance, it's been about a 66 - 70 percent chance in Pennsylvania of becoming an adult offender; but again, it's very difficult here to track a young person from the juvenile system to the adult system. With the absence of a tickler file or some sort of fingerprint identification card, it's very difficult to determine how many of current adult population had previous records. The only way now is to find out from the inmate.

Mr. Charbonnet asked Mr. Lombardo if he said that if you were able to get the information from DYS, the name of the individual would certainly remain the same. Mr. Lombardo stated that there is a series of laws regarding confidentiality of records, especially juvenile records. In the last session, several pieces of legislation were dealt with. Juvenile records are kept separate from adult records. The juvenile records stay at the facility and after a specific period of time, as a result of a new amendment to the code, the young person at the age of 21 or five years after he has been incarcerated, can request that file to be expunged or to be destroyed. Mr. Charbonnet understood that but asked if he or Ms. Williamson could make an appeal that if the committee wishes, by some legislation that was passed last year, that the committee could have access to that information. Ms. Williamson then stated that children who are handled by Youth Services are not the children who are in the LTIs.

Ms. Williamson also stated to the committee that in the course of their work, the staff realized that they could not accomplish the research plan and asked permission to approach the LSU School of Social Welfare Graduate School to see if there was a possibility that the staff could have an intern work with them. She said that Margaret King has agreed to work with them on an internship basis and then gave the committee some background on the intern. They have another student, Bunny Henderson, from Alexandria who is interested, not in serving as an intern, but in doing a special issue paper, both with the committee's approval. Ms. Williamson then introduced the staff recommendations and asked if the committee had any recommendations or suggestions. She further stated that the staff would like some direction from the committee.

Mr. Charbonnet asked the staff if the state is presently engaged in any kind of diversionary programs. Ms. Williamson stated that that was the responsibility of Division of Youth Services. Mr. Charbonnet then asked if they were able to identify anything that's happening in the area. The staff then responded by saying they will have a report on that at a future meeting.

Mr. Turnley stated that he noticed that the staff's request for persons to associate with the committee from the LSU School of Social Welfare, and asked if Southern University School of Social Welfare had been approached about an internship program or perhaps someone willing to work with the committee. Ms. Williamson stated that Southern University had not been approached because they were interested in having people work with them on the graduate level. She also told Mr. Turnley that the staff had worked with Henry King, Jr. last summer who did the Juvenile Code review. Mr. King worked for a ten-week period. Mr. Turnley then stated that the Southern University School of Social Welfare has really been involved in a lot of interesting work and suggested that perhaps they would like to assist in some way. He also suggested that the staff contact Southern University and see if they would like to participate, stating that they may be able to give some good input into the project.

Ms. Williamson then asked the chairman if he wanted them to proceed with the topic areas or if he had some other suggestions. Mr. Grisbaum stated that the Committee was there at their pleasure; and requested the staff to continue.

Mr. Weaver then asked if the staff had resolved the problem of obtaining information. Ms. Williamson stated that they had reached a tentative compromise which would not provide them with as much information as they would like, but it would give them some information to go on, and they will have problems in tracking children. Mr. Weaver then wanted to know what alternatives do they have? Ms. Williamson asked Mr. Weaver and the committee if they would like to hear from the attorney from DHHR. Mr. Weaver's reply was "yes," and stated that he would like to know specifically what legislation presents problems with the documents.

Mr. Castille stated that the statutory provisions that they rely on with regard to confidentiality is found in R.S. 45:56 and also in R.S. 46:1923. Mr. Castille read a portion of Subsection C of 56 which provides that publicizing lists of names of clients are prohibited and the penalty for any such violation. Mr. Weaver asked who initiates the sanctions. Mr. Castille assumed it would be the district attorney. Mr. Weaver asked Mr. Castille if he thought the principle of the information is important to the juvenile justice study. Mr. Castille stated that they had no argument of the importance of the information, but stressed the importance of abiding by the statute. Mr. Weaver asked whose information was it? Mr. Castille answered by stating that it belonged to the State of Louisiana, but it's specifically exempted from the public acts. Mr. Weaver then wanted to know how certain Mr. Castille was that his position was correct and proper. Mr. Castille was fairly certain that the position they have has been in the department for some time. Mr. Weaver said he could not understand how the state of Louisiana could have something that would be unavailable to them. Mr. Castille said he felt because of the legislation that was re-amended just last session, they could not, on the basis of that legislation, provide the information to personnel within the department. The provision indicates that the information would not be available except those outside sources engaged in administrative programs or departments. Some of the information is subject to waiver, Mr. Castille said. Mr. Weaver said he didn't want to get into a legal quarrel, but that he honestly feels silly for them to have an important function as a committee or subcommittee in the legislature, studying legislation that will impact on juvenile justice in this state for years and years to come, and learn that they have locked themselves into a situation where they're retaining information that can't be used for their system of review to improve the system. Mr. Weaver then suggested that the committee get some other legal opinions and not deal with a compromise situation, but get all the information that's available to them and remove those stumbling blocks. If they can't do it, then he suggested they better pass some legislation that would allow the committee to make the study next year.

Mr. Turnley said that if the information is confidential, they have made it so. He stated that there is some validity in terms of the giving of this information; that is, being confidential because once someone get it and give it to the committee in a public forum then the whole public would have access names. Therefore, he suggested that perhaps they should get the committee counsel to give them some opinion as to whether or not they should or should not be privileged to this information.

Ms. Williamson stated that the legislature passed an act to the Juvenile Code last session on "reports and records." In the section on confidentiality, it said that all records and reports of the courts, probation officers and law enforcement agencies are confidential and shall not be disclosed. Section B says the limitation of such Section A shall not apply to statistical information and information of the general nature. Section C says the court may authorize the designated person to review confidential reports and records for purposes of collecting statistical information and information of the general nature.

Mr. Weaver stated that the Legislative Fiscal Office was one agency that probably is authorized by statute to have access to that information for budgetary reason, and suggested that they, in conjunction with Mr. Turnley's motion, ask the counsel to consider using whatever facilities that are available to them through the Fiscal Office.

Mr. Charbonnet stated that he thought the whole issue was not the information itself, but the fact that names of the youngsters not be made public. He asked the chairman if they could instruct their staff to develop a code system and only present the code system to the committee. Mr. Grisbaum then asked Mr. Charbonnet if he may suggest that they accept what they have now.

Mr. Lombardo then offered a point of information, stating that in collecting the statistics while on site at the facilities, he was able to get the age, race, date of commitment, length of term of commitment, parish of commitment and residence, committing judge, etc. and there is absolutely no way of identifying the child.

Ms. Williamson asked if they were instructed to go along with the proposed calendar in their planning. Mr. Turnley then motioned that the committee follow the recommendations made by the staff.

Senator McLeod asked if instructing the researchers to proceed with the plan that they had presented were they incurring any expenditures that they have already appropriated. Mr. Grisbaum stated that he had just suggested to Mr. Turnley and he agreed not to proceed with that motion because of problems that could occur. Senator McLeod also suggested that if the proposed calendar represented meetings of the committee, they try to tie each one in with the issues conference that's coming up so that they won't have to come to Baton Rouge twice.

Mr. Charbonnet then asked for clarification on the mailing list. Mr. Williamson stated that the mailing list was put together for a variety of purposes and portions of it would be used for the community resource inventory and also for the priority survey.

Mr. Lombardo then discussed the flow chart for the Code of Juvenile Procedure and the ten-week study that was done on the Code of Juvenile Procedure. Mr. Charbonnet asked if the courts cannot recommend a child, at this time, to either return the child to the custody of his parents or commit him to LTI? Mr. Lombardo stated that there is a decision point after the child is incarcerated to determine if it's safe to return the child to his parents or if the crime is serious enough that he would be detained in a secure facility, such as a detention center. In order to do that, a hearing to determine if continued custody of the child is necessary. Mr. Charbonnet also asked if Louisiana judges have the authority now to order a child placed somewhere

besides home or LTI. Mr. Lombardo stated that there are alternatives, but they are few and far between; such as Renaissance House in Alexandria and Greenhouse in New Orleans. Mr. Lombardo stated that a list with such information will be forthcoming.

Mr. Lombardo stated that there was just one other item on the agenda and that was the appointing of the subcommittee. Mr. Grisbaum asked for any questions from any members of the committee.

Mr. Grisbaum stated that he had spoken to Senator Kiefer and the main thing that the committee members present are concerned about is that people involved in any proposed change be included in the discussions.

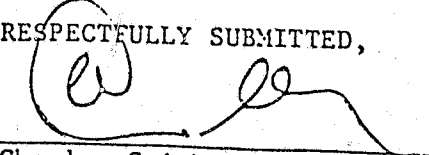
Mr. Grisbaum then asked if there were any persons present that wanted to offer anything on what had been said. Judge Tanner stated that he did receive a notice of the meeting but did not know exactly what was going to take place today. The judge stated that he certainly had some comments, but would like to reserve them. Some of the information that he heard doesn't match up with what is actually fact. He then gave his views of detention facilities and stated that Renaissance House and Greenhouse are shelter care facilities. He also said the majority of Louisiana doesn't have detention facilities available to them. The judge discussed a situation that arose in his parish last week where two girls 13 and 9 years old were charged with aggravated arson and attempted murder for burning down the trailer with their parents in it and the only place that he had available to keep the 13 year old was the Baton Rouge facility which cost his parish \$30 per day to hold that juvenile until Monday morning so that he could have a hearing to determine whether to keep her in custody. A petition was filed and she entered a plea of guilty to the charge. They were able to dispose of it and committed the 13 year old to LTI and released the nine-year old to some friends of the family. The judge stated that the courts have maneuvered at times because they have no place to keep a juvenile and felt that the only safe place to keep those children is LTI.

At this point, the chairman asked for further questions or comments. Ms. Vidrine addressed the chairman and committee and stated that Youth Services is more than willing to cooperate and will be more than willing to give any information that is wanted, without the names, so far as their attorneys have approved. She also stated that during the time this was being discussed, she discussed it with Judge Tanner, who is chairman of the Juvenile Code Committee, and it is also of his opinion that the Code says that people have access to the juvenile records are those people within the juvenile justice system and he is in accordance with DHHR's attorney's decision. Judge Tanner stated that there is a provision in the Code, where for stated reason for application to the judge, that one can get certain information.

IV. ADJOURNMENT

Having no further business, the committee adjourned at 3:10 p.m.

RESPECTFULLY SUBMITTED,


Charles Grisbaum, Jr., Co-chairman
Joint Juvenile Justice Committee

JOINT COMMITTEE ON JUVENILE JUSTICE
of the
SENATE COMMITTEE ON THE JUDICIARY, SECTION B
HOUSE COMMITTEE ON THE ADMINISTRATION OF CRIMINAL JUSTICE

Minutes of Meeting

February 21, 1980

I. CALL TO ORDER

The Joint Committee on Juvenile Justice met at 10:35 a.m. on Thursday, February 21, 1980, in Committee Room 1 of the State Capitol in Baton Rouge, Louisiana. The co-chairman, Representative Charles Grisbaum, called the meeting to order.

II. ROLL CALL

Members Present:

Rep. Charles Grisbaum, Co-chairman
Rep. Richard Turnley, Jr.
Rep. Louis Charbonnet III
Rep. Clyde Kimball
Rep. Bill Strain
Rep. Bruce Bolin

Members Absent:

Senator Nat Kiefer, Co-chairman
Senator Anthony Guarisco
Senator Edgar Mouton, Jr.
Senator Francis Lauricella
Senator William McLeod
Senator Ned Randolph
Senator Virginia Shehee
Rep. Eddie Bopp
Rep. Daniel Richey
Rep. Loy Weaver
Rep. William Byrnes
Rep. Jimmy Dimos
Rep. Ron Faucheux
Rep. Tyrus Lanier

Staff Members Present:

Kerry Williamson
Dan Lombardo
Etha Terrance

Witness:

Don Wydra, Assistant Secretary
Office of Juvenile Services
Department of Corrections
Post Office Box 44304
Baton Rouge, LA 70804

III. PRESENTATIONS:

Representative Grisbaum stated that he had not heard from the Senate Committee and the following committee members would compose the House Sub-committee, and a quorum is present: Representative Grisbaum, Representative Turnley, Representative Bolin, Representative Kimball, Representative Strain, Representative Charbonnet.

Mr. Lombardo presented to the committee a brief synopsis of the tour of all Louisiana Training Institutes, as well as an overview of the Department of Corrections. He said there are four juvenile facilities in the Office of Juvenile Services, Department of Corrections. The four juvenile facilities are located at Baton Rouge, Ball, Monroe, and Bridge City, Louisiana. In addition, the Juvenile Reception and Diagnostic Center, located on the Baton Rouge campus, is responsible for diagnosing and testing, and includes a maximum security facility, in the Juvenile Adjustment Center. Mr. Lombardo stated that according to the Code of Juvenile Procedure, the Department of Corrections juvenile facilities are supposed to be the "facilities of last resort."

As the committee toured the facilities and based on previous research, ten major problems were surfaced by Department of Corrections staff:

1. The Department of Corrections must take all youth that are committed to them.
2. The Department of Corrections receives inconsistent data on youth.
3. A range of treatment options for youth incarcerated is lacking.
4. Measuring program success/impact is difficult.
5. Department of Corrections experiences some difficulty in releasing certain youth.
6. Staff salaries are low.
7. Major physical plant renovations are required.
8. Staff training needs expanding.
9. Department of Corrections facilities and programs cannot meet certain national standards.
10. A spectrum of services outside Department of Corrections is lacking.

Representative Kimball asked if a child is placed on probation, gets in trouble again and is sent to LTI, would the collected data follow the child. Mr. Lombardo stated that some of the information would follow the child to the facility. Representative Strain questioned the competency of the cottage parent staffs, and whether they were under Civil Service. Mr. Wydra stated that one of the weaknesses of the facilities is the cottage parents. Their jobs are under Civil Service, but they are not competitive. Representative Turnley posed a

question as to the type of programs the Department of Corrections has designed for preventive maintenance at the juvenile facilities, and requested Mr. Wydra to present that information to the committee at the March 6 meeting.

Representative Grisbaum reminded the committee that the primary purpose of the meeting was to have the staff present an overview of the tour and to think in terms of the persons they would like to have appear before the committee March 6 and 7. He also stated that Mr. C. Paul Phelps and Mr. Wydra would be requested to appear with a copy of the budget request.

Mr. Lombardo gave a brief description of the youth that are in the LTIs:

- There were approximately 811 youth in the LTI system during his visits, of which he has case records on 690.
- There were 607 males and 83 females at the time of the survey.
- Of the 83 females at LTI Ball, ten percent were either pregnant or the adolescent mothers of one or more children.
- Eight-nine point forty-one percent (89.41%) have had at least one other contact with the police.
- Sixteen point four percent (16.4%) are adjudicated for such crimes as murder, attempted murder, rape, manslaughter, aggravated assault and battery, armed robbery, attempted armed robbery, and aggravated burglary (people crimes).
- Of the young persons in the survey, 24 percent are there for the second time. The largest grouping is found in property crimes.

Mr. Lombardo stated that of the young persons in the survey, 58.94 percent have been incarcerated for property offenses. The ages of the youngsters range from nine to twenty years old. The top parishes of commitment were Orleans, Caddo, East Baton Rouge, Ouachita, East Carroll, and Jefferson. The other 25.16 percent are found in the remaining parishes. It was also pointed out that only 29.75 percent of the youth are from Orleans Parish. Representative Turnley indicated that, over the years, statistics had shown otherwise. The number of delinquent siblings in the family, other than delinquently incarcerated were: none - 43%; one - 26.97%; two - 15%; three or more - 11%. Only 4.64 percent of the youth surveyed were in a juvenile facility for six months or less, 12.9 percent for one year, 13.48 percent for two years, 8.55 percent for three years, 5.51 percent for four years, 21.15 percent for five years or more, and 33.77 percent had indefinite commitments. Mr. Lombardo stated that 82.46 percent of the youth in the survey had been committed for at least two or more years. Fifty-seven percent of the young persons in the LTIs were reading at the fourth and fifth grade levels or below. Forty-eight point forty-one percent (48.41%) had IQs of 70 or below (70 being considered the legal cut-off point for mental retardation).

Mr. Lombardo then gave a brief review of each of the LTIs stating that the budget for 1970-80 was \$13,600,000 with a request of \$16,435,000 for 1980-81 (21% increase).

Representative Turnley referred back to the percentage of children with IQs of 48.41 percent and asked what kinds of programs were used to deal with the problems of the youth in the juvenile institutions. He suggested that if there were none, efforts should be made to implement such programs. At present, Mr. Lombardo stated, there is one such program at LTI Baton Rouge, Project INSTEP. Representative Grisbaum requested the staff to contact the Superintendent of the Diagnostic Center and ask him to present to the committee the data on those youth that represented the 48.41 percent and his recommendations for the inappropriately placed children. Mr. Lombardo then stated that the Department of Corrections receives physical custody of a child, according to an Attorney General's opinion. The Department of Corrections is awarded custody of a child from the courts. The Department of Health and Human Resources will only serve a young person if the legal custody is transferred to them. Once the Department of Corrections determines that a child has been inappropriately placed, it goes back to the court and suggests the proper placement for the child. If the court does not transfer custody to DHHR, the child remains with the Department of Corrections. He suggested that the Department of Corrections is granted, under the Code, the ability to request modification of disposition, so that the Department of Corrections can move the youngster into a more appropriate facility.

Of the 48.41 percent of the youth classified as legally retarded, Representative Charbonnet asked if any or all the children had been evaluated prior to commitment to an institution. Mr. Lombardo stated that the majority of the youth are committed to the institution before evaluation. Representative Kimball requested that the Division of Youth Services also appear before the committee on March 6. Representative Grisbaum requested the staff to contact him four days in advance with the names of those persons that have accepted to appear before the committee and the rationale for those that will not.

Mr. Lombardo presented the basic organizational chart of each of the LTIs. Basically, they all have the same classes of staff positions. Representative Charbonnet asked Mr. Wydra if there was a mandate by the legislature for all LTIs to have certain components, or if it is left to the discretion of the administrative staff. Mr. Wydra indicated that each LTI has program variations.

A comparative study of each LTI was then presented to the committee. Questions pertaining to the Department of Corrections Agri-business were asked. Representative Grisbaum requested the staff to contact persons responsible for Agri-business at the institutions and have them appear at the committee hearing. He also requested the staff to contact the Juvenile Judges Association and each LTI superintendent for their presence at the committee meeting.

Continuing with the discussion, Representative Grisbaum asked Mr. Lombardo if juvenile records are transferred to DHHR after the youth leaves the Department of Corrections. It was stated that a limited amount of information is transferred to DHHR. Representative Bolin then questioned the method of payment for the various staffs. Mr. Wydra indicated that basically salaries are the same. Due to the fact that Representative Charbonnet cannot see any progress being made at the LTIs, he requested Mr. Wydra to present to the committee a comparison of staffing from one institution to another, and program to program. Representative Turnley stated that he has seen a great deal of change at the Baton Rouge campus.

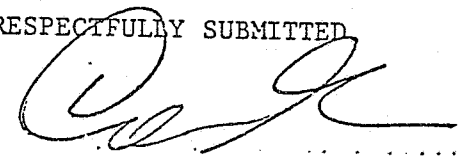
Representative Grisbaum requested Mr. Wydra to have available the job descriptions of cottage parents, and asked the staff to contact the new Commissioner of the Division of Administration to attend the March 6 meeting.

The committee also questioned the feasibility of having juveniles evaluated at local levels before having them committed to LTI in order to alleviate some of the problems of overcrowding. Mr. Wydra stated that he thought it would be helpful and would save the state financially.

IV. ADJOURNMENT

Having no further business, the committee adjourned at 12:40 p.m.

RESPECTFULLY SUBMITTED



Charles Grisbaum, Jr., Co-chairman
Joint Juvenile Justice Committee

HOUSE SUB-COMMITTEE ON JUVENILE JUSTICE

of the

JOINT JUVENILE JUSTICE COMMITTEE

Minutes of Meeting

March 6 and 7, 1980

I. CALL TO ORDER

The House Sub-committee of the Joint Juvenile Justice Committee met at 10:35 a.m. on Thursday, March 6 and Friday, March 7, 1980, in Committee Room 1 of the State Capitol in Baton Rouge, Louisiana. The Co-chairman, Representative Charles Grisbaum, Jr., called the meeting to order.

II. ROLL CALL

Members Present:

Representative Charles Grisbaum, Jr., Co-chairman
Representative Richard Turnley
Representative Louis Charbonnet
Representative Clyde Kimball
Representative Ty Cobb Lanier
Representative Bill Byrnes
Representative Bill Strain
Senator Nat G. Kiefer, Co-chairman

Members Absent:

Representative Bruce Bolin

Staff Members Present:

Dan Lombardo
Kerry Williamson
Etha Terrance

Witnesses:

Philip N. Pecquet, Judge
Juvenile Judges Association
Post Office Box 347
Port Allen, LA 70767

Salvadore T. Mule, Judge
Juvenile Judges Association
421 Loyola Avenue
New Orleans, LA 70112

John D. Kopfler, Judge
City Court of Hammond
300 East Thomas
Hammond, LA 70401

Ms. Jeanie Vidrine, Director
Division of Youth Services
Post Office Box 44141
Baton Rouge, LA 70804

Carolyn T. Kitchin, M.D.
Office of Mental Health & Substance Abuse
Post Office Box 106
Baton Rouge, LA 70821

Ms. Lois Foxall
Jefferson Parish Juvenile Court
Gretna, LA 70053

Witnesses:

Mr. C. Paul Phelps, Secretary
Louisiana Department of Corrections
Post Office Box 44304
Baton Rouge, LA 70804

Mr. Don Wydra, Assistant Secretary
Office of Juvenile Services
Department of Corrections
Post Office Box 44304
Baton Rouge, LA 70804

Dr. James L. Brabham, Superintendent
Juvenile Reception & Diagnostic Center
Post Office Box 116
Baker, LA 70714

Jeanne Voorhees
Executive Director
Youth Services Bureau
105½ South Cate
Hammond, LA 70401

Stephen J. Hymel
State Budget Office
State Capitol
Baton Rouge, LA 70804

III. PRESENTATIONS

Representative Grisbaum stated that the purpose of the meeting was to improve the entire Juvenile Justice System, not just to introduce legislation. He expressed the need for all persons or agencies affected to feel free to have input.

Ms. Williamson began the presentation with an overview of the Juvenile Justice System in Louisiana. This showed how children and youth go through the system and how the system works. The data presented was based on statistics from 1978, simply because the statistics for 1979 have not been generated by computer.

In 1978, 29,144 juvenile arrests were reported. This figure accounted for 15.1 percent of all arrests in the state. Of this total number of juvenile arrests, males accounted for 76.9 percent, females - 23 percent. The black/white ratio indicated 48 percent of those arrested were black and 51 percent were white. Of all arrests of index offenses, juveniles accounted for 27.3 percent. Of these serious crimes, 88 percent were property crimes, 11 percent were violent crimes. Orleans Parish accounted for 29 percent of the arrests, Jefferson Parish - 12 percent, and East Baton Rouge Parish 11.8 percent.

When a child is arrested, he may first be investigated by law enforcement, which has several options, such as: dismissing the complaint, diverting the child, or referring the child to another agency. Law enforcement also has the option of taking the child into custody or referring the child to court intake. When a child is adjudicated, the complaint may be dismissed permitting the child to exit the system. Should the child be adjudicated, a hearing is set for disposition.

It was indicated that major efforts have been made to unify the Juvenile Justice System in Louisiana. First, by developing the Division of Youth Services in 1974 and then in 1978 by passing the Code of Juvenile Procedure. For each function there are various local and state agencies that provide services, such as intake. However, there is not a uniformity across the state as to who does what within the particular areas of the system.

Ms. Lois Foxall stated that the role of the District Attorney seems to have a predominant role in this particular part of the system. In the metropolitan areas, the police reports go to the District Attorneys rather than to the court to determine if prosecutable before a child ever gets to the court.

Mr. Lombardo presented areas in the system where problems are more prevalent. As a result of the tour of the juvenile facilities and the presentation regarding the Department of Corrections, there were many concerns and frustrations that were expressed. One of the big concerns expressed by the superintendents, Mr. Wydra and others was the amount of information they receive when a child is incarcerated, which led to three committee concerns: the information exchanges between DHHR and Department of Corrections are inconsistent; interagency coordination between DHHR and Department of Corrections; and improved programs and services for incarcerated youth. Responses to these concerns are: We need to specify the types and kinds of information that must accompany a child. In order to do that, three sections of law will have to be amended--one amendment to the code and two amendments to the existing statute. Staff also recommends the development and implementation of a management information system, and the implementation of an individualized treatment plan for youth.

In response to Mr. Lombardo's recommendations, Mr. Phelps stated that the Department of Corrections serves as the custodian. The judge makes the decision as to whether the child is guilty or not and then sentence the child. Corrections has no control over who comes in or leaves the system. Ms. Vidrine indicated that Louisiana does have a fragmented system and if a child has come to the attention of DYS, required testing is done and given to the judges. However, there are also non-state probation officers around the state that may or may not have the same information available for the judge, particularly, in some of the rural areas.

Judge Pecquet stated that in addition to personal knowledge of a youngster, judges usually have the probation department and all reports available in a rural area. The probation officer delivers the child to Department of Corrections, perhaps that's the point where reports should be delivered to Corrections. Juvenile Reception and Diagnostic Center does the evaluating and placing of children. The court has nothing to do with that.

Judge Kopfler stated that he is new in the system. As far as the District Attorney is concerned, in a rural area, he seldom gets into the system until after intake, the same time the judge gets a report from the intake officer. The District Attorney receives a copy of the report the same time as the judge. He also indicated that there is too much "I don't want you stepping on my jurisdiction" and not enough of what's best for the child. There is going to have to be more interaction between agencies. Representative Grisbaum asked Judge Kopfler if judges have the proper or necessary information before committing a child. The judge stated that he does have the information, if not, he requests it.

Judge Pecquet stated that there are two systems statewide. In the rural areas, the information has always been available to the judges, and suggested that perhaps there is a lack of communication in the larger areas.

Representative Grisbaum stated that apparently it's not automatic that the court receives probation reports prior to adjudication and asked should it be done? Ms. Vidrine stated that this is being done now. Judge Mule stated that the judges don't receive a report unless it is ordered, and suggested that each case had to be looked at on a case-by-case basis. Some cases don't warrant a report. Mr. Phelps stated that part of the problem is a lack of definitive vocabulary, and the real question here is should there be a pre-sentencing investigation done between adjudication and sentencing. He suggested that the judges are better able to say if they have the authority to do an investigation prior to adjudication. Judge Mule stated that the court allows judges to order an evaluation prior to adjudication but prohibits them from looking at the report prior to adjudication. Judge Mule then explained how the judges operate with the evaluation prior to adjudication.

Judge Kopfler stated that one of the most important things the committee has to do is establish statewide facility for detention and shelter care if all the judges and law enforcement people in the state are to deal with juveniles within the realms of the law. Representative Byrnes posed a question as to what would happen to a juvenile in North Louisiana if there is no facility for placement. Would he be placed in jail? Judge Kopfler indicated that a child would probably be placed in jail. Representative Byrnes then asked if the judge that determines a child's placement is the same judge that normally hears the case. What is the law of looking at the report prior to a trial? Judge Kopfler stated that he thinks the reports should be drafted in such a way that the history is not included. If a history is needed to send to DHHR, Office of Youth Services, that is acceptable. This information would aid them in placing the child. The reports can be worded so that the history is not included.

Representative Grisbaum stated that the judges should have the psychiatric report or other information from the Diagnostic Center if they are to commit a child to the Department of Corrections. Judge Mule stated that the judges have the information Representative Grisbaum mentioned, but it is gotten from the Youth Study Center (New Orleans) where the city provides the services. Judge Kopfler stated that the judge orders that information before disposition, from the Office of Youth Services. Unless the judge orders an evaluation of a child, there is no evaluation prior to disposition. Judge Mule stated that they cannot look at the reports before the trial.

Mr. Lombardo stated that one of the issues that will be presented to the committee will be the whole issue of diagnostic and evaluation workups. One of the recommendations is to place a moratorium on the Department of Corrections for evaluation only. The staff recommends that before a transfer of custody to DHHR takes place or commitment to Corrections, the judge should have at his disposal, the diagnostic and evaluation workup.

Ms. Vidrine indicated that that procedure is followed when there is out of the home placement of the child, but the judges need to have immediate placement sometimes and there is not time for that testing. Therefore, the child is placed in an "out of the home placement" and then the testing takes place. It's for the protection of the child or the community from the child; therefore, emergency placement period is badly needed.

Representative Grisbaum asked the staffs if it were correct that at least 48.41 percent of the children within the institutions are mentally handicapped. Ms. Vidrine stated that the Department of Corrections does not agree with that figure. Mr. Phelps indicated that the correct figure could be almost anything you'd like it to be. The problem comes at the time of adjudication. The only place available on a 24-hour basis, day-in day-out, 365 days a year is the Department of Corrections. The basic problem is an inadequate number of resources spread over too wide an area. Is the child a delinquent who happens to be mentally retarded or a mentally retarded child who happens to be delinquent is the problems the judges are faced with. The only thing the judge has available to him when he has gone to the end of his rope is the Department of Corrections. Mr. Phelps also stated that the Department of Corrections is not all things to all people. It is not funded to be in the mental health business. It is funded to serve as custodian and that's what it does. Evaluation only commitments are done only because the Department has to do them. The Juvenile Reception and Diagnostic Center was set up to provide the Department of Corrections with information that they could use. Representative Grisbaum stated that the Department of Corrections should not have mentally handicapped children in the system because it cannot help them.

Representative Grisbaum asked Mr. Phelps why should mentally retarded youth be placed in the Department of Corrections and asked if the state had the appropriate facilities for placing those youth. Mr. Phelps suggested the question be referred to the judges. Judge Mule stated that before discussing mentally retarded youth, certain terms should be defined. [There could be a confusion between the mentally deficient youth and the uneducated, illiterate youth who is retarded because he is uneducated and illiterate.] When the judges get a juvenile who has been evaluated and the evaluation shows that he is truly retarded, that child is not going to go to the Department of Corrections. If he gets a juvenile who has committed a very serious offense, who happens to be illiterate and uneducated, he doesn't consider that individual as being mentally retarded or deficient. Judge Mule suggested that before the committee makes any decisions regarding facilities, there must be a clear understanding of the terms and how they should be defined. Representative Grisbaum questioned Mr. Lombardo as to the type of individual the committee is studying. Mr. Lombardo stated that the information he presented to the committee came from a record review of 690 records within the Department of Corrections. He reminded the committee that the testing instruments that reported the IQ score ranges were questionable. According to definitions, 70 has been used as a cut-off point to start at mild retardation and work lower to severe or profound retardation. Using those figures and ranges, 48.41 percent of the total are so classified, based on the records reviewed at the Department of Corrections.

Representative Turnley stated that regardless to the classification of the youth, it's the committee's responsibility to make sure that when a delinquent returns to society, he does not commit the same offense or fall into the same situation as before. Judge Mule stated that he was sure that was the concern of every judge in the United States. We are all aware that the Juvenile Justice System is under attack, not only in Louisiana, but it's under attack all over the country. A certain U. S. Senator has made the Juvenile Justice System his "whipping boy" and he is going to continue to do so because he can get good publicity.

Judge Kopfler stated that he has tried to place some children outside of the Department of Corrections for those youngsters that he thought should not have gone there. [But whenever Division of Youth Services tries to place a child, it is difficult to find a place to put him/her. He stated that if private facilities are going to take some of the easy cases, they should be responsible for those cases that are not so easy to handle or they should not be able to participate.]

Representative Byrnes asked Mr. Phelps what was the Department of Correction's role after a child has been committed. Mr. Phelps stated that it depends largely on the offense that has been committed. The Department does make an attempt to provide education for the youth. Representative Byrnes also asked Mr. Phelps if the Department of Corrections had authority to require parents to participate in any of the programs. Mr. Phelps stated that the judges had the authority, from a practical standpoint. Personally, he said, "I think that there is a serious constitutional defect in keeping a child until age 21." Particularly, since age 18 has been made the age of adulthood.

Representative Lanier asked Judge Mule' if he decided that a child from his court needed medical attention, is their a facility in Orleans Parish, state supported that can provide this service? Judge Mule stated that he would commit the child to DHHR for treatment and care. Ms. Vidrine stated that placement of the child would depend on the problem of the child. Most of the children are housed in private non-profit organizations around the state, but most of the facilities are not geared to care for the hard placed children.

Representative Lanier then asked Dr. Kitchin if thoughts had been given to utilizing part of the state school for mentally retarded, if there is ample space. Dr. Kitchin stated that the security measures, as well as the staffing pattern at that facility would not permit such placements. Funds would have to be set aside to convert the cottages or build new buildings to serve as high security facilities.

Representative Lanier asked Judge Kopfler if he used the same procedure as Judge Mule by referring the child to DHHR. Judge Kopfler stated that he doesn't just turn the child over to DHHR. There is a law in effect now that states the judges have to place the child in the custody of DHHR, meaning the judges no longer have any discretion. Judge Kopfler disagrees with the judges being relieved of that authority.

4 Representative Byrnes asked what happens to a child when he completes his stay with the Department of Corrections. Is he released by the judge or by the Department of Corrections? Mr. Wydra stated that a child is released by the judge. Mr. Phelps stated that it is by mutual agreement. The Department of Corrections makes a recommendation that a child has adjusted satisfactorily to an institutional environment. There is no follow-up by the Department of Corrections.

Judge Mule stated that prior to January 1, 1979, when a juvenile was committed to the Department of Corrections that juvenile was sent to the Department of Corrections and a recommendation was made to the judge that the individual had merited all of his points and was eligible to go home and he was sent back home, usually on parole. He stated that he has difficulty with the new Juvenile Code that provides for a determinant commitment. Now when a juvenile is committed to the Department of Corrections for a specified period of time, when that day comes the child is released from the Department of Corrections automatically. There is no provision made in the Code as to whether juveniles should be released on parole. The problem with that provision is whether a juvenile is released, to be placed on parole, or just released. Judge Mule suggested that the committee consider an amendment to the Juvenile Code to provide for that.

Dr. Kitchin stated that it is very difficult to transfer a child from the Department of Corrections to another facility.

The committee recessed for lunch.

Representative Grisbaum asked the staff to present the recommendations to the committee. Mr. Lombardo presented the following recommendations:

1. The type and kind of information that should be required to be sent with the child. The staff recommends information such as family and social history, educational background information, and other relevant educational information, psychological and psychiatric evaluation. This is information that should be sent with the child if he is to be placed, and custody is transferred to DHHR or Department of Corrections.

Ms. Vidrine stated that the only problem with the recommendation would be the fact that there is not always enough time for evaluation prior to commitment to Department of Corrections. Mr. Lombardo indicated that the staff recommends that JRDC should serve and function only for Department of Corrections and psychiatric/psychological evaluations and educational assessments should be done in the community or purchase of service agreement negotiated through DHHR. The recommended legislation is to amend the Code of Juvenile Procedure, R.S. 15:901--amend the entire section (A,B,C and D), having JRDC function solely for the purpose of internal assessments for youth committed to Corrections. The Department of Corrections should not get evaluation only commitments.

Mr. Phelps stated that before Department of Corrections can respond to that recommendation, the committee and Corrections has to know, from the judges point of view, what they need in pre-adjudication/pre-dispositional evaluations, what they have available in their communities.

Representative Grisbaum suggested that the statute is changed to read to the effect that "when it's evaluation only, the child would stay there through the evaluation process and return. Judge Pecquet stated that until there is something better, he suggests continuing the present operation.

2. After redesigning the function of JRDC, putting together the other structured legislation to support the new function.

Mr. Wydra commented that to maintain the code statute as it is presently would require additional funding for staff and space at the Diagnostic Center. There is a possibility that more children will be sent to JRDC because the rate of evaluations has been increasing. Dr. Brabham indicated that the rate of evaluations has gone up tremendously, from nine percent to approximately 38 percent in December. The average stay is 42-1/3 days.

Representative Charbonnet asked Dr. Brabham if it were not correct that during the legislative tour of the facilities, 15 - 20 days was established as the required amount of time needed for evaluation. Dr. Brabham stated that on the average child coming into the courts, that was correct. Representative Grisbaum asked Dr. Brabham if there really is a problem in having kids that are legitimate mental retarded being placed in LTI institutions. Dr. Brabham indicated that it would present no problems because a severely retarded child

would not be placed in Department of Corrections unless something unusual occurs. He indicated that an IQ score should not be the sole determinant, but based on clinical interpretation and IQ scores, approximately ten percent of the intake students are, by any category, mildly retarded, but it doesn't really create a problem for Department of Corrections.

3. Amend Article 83C of the Code of Juvenile Procedure, deleting the provision for the Department of Corrections from the law.

Mr. Phelps indicated that from a practical standpoint, Department of Corrections was never funded to comply. However, if it's going to be taken away, it will have to be given back somewhere. He stated that Department of Corrections is in the "keeping business." If they are going to keep children, they can be kept for any length of time or under any conditions. But because of so many additions, the department is not able to do what it's legally required to do.

Representative Kimball asked what procedure was used in Jefferson Parish. Ms. Lois Foxall stated that with reference to contempt of court, they don't do anything. They can't hold a child in detention because they don't have the facilities to separate them. (Youth sent to detention or Department of Corrections for contempt must be totally separated from delinquent youth.)

Mr. Phelps indicated that the problem is a lack of alternatives. Representative Grisbaum stated that rather than deleting the entire article (83C), only the provision regarding separating the youth would be deleted. It was also indicated that East Baton Rouge Parish does not have capacity to separate two groups of children.

4. Soup up JRDC to make it a more high powered operating function in the Department of Corrections. JRDC should be able to recommend and coordinate various Department of Corrections program elements. It should coordinate all pre-release programs, community reintegration efforts and all aftercare for juveniles who successfully complete Department of Corrections programs. (To create aftercare for Department of Corrections for specific programs, i. e. Project INSTEP).

Mr. Wydra gave a brief summary of what Project INSTEP entails. He stated that he and Ms. Vidrine have been working on a project which will be located at LTI Ball. It's another Special Treatment Unit for female offenders. Guidelines are being set to designate DYS aftercare staff to work with Department of Corrections, while the child is in the program.

Representative Charbonnet suggested a pre-release program for children exiting the Department of Corrections.

Representative Grisbaum suggested to Ms. Vidrine and Mr. Phelps that between March 20 and April 20, the committee would like for them to work with the Juvenile Justice staff to set up the number of meetings necessary to look at their budget requests, with the committee so that meaningful legislation will result in the upcoming session. The meeting was recessed until Friday morning.

Friday, March 7, 1980, committee reconvened at 10:30 a.m. Mr. Lombardo continued with the recommended actions concerning the overall operation of the Office of Youth Services. As a result of the three-day tour of the Louisiana Training Institutes, there were many concerns among the committee members that made the tour. Recommendations are as follows:

1. Concurrent Resolution requesting a thorough analysis of the needs for improvement of the physical facilities.
2. Request Dr. Brabham of JRDC to take a look at some of the serious youth that are in the facilities and do a re-evaluation and re-assessment, to determine where the youngsters are, and to see if there is a need for alternative placement.
3. Prohibit the practice of extended leave.

Mr. Wydra stated that Department of Corrections does not have the staff to provide the type of supervision that is necessary for a student that was extended a leave. Representative Turnley asked Mr. Wydra how many staff persons would be needed to effectively supervise the program. At that time, Mr. Wydra did not have a figure. Representative Turnley stated that due to the high cost of keeping incarcerated youth, an estimate of what it would cost for proper supervision of youth on extended leave should be given the committee. Ms. Vidrine stated that a child is granted extended leave, but is still in Correction's custody. Division of Youth Services provides courtesy supervision. The problem is when the child is put back into the LTI system, without due process by going back before the judge.

Mr. Phelps stated that the juvenile court judges are the most powerful judges in the state. They have more authority than anyone else and can change anything they desire. Judge Pecquet stated that judges can only order a change when it's a change for reduction of the existing sentence. Mr. Phelps stated that the real cause for the problem is that there is not enough staff to effectively do the job. Representative Byrnes suggested some type of parole system would be the answer to the problem. Representative Grisbaum again requested the staffs to get together between March 20 and April 20 to draft proposals to make the necessary changes in the system.

4. Nationally accepted standards should be used as criteria for construction of additional facilities or improving existing facilities.

Representative Grisbaum stated that in touring the LTI facilities, it was discovered that there is no standardization within the facilities, and overall, it's pathetic. Mr. Phelps was asked what his plans were to correct this inconsistency. Mr. Phelps suggested that the committee come and share with Corrections in making appropriations, etc. Representative Grisbaum stated that the homework must be done first. He further stated that he did not see a qualified staff person at LTI Baton Rouge. LTI Ball has a very qualified staff.

Mr. Phelps stated that the physical plant has a lot to do with how the institution is run. The capital outlay request is submitted on a priority as what the administrative staff thinks should be done. He asked the committee to look closely at the budget request and see what has been requested and compare it with what Corrections is really getting.

Judge Pecquet indicated that judges have been reluctant to send children to the LTIs because only the worse offenders are sent there. Because the worse students are sent to LTI Baton Rouge, naturally it is not run as well as the other institutions and suggested adding another facility for housing those youth.

Mr. Phelps stated that there is a serious need for some sort of intermediate facility. Representative Turnley asked Mr. Phelps why the older youth were sent to Baton Rouge and Monroe. It was indicated that those staffs were more qualified to handle that group of juveniles.

Representative Byrnes asked what steps have been taken to correct the cottage parent situation. Mr. Hymel stated that all of the recommendations could not be presented to the committee at that time, but felt that the committee deserved to know some of the things that were in the making. Last year, it was decided to give Mr. Wydra, Mr. Phelps and those persons working in the juvenile area a little more flexibility in the staff. All juvenile corrections has been combined in one appropriation which will allow moving personnel from one institution to another as needed. One hundred eleven new positions were given to Department of Corrections last year, of which 50 percent were correctional officers. It is hoped that the extra \$200 that has been allotted for salaries for correctional officers will allow for better qualified persons. Next year, it will be recommended that all cottage parents will get the pay of a correctional officer.

5. Place a moratorium on incarceration of youth who have not yet attained 13 years of age.

Dr. Patrick Dowling, Psychiatrist, LTI Bride City was invited to attend the committee hearing by Representative Brynes. He addressed the committee briefly about some of the problems prevalent in the LTI system. One point Dr. Dowling stated was that cottage parents should have some college training and some personality assessment.

The committee recessed for lunch, and Representative Grisbaum asked the staff if they would meet with Division of Youth Services staff to work on proposed legislation for the upcoming session.

Ms. Jeanne Voorhees asked to address the committee before recessing. She strongly recommended the encouragement of a healthy private sector in the area of juvenile services, through contract of services arrangements with DHHR. These services could include a variety of non-residential treatment services, such as individual, family and group counseling, parent and youth effectiveness training, parent support groups, as well as such residential programs as group homes and shelter care. The advantages of fostering the local development of these programs, rather than expanding public programs in order to provide the services are as follows:

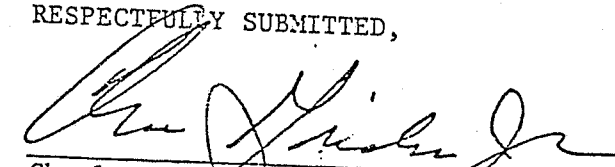
1. The private sector involves the community through local Boards of Directors, and local fund-raising activities.
2. By purchasing services, you avoid making the complex state system even larger and more complex.
3. The private sector, due to its small unit size, can adjust quickly to changing requirements.

Ms. Voorhees stated that she was not suggesting, nor was she in favor of, total funding for non-residential programs. In order to maintain the community focus which is its strength, the private sector must be dependent upon some local funding. The main concern is the inability of many parishes to totally support youth programs. A reliable base to one's financial structure would keep many worthwhile and effective juvenile projects from closing due to inadequate funding.

IV. ADJOURNMENT

Due to lack of a quorum, the afternoon session was not reconvened.

RESPECTFULLY SUBMITTED,


Charles Grisbaum, Jr., Co-chairman
Joint Juvenile Justice Committee

STANDARDS

These are some nationally accepted American Correctional Association standards that the Department of Corrections juvenile facilities have difficulty meeting or CANNOT meet:

9005 - Facility provides or makes available to all residents the following programs and services, at a minimum:

PROGRAM	AVAILABLE		NEEDS SIGNIFICANT IMPROVEMENT
	Yes	No	
Reception and Orientation	X		
Evaluation and Classification			X
Academic Education			X
Vocational Training			X
Employment		X	
Religious Services	X		
Social Services and Counseling			X
Psychological and Psychiatric Services			X
Library Services			X
Medical and Dental Health Care	X		
Athletic, Recreational and Leisure Time Activities			X
Resident Involvement with Community Groups			X
Mail and Visiting	X		
Access to Media, Legal Material, Attorneys and Courts			X
Volunteer Seminars			X
Pre-release Orientation and Planning			X

- 9032 - The facility staff plans and promotes activities for participation by residents in community programs and services.
- 9098 - Salary levels and employee benefits for all facility personnel are competitive with other parts of the Juvenile Justice System and with comparable occupational groups in the public and private sector.
- 9107 - Written policy and procedure provide that all full-time employees receive 40 hours of orientation prior to job assignment and at least an additional 40 hours training during the first year of employment; provisions acknowledge and give credit for prior training received.
- 9108 - Written policy and procedure provide that all full-time employees continue to receive a minimum of 40 hours of training each year after the first year.
- 9110 - Written policy and procedure provide that all full-time staff or volunteers who work in direct and continuing contact with residents receive 80 additional hours of training in their first year of employment.
- 9111 - All personnel who work with residents confined separately from the total population receive specialized training.
- 9127 - The facility has access to and uses an organized system of information retrieval and review that is part of an overall research and decision-making capacity.
- 9149 - The facility has specific, written definitions of its criteria for evaluating its overall performance.
- 9158 - Facility administration complies with the regulations of the state or local fire safety authority, whichever has primary jurisdiction of the agency.
- 9159 - The training school operates with living units of no more than 20 juveniles each.
- 9160 - The population using housing or living units does not exceed the designated or rated capacity of the facility.
- 9163 - All housing and activity areas provide for proper lighting, proper air circulation, proper toilet and shower facilities, proper heating systems and so on. This standard, along with standards 9167, 9168 (Units having capacities of no more than 20).
- 9170 - (requirements for sleeping rooms) All cannot be met by DOC juvenile facilities.
- 9173 - 9177 - Address the physical life space needs of the facilities. As currently structured, DOC juvenile facilities cannot meet these standards.

- 9180 - For facilities offering an academic program conventional academic classrooms, designed in cooperation with school authorities for a maximum of 15 pupils, have a minimum of 160 square feet for the teacher's desk and work area and 30 sq. ft. per pupil.
- 9181 - For facilities offering a vocational program, each has a minimum of 50 square feet per youth.
- 9192 - There is a written plan for preventive maintenance that is reviewed annually and updated as needed.
- 9227 - The facility has equipment necessary to maintain essential lights, power, and communication in an emergency.
- 9310 - All personnel have current training in basic first aid equivalent to that defined by the American Red Cross.
- 9404 - Provision is made to meet the educational and vocational needs of residents who require special placement because of physical, mental or emotional handicaps or learning disabilities.
- 9405 - Educational and vocational counseling are provided so that residents are placed in that phase of an educational or vocational program most suited to their needs and abilities.
- 9408 - The institution uses community resources in the vocational training programs.
- 9433 - The facility administration maintains a social services program that makes available a range of resources appropriate to the needs of residents, including individual, group and family counseling and community services.
- 9434 - Residents are afforded access to mental health counseling and crisis intervention services in accordance with their needs.
- 9437 - Case management personnel is available in a ratio of a minimum of one for every 20 residents to provide counseling and social services to residents.
- 9464 - Consistent with statutes, written policy and procedure provide for the referral of mentally ill juveniles to mental health facilities, and for programs for mentally retarded juveniles.
- 9469 - Juvenile offenders are given the reasons for deferral of release in writing and the decision is recorded in the case records.

SOURCE: Manual of STANDARDS for Juvenile Training Schools and Services, COMMISSION ON ACCREDITATION FOR CORRECTIONS, sponsored by American Correctional Association

DEFINITIONS

1. Merit system: The merit system is a mechanism used by each LTI to determine when a child is eligible for discharge or parole. A student earns merits "based on the behavioral patterns exhibited by his reliability, cooperative attitude, courteousness and appearance."* (Department of Corrections department regulation number 30-18)
2. Level system: The Level System is a classification system which places students on various levels according to their achievements in response to the treatment program of the institution. All new students are designated Level I upon admission to the institution. There are other levels, designated Level II, Level III, and Level IV.* There is also an F. Group, which is essentially a suspension of all privileges and a suspension of merit grading.

3. How the System works:

Level	Merits
I	entry
II	40 merits
III/IV	150 merits (first commitment)
	206 merits (second commitment)
	262 merits (third commitment)

*(Please note implementation and use of the merit and level system varies from institution to institution).

4. Institution program components:
 - a. Security - Staff persons responsible for maintaining a secure and safe LTI campus. Security personnel are used for crisis situation, emergency medical transportation, and transportation of students between various LTI campuses.
 - b. Cottage Life - LTI staff assigned to supervise the various cottages (dormitories) on each LTI campus. The staff is to function as adult role models for incarcerated youth.
 - c. Education - Component responsible for all educational needs of the incarcerated youth. The Department of Corrections functions as its own school board and provides traditional and special education teachers to each of the LTI facilities. (It should be noted that the education program varies within each facility.)

JUVENILE TRAINING ACADEMY (J.T.A.)

The Juvenile Training Academy is a Special Treatment Unit under the jurisdiction of the Louisiana Training Institute, Baton Rouge, Louisiana. The program is designed to accomodate juveniles 18 to 21 years of age.

Although the program is under the jurisdiction of Louisiana Training Institute, Baton Rouge, Louisiana, it accepts students from LTI Baton Rouge main campus, LTI Monroe, Juvenile Adjustment Center and Juvenile Reception and Diagnostic Center who have attained 18 years of age.

This program focuses on separating older juveniles from the general population in juvenile correctional facilities. The Juvenile Training Academy is designed to provide secure, therapeutic, vocational educational oriented programs for "late adolescent-early adult" offenders. J. T. A.'s primary goal is to provide security for the incarcerated juvenile and the public, and to assist each student in pursuing positive behavior patterns that will hopefully facilitate his becoming a productive law-abiding citizen. Capacity 20 males.

PROJECT ADAPT

Project ADAPT is a rehabilitative and treatment program for selected juveniles at Louisiana Training Institute Baton Rouge. It is conducted by the Department of Corrections in association with the Department of Education and the Division of Vocational Rehabilitation.

Targeted to youth with low socio-economic, educational, financial, cultural, and environmental backgrounds, ADAPT includes both behavior modification and employment programs. It is an ongoing clinical, as well as milieu therapy, approach of breaking down simple and complex social behaviors, while combining vocational responses. Capacity 20 males.

PROJECT OUR HOUSE

Project Our House is a group home for 20 aggressive emotionally disturbed juvenile delinquents. There are two basic components of the program: (1) assessment and treatment component and (2) rehabilitation and placement component. The treatment modality selected for utilization in the program is Positive Peer Pressure or Guided Group Interaction. This treatment modality has been selected because it is designed to reverse the negative value system of the delinquent's sub-culture and to substitute a positive set of values and goals through the use of peer pressure and staff guidance.

The primary goal of Project Our House is to modify or correct the delinquent's negative behavior with a positive set of values so that the youth will be prepared to live an acceptable and non-delinquent life when he is released to his community.

The objectives of the program are:

1. to promote personal and social growth of the youth
2. to improve the youth's self-image
3. to improve peer relationship and to foster a positive set of values
4. to promote youth's growth in the adoption of socially acceptable means of emotional expression
5. to improve youth's attitude toward education
6. to foster an awareness and interest in not just youth's present life situation but the future also
7. to aid in youth's acceptance of authority
8. to foster the development of increased frustration tolerance

To achieve these objectives Our House provides intensive social casework and group therapy to students.

PROJECT I.N.S.T.E.P.

Project I.N.S.T.E.P. is a DOC Special Treatment Unit located on the campus of LTI Baton Rouge. The project is designed to serve mentally retarded juvenile delinquents with IQ's of 70 and below. Youth in the program come from East Baton Rouge and the surrounding parishes.

The purpose of this program is to instruct youth in the appropriate social behaviors and to develop the vocational skills necessary for successful re-integration into society. The program offers special education services, special coordination with East Baton Rouge courts and education programs and an active "Homebound" component to work with the child and his family.

The treatment program includes individual counseling, a token economy and point system to provide a daily measurement of the youth's behavior in the program. The treatment approach of this program involves the family, community agencies and peer group self-government concepts. The capacity of the program is fifteen (15) males, 15.6 years of age and older. Youth assigned to this program have been adjudicated for property offenses such as burglary and theft.

DRUG UNIT

This program is offered in a group home type setting to juvenile drug abusers admitted to the Juvenile Reception and Diagnostic Center. It is designed to serve a maximum capacity of fifteen (15) adolescent males in an environment where they live, work, and share experiences together. Basically the program is comprised of two components: (1) assessment and treatment and (2) placement.

The assessment and treatment component involves identification of significant psychological, physiological, and sociological factors related to the drug problem, and the application of more effective problem-solving approaches.

The placement component entails working out plans with the youth, his family, or other institutions regarding his release from the juvenile center and his adjustment into the community again.

Positive peer culture is the chief treatment modality used in the Drug Unit. This treatment modality relies on peer pressure and staff guidance to channel the tremendous influence delinquents have on each other in a positive direction.

The primary goal of the Drug Unit Program is to help the delinquent become a socially confident person by learning a new and positive set of values.

PECAN LODGE

The setting of this STU Program is different from the setting of the LTI Monroe campus. It must be visualized that the program is located on an open-type institution--without gates, bars, or uniforms. The STU program is housed in a building that has none of the instruments which are used on the main campus that are physically restricting or designed to deter escape.

The formal selection criteria for the LTI Monroe STU program are as follows:

- Be committed to the Louisiana Department of Corrections;
- Have a definite sentence of at least one year;
- Be in the age range of 15.0 to 16.5 years;
- Have a minimum Intelligence Quotient of 70;
- Be without an integrative defect (i.e., nonpsychotic), but in need of treatment;
- Have a history of aggressive acting out behavior.

Capacity of this facility is eighteen (18) males.

Regular Session, 1979

SENATE CONCURRENT RESOLUTION NO. 48

BY MESSRS. KIEFER, NOUTON, GUARISCO, RANDOLPH, LAURICELLA, MCLEOD,
AND SHEHEE AND REPRESENTATIVES GRISBAUM, TURNLEY, BOPP,
BYRNES, CHARBONNET, DIMOS, FAUCHEUX, KIMBALL, LANIER,
STRAIN, BOLIN, AND WEAVER

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on the Judiciary, Section B,
and the House Committee on the Administration of Criminal Justice
to establish a joint committee, to be designated the Joint Legislative
Committee on Juvenile Justice, to study and research all aspects of
the juvenile justice system of the state of Louisiana.

WHEREAS, the Senate Committee on the Judiciary, Section B, and the
House Committee on the Administration of Criminal Justice have in the
past, participated as a joint committee on matters pertaining to juvenile
justice; and.

WHEREAS, the problem of juvenile crime and more specifically violent
juvenile crime has been on the increase throughout the state of Louisiana;
and

WHEREAS, the leadership of both houses along with the chairman of
these committees in recognizing this increase in juvenile crime, has
signed a Memorandum of Agreement with Legis 50/The Center for Legislative
Improvement, and has recruited and accepted professional staff services
to assist the committees in the comprehensive study of juvenile justice;
and

WHEREAS, the legislature has agreed to provide office space and
such clerical staff, office supplies, and other supportive services
through the Louisiana Legislative Council; and

WHEREAS, the need to coordinate efforts and maximize resources
within the entire juvenile justice system in the state of Louisiana is
of great importance to the taxpayers of this state.

THEREFORE, BE IT RESOLVED By the Senate of the Legislature of
Louisiana, the House of Representatives thereof concurring, that the
Senate Committee on the Judiciary, Section B, and the House Committee on
the Administration of Criminal Justice are hereby urged and requested to

establish themselves as and to function as a joint committee to study
all aspects of juvenile justice within the state of Louisiana and as
such, shall be designated as the Joint Legislative Committee on Juvenile
Justice.

BE IT FURTHER RESOLVED that, upon the request of the joint committee
herein named and for the purposes of this ongoing study, all state
departments and offices shall provide any and all pertinent juvenile
justice information, research data, and technical assistance as required
by the joint committee or its staff.

BE IT FURTHER RESOLVED that, the staff assigned to the joint committee
shall function as the clearinghouse to coordinate all major juvenile
justice activities throughout the state of Louisiana.

BE IT FURTHER RESOLVED that, for the purpose of such study, the
joint committee shall have all powers otherwise provided by the law and
by the rules of the respective houses as well as all powers inherent in
legislative committees and that the members thereof shall receive such
per diem and mileage as is provided for committees by the rules of the
respective houses.

BE IT FURTHER RESOLVED that, the joint committee shall make a
written report of its findings to the legislature prior to the 1980
Regular Session, together with any specific proposals for legislation.

BE IT FURTHER RESOLVED that, a copy of this Resolution be transmitted
to the secretary of the Department of Health and Human Resources, the
secretary of the Department of Corrections, the executive director of
the Louisiana Commission on Law Enforcement, the executive director of
the Prison Study Commission, the executive director of the Governor's
Pardon, Parole and Rehabilitation Commission, and the executive director
of the Louisiana Legislative Council.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

ENROLLED

Regular Session, 1979

HOUSE CONCURRENT RESOLUTION NO. 92

BY MESSRS. TURNLEY, CHARBONNET AND JASPER

A CONCURRENT RESOLUTION

To urge and request the Administration of Criminal Justice Committee

of the House and the Judiciary B Committee of the Senate to establish a joint subcommittee for the purpose of studying and reporting upon, to the House and the Senate, rehabilitation programs in the juvenile correctional facilities of the state and making recommendations with respect thereto.

WHEREAS, the youth of this state represent an important resource to this state; and

WHEREAS, many of the youths in the institutions under the jurisdiction of the Office of Juvenile Services, Department of Corrections, State of Louisiana, are capable of benefiting from a realistic opportunity for rehabilitation to productive citizenship; and

WHEREAS, the goal of rehabilitation of juveniles in these facilities is not being fully met; and

WHEREAS, the Department of Corrections is presently emphasizing the importance of security officers on the Juvenile Services staff in order to provide safe and secure facilities and to protect the public; and

WHEREAS, the rehabilitation programs in the juvenile correctional facilities need to be further developed to meet the needs of and problems presented by the juveniles that are committed to these correctional facilities.

THEREFORE, BE IT RESOLVED, by the House of Representatives of the Legislature of Louisiana, the Senate thereof concurring, that the

H. C. R. NO. 92

Administration of Criminal Justice Committee of the House and the Judiciary B Committee of the Senate are hereby urged and requested to establish a joint subcommittee for the purpose of studying and reporting upon rehabilitation programs for juveniles in the juvenile correctional facilities of this state and making recommendations with respect thereto.

BE IT FURTHER RESOLVED that the subcommittee shall make a written report of its findings to the legislature prior to the 1980 Regular Session, together with any specific proposals for legislation.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

PART II

HCR 133

The following is a committee and staff report in response to HCR 133, 1979 Regular Session.

Purpose of Concurrent Resolution:

To urge and request the Joint Juvenile Justice Committee to study and report upon the need for adult preparation programs for persons ages seventeen through twenty-one committed to the juvenile correction facilities under the jurisdiction of the Office of Juvenile Services, Department of Corrections. This Concurrent Resolution requests the assessment of the Juvenile Training Academy, a Special Treatment Unit on the campus of LTI Baton Rouge. The Resolution states that the Juvenile Training Academy, which is intended to prepare these older youth for adulthood, has few programs for that purpose.

Description of the Juvenile Training Academy Program:

The Juvenile Training Academy is a Special Treatment Unit under the jurisdiction of the Louisiana Training Institute, Baton Rouge, Louisiana. The program is designed to accommodate juveniles 18 to 21 years of age. Although the program is under the jurisdiction of Louisiana Training Institute, Baton Rouge, it accepts students from LTI Baton Rouge main campus, LTI Monroe, Juvenile Adjustment Center and Juvenile Reception and Diagnostic Center who have attained 18 years of age.

This program focuses on separating older juveniles from the general population in juvenile correctional facilities. The Juvenile Training Academy is designed to provide secure, therapeutic, vocational educational oriented programs for "late adolescent-early adult" offenders. J. T. A.'s primary goal is to provide security for the incarcerated juvenile and the public, and to assist each student in pursuing positive behavior patterns that will hopefully facilitate his becoming a productive law-abiding citizen. Capacity 20 males.

Committee Action:

The Joint Juvenile Justice Committee (House Administration of Criminal Justice and Senate Judiciary B) directed staff to undertake a preliminary investigation and analyses of all juvenile correctional facilities with special focus being placed on the Juvenile Training Academy in response to HCR 133. In addition to staff research, members of the joint committee actually toured all juvenile facilities and specifically the Juvenile Training Academy. The Joint Committee interviewed staff, talked with incarcerated youngsters, and reviewed the program operation of the Juvenile Training Academy.

Committee and Staff Findings:

Committee and staff findings will be broken down into the following components:

- (1) Physical facilities
- (2) The Youth
- (3) The Program

- (1) Physical Facilities - The Juvenile Training Academy is situated in an old, cottage type structure on the campus of LTI Baton Rouge. The physical structure needs significant renovations. Classrooms, recreation and sleeping areas are in disrepair and dimly lit. The facility has no recreational facilities or equipment.
- (2) The Youth - During the onsite visits, 13 youth were housed in Juvenile Training Academy. These youth can be described as follows:
 - 13 males (11 black, 2 white)
 - 7 were incarcerated for serious person offenses, such as aggravated battery, armed robbery and forcible rape.
 - Six youth were incarcerated for property offenses such as burglary, theft and receiving stolen things.
 - Two of the 13 young men had previous offenses against persons such as attempted murder.

- Average ages of the youngsters-19.1 years of age
- Average reading score third grade, third month, with the highest recorded score being six grade, fifth month; lowest being first grade, fifth month
- Average IQ was 67 with highest being 84, lowest 55

Youth have been committed to Department of Corrections as follows:

One in 1972
One in 1975
One in 1977
Eight in 1978
Two in 1979

Youth have been known to the police as follows:

One since 1968
Two since 1970
One since 1973
Two since 1974
Two since 1975
Three since 1976
Two since 1977

Eight of the youth have delinquent siblings in their family, other than themselves.

- (3) The Program - The Juvenile Training Academy is designed to be a Special Treatment Unit providing education, vocational educational programs, employment opportunities within a cottage like atmosphere with reality therapy as the treatment model. The program is targeted to the older youth, 18 years and older. These youth were to:

1. Be physically separated from the younger, more impressionable LTI youth; and
2. Be educated, trained and highly structured so that upon release from the program, (age 21), these youth could function in society as productive adults.

During the committee review of this program, serious program deficiencies became apparent. The education program lacked up-to-date teaching materials, workbooks, visual aids and adequate classroom space. There are no vocational education programs or employment preparation programs for these older youth. Staff do not have the needed psychiatric/psychological support services needed to assist counseling and guidance efforts. Recreation equipment supplies and programs are very limited.

Recommendations:

1. The Juvenile Training Academy should be restructured and equipped to meet the mandate of "adult preparation" for youth incarcerated.
2. Improve education programs, materials and services through Special School District I to assist youngster in obtaining literacy and self-sufficiency.
3. Establish vocational education training programs that will prepare the youth for meaningful employment opportunities upon release.
4. Coordinate staff training and psychiatric/psychological services through the Juvenile Diagnostic and Reception Center program.
5. Develop recreation programs and services as part of a total program approach.
6. Initiate a pre-release or work release program to work with the youth, his family and employer, to aid in successful functioning in the community.

ENROLLED

Regular Session, 1979

HOUSE CONCURRENT RESOLUTION NO. 133

BY MESSRS. TURNLEY, CHARBONNET AND JASPER

A CONCURRENT RESOLUTION

To urge and request the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary B to establish a joint subcommittee to study and to report upon, to establish to the House of Representatives and Senate, the need for an adult preparation program for the persons aged seventeen through twenty-one that are committed to the juvenile correction facilities under the jurisdiction of the Office of Juvenile Services, Department of Corrections, state of Louisiana and to make recommendations with respect thereto.

WHEREAS, the youth of this state represent an important resource to this state; and

WHEREAS, some of these youths who are between the ages of seventeen through twenty-one are committed to this state's juvenile correction facilities under the jurisdiction of the Office of Juvenile Services, Department of Corrections, state of Louisiana; and

WHEREAS, these correctional facilities offer few programs which train these youths emotionally, socially or psychologically to function as adults in the society to which they will return; and

WHEREAS, the present Juvenile Training Academy at the Louisiana Training Institute facility in Baton Rouge, which is intended to provide these older youths with preparation for adulthood has few programs for that purpose.

THEREFORE, BE IT RESOLVED by the House of Representatives of the Legislature of Louisiana, the Senate thereof concurring, that the House

H. C. R. NO. 133.

Committee on the Administration of Criminal Justice and the Senate Committee on Judiciary B are hereby urged and requested to establish a joint subcommittee to study and report, upon the need for an adult preparation program for persons aged seventeen through twenty-one that are committed to the juvenile correction facilities of the state.

BE IT FURTHER RESOLVED that for purposes of such study the committees herein named and said subcommittee shall have all powers otherwise provided by law and by the rules of the respective houses as well as all powers inherent in legislative committees and that the members thereof shall receive such per diem and mileage as is provided for committees by the rules of the respective houses.

BE IT FURTHER RESOLVED that the committees shall make a written report of their findings to the legislature prior to the 1980 Regular Session, together with any specific proposals for legislation.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

END