

Name of Organization: Juvenile Justice Project of Louisiana

Tax Status: 501(c)(3)

Purpose of Grant: General support

Previous OSI Support: \$208,000 Gideon 2006; \$200,000 Gideon 2004; \$100,000 Sentencing & Incarceration 2002; \$100,000 Policy and Research 2002; \$100,000 Policy & Research/Juvenile Justice 2003; \$25,000 Litigation Fund 2007; Re-entry \$75,000 (2000)

Organizational Budget: \$1,064,672.68

Project Budget: N/A

Sources of Support: \$75,000 Open Society Institute; \$100,000 Vanguard Charitable Trust; \$177,500 Ford Foundation; \$100,000 MacArthur Foundation; \$150,000 Marguerite Casey Foundation; \$50,000 US Human Rights Fund; \$47,377.60 Academy of Educational Development

Amount Requested: \$300,000
\$200,000 General support
\$100,000 JEHT Emergency Grantmaking

Amount Recommended: \$300,000
\$200,000 (T1: 24420)
\$100,000 (T1: 59959)

Term: 2 years (June 2009 – May 2011)

Matching Requirements: None

Description of Organization:

Established in 1997, the Juvenile Justice Project of Louisiana (JJPL) is a non-profit advocacy organization based in New Orleans that aims to reform Louisiana's broken juvenile justice system. JJPL is working to transform the state's system into one that builds on the strengths of young people, families, and communities to ensure that children are provided the greatest opportunities to grow and thrive. Dana Kaplan is currently the executive director of JJPL. Prior to joining the organization, Kaplan was a Soros Justice Fellow at the Center for Constitutional Rights in New York City, working on detention reform.

Through a strategic combination of class action litigation, media outreach, and grassroots advocacy, JJPL and its partners succeeded in closing down Louisiana's two most brutal juvenile prison facilities – the Jena Juvenile Justice Center, which shut its doors in 2000, and the Tallulah Correctional Center for Youth, which shut its doors in 2004. JJPL has also negotiated settlement agreements that have improved conditions in Louisiana's juvenile prisons, required the state to fund post-disposition juvenile representation, and driven private, for-profit juvenile prison providers out of Louisiana. OSI has been funding JJPL since 2000. JJPL's organizational goals include the following:

- **Reduce the number of youth incarcerated in Louisiana** by reducing the number of status offenders in the juvenile justice system and the number of non-violent offenders held in secure care;
- **Improve conditions of confinement in youth detention centers and secure care facilities** by ensuring the full implementation of the Missouri Model in secure care facilities, establishing detention standards state-wide, and targeting facilities with particularly egregious conditions such as Youth Study Center with campaigns for reform;
- **Increase support for evidence-based alternatives to incarceration** by increasing the amount of state and local funding going towards evidence-based alternatives to incarceration and detention, fighting proposed budget cuts at the state-level that threaten community based funding, and ensuring that state contracts for community based programs are performance based;
- **Ensure that all children have access to effective counsel at all relevant stages in the court process** by training public defenders to represent children post-disposition, advocating for increased funding for Public Defenders to ensure adequate staffing for such representation, and passing a Children’s Bill of Rights to increase communication between defenders, detention centers and the Office of Juvenile Justice regarding conditions complaints;
- **Reduce the number of school suspensions, expulsions and push-outs** by ensuring the full implementation of the newly revised School Discipline Code in Orleans Parish to reduce the suspension and expulsion rate in Orleans Parish, increasing the capacity for educational advocacy in Orleans Parish, and establishing a state-wide Commission to gather data, develop and implement policy recommendations to reduce the number of suspensions and expulsions state-wide; and
- **End the practice of sentencing children to life without parole** by abolishing the possible sentencing of children transferred to adult court to a term of life without parole review.

Description of the Project for Which Funding Is Sought:

This recommendation seeks general support in the amount of \$300,000 over two years.

Rationale for Recommendation:

This grant advances several of the goals of the Criminal Justice Funds including reforming the juvenile and adult indigent defense systems; encouraging incarceration alternatives that emphasize rehabilitation and treatment; and eliminating class and race disparities in sentencing. This grant also advances the Strategic and Opportunity Fund’s goal of increasing resources in the Gulf region post-Katrina in an effort to rebuild more just and equitable communities. A portion of this general support grant, recommended for funding from OSI’s JEHT Response Grantmaking budget, would fill a gap of \$100,000 in JJPL’s 2009 budget resulting from the collapse of the JEHT Foundation and there is no guarantee of expanded funding beyond this grant.

Major strides have been made in juvenile justice reform in the state of Louisiana since JJPL’s inception 11 years ago. As a direct result of JJPL’s advocacy, the State has become a site of both MacArthur’s Models for Change and Annie E. Casey Foundation’s Juvenile Detention Alternatives Initiative, and is working with Mark Steward and Missouri Youth Services Institute to implement the “Missouri Model” in state facilities. There is broad recognition among all stakeholders – including judges, DA’s, Defenders, and the Legislature – that the “old way” of warehousing primarily non-violent juvenile offenders in brutal prisons both destroyed lives and impeded public safety. The public defender system is now led by a board that is committed to

providing quality juvenile defense over political patronage, and the number of children in secure care has reduced from close to 2000 children in 1998 to approximately 650 today.

Six years after the passage of the sweeping Juvenile Justice Reform Act of 2003, the state is far from reaching the goals outlined in the broad mandate of the original legislation. Close to fifty percent of the children in secure care are there for non-violent offenses. There remain significant reports of harassment and violence by guards. The therapeutic, group-based philosophy outlined by the Missouri Model and translated locally as “LaMod” (Louisiana Model) has only been partially adopted within facilities and has been met with consistent backlash from staff. Local detention centers have largely fallen outside of the reforms, with partial exception to the five parishes in which JDAI is operating, and no state-wide standards for facility operation exists. Even with an increase in funding for community programs there is a severe lack of local services to serve youth throughout the state, leaving Judges and DA’s with the feeling that there are few viable alternatives for youth beyond secure care. Public defenders continue to be under-resourced, and provide little representation to children post-disposition. Finally, an increasing number of children are being charged as adults, transferred into and/or held in the adult criminal justice system, which has been reported as a backlash by some District Attorney’s against the impact of juvenile justice reform.

The pace of reform has not matched what was initially hoped for. The devastation of Hurricanes Katrina, Rita, and later Ike and Gustav have slowed the pace of reform, redirecting the priorities of government towards meeting basic needs over implementing ambitious reform goals. More challenging has been the difficulty of transforming the culture of state institutions and maintaining reforms during political shifts. Currently, there is a lack of real political leadership in implementing reform – from the Governor’s office, the Office of Juvenile Justice, and the City of New Orleans – that is undermined even further by backlash at the local level from line staff, District Attorney’s, or the Sheriff’s Association, which hold a disproportionate sway over the politics of the state. In a Deep South state such as Louisiana, where racial inequality is particularly brutal and pervasive and political patronage runs deep, the challenge of criminal justice reform is especially great.

In such a climate, the continued need for an advocacy organization like the JJPL is clear. While systems-targeted efforts such as JDAI, Models for Change, and Missouri Consulting are essential to moving systems towards change, they are effective only when the community is at the table, and when lawmakers, the public and the media are continuously educated on the critical need for reform. This was clear with the transition to the Jindal Administration, when backsliding in reform caused some foundations to consider quiet departure from Louisiana, until aggressive media advocacy and rallies on the steps of the Capitol forced the state to publicly re-commit to juvenile justice reform and the Head of the Office of Youth Development to resign. The need for continued media messaging is also apparent, as high profile cases involving juveniles continue to produce reactionary responses from the public and elected officials alike, as was evidenced by the local media’s negative response to a recent increase in juvenile crime in New Orleans. JJPL reframed the popular dialogue about juvenile predators to one concerned more with the need to invest in community based alternatives to incarceration and front-end programs. Finally, the political power that groups such as the District Attorneys and Sheriffs possess in Louisiana perpetuates rather than challenges the history of racism that plagues the criminal justice system. JJPL will continue to work with stakeholders to frame the need for reform, articulate the real solutions to public safety, and ensure that community partners play an integral role in the debate.

For the above mentioned reasons, the Criminal Justice Fund recommends a grant of \$300,000 to the Juvenile Justice Project of Louisiana over two years.