

MINUTES OF THE MEETING OF THE
CADDO PARISH COMMISSION'S
JUVENILE JUSTICE COMMITTEE
HELD ON THE 24th DAY OF JUNE, 2021

The Caddo Parish Commission met in an American Rescue Committee Meeting, on the above date, at 12:00 noon., in the Government Chambers Conference Room, with Mrs. Gage-Watts, Chairperson, presiding, and the following members in attendance constituting a quorum: Commissioners Burrell, Gage-Watts, and Young (3). ABSENT: Commissioners Johnson and Taliaferro (2).

Mrs. Gage-Watts gave the invocation, and Mr. Young led the Commission in the Pledge of Allegiance.

PUBLIC COMMENTS

Ken Krefft came before the Committee and asked that something be done about juvenile reform.

NEW BUSINESS

The Committee moved onto the first New Business item, *Discuss Juvenile Justice Related Developments, Issues, and Plans for the Future.*

Mrs. Gage-Watts reminded the Committee that they have been addressing the Raise the Age mandate. She introduced Mr. Clay Walker, Juvenile Justice Director, to discuss the most recent updates in regards to Juvenile Justice.

Mr. Walker mentioned that the Juvenile Justice Department is dealing with two mandates. One being the State's Raise the Age mandate, which includes 17 year olds to be housed at the Juvenile Detention Center. The second being a federal mandate that came down with regard to transfer children. He gave an example of a child being years old and commits murder. They can be tried as an adult. What that means in legal terms is that their case transfers from Juvenile Court to District Court. The new federal mandate is that those transfer children have to be housed at Juvenile Detention Center (JDC) pending their trial.

Mrs. Gage-Watts wanted to know if those children are kept in a separate pod. Mr. Walker explained that historically those children have been transitioned to CCC. The Second Circuit's ruling is that when the case is transferred to District Court, the Juvenile Court Judge no longer has the jurisdiction to say whether that child should stay at CCC. In other words, the District Court Judge determine where that child is placed.

Mrs. Gage-Watts then wanted to know if the District Court Judges are aware of the challenges that JDC is facing. Mr. Walker said that they are aware, and Juvenile Services has a good relationship with them.

Mr. Cox reminded the Committee that if a child is tried as an adult, adult trials normally take a couple of years, whereas a juvenile trial normally takes about 30-60 days. He also said that Caddo Parish's JDC is not equipped to handle more than 24 children.

Mr. Young wanted to know what difference response is Mr. Walker hoping to get from the District Judges after educating them about the difficulties JDC is facing. Mr. Walker would like them to under the limitations JDC, the difference in services from CCC and JDC, what's best for the children, etc. Mr. Young suggested to implement some alternative programs at JDC to empty out more beds. He does not believe that those transfer children would be getting a nurturing environment at CCC, especially if they have to be there for years.

Mr. Walker also mentioned that in CCC, there is a juvenile housing unit where the children are not in general population. Mrs. Gage-Watts pointed out that this housing unit will have to remain open regardless of how many juveniles are housed there.

Mr. Cox pointed out that a juvenile can only be charged as an adult for murder, rape, aggravated burglary, and armed robbery.

Mrs. Gage-Watts asked that Mr. Walker provide her with the statistics on how many children are being incarcerated for fines, lack of community service, probation, or house arrest. She asked for a breakdown of each category.

Mr. Walker said that JDC has twenty-four beds. The judges use about a third of those beds for "sanctions". For example, a child is given 48 hours community service and they no show. If that is done a couple of times, that child is going to do their 48 hours in JDC rather than completing community service.

Mrs. Gage-Watts wanted to know if Juvenile Services utilizes any of the wraparound

services. Mr. Walker said that they do. He mentioned that over the past twenty years, the Commission has really been focused on this. They went from about 1,200 juveniles a year in detention to now about 300; the other 900 children are in alternative programs.

Mr. Young wanted to know if there were NGOs, such as the Brandon House, that the Parish could utilize to increase their number of beds to help diminish the number of children being held in JDC. Mr. Walker said that all alternatives are being utilized to do just that. He said that those juveniles being held in JDC is because there are no other alternatives.

Mr. Walker also said that the judges would like more beds for sanctions, he does not agree with this. He explained that a child being held for 24 hours will not change that child's behavior. Mr. Walker said that the children being held in detention are children who are dealing with trauma, guns, abuse, neglect, etc. Twenty-four hours in detention is respite care. They sleep; they eat; they're treated well. That is not punishment; its not negative reinforcement. It does not have a punitive effect who have come up in that life. He said that you can better change the hardcore children with positive reinforcement, not negative reinforcement. It is less dangerous in detention, he said.

Mr. Walker also said that that the Raise the Age mandate does not concern him; it is the transfer children who concern him because they will be there long-term. Juvenile Detention is a short term facility, he said. Mr. Walker also believes that there are programs that could be added to CCC for cheaper than adding beds to JDC.

Mrs. Gage-Watts asked that Mr. Walker elaborate on those types of programs. He said that primarily school. Currently, they receive monies from the Department of Education for Title One Schools. He said that CCC could do the same. He said that Southern University teachers could GED programs. Art Therapy, Recreation Gardens, etc. could be utilized at the CCC. If these services and some rehabilitation that Juvenile Services does, it would be a tenth of the cost that to add beds at JDC. He also pointed out that the Sheriff would have to make this decision.

Mr. Young wanted to know if the Parish could just pay for the teachers and CCC could just go with it. Mrs. Bryant said that they would still need to work with the Sheriff to get onboard with it. Mr. Ted Cox said that they would need to get the permission of the Sheriff to do a comprehensive program like this. He also mentioned that dealing with 16 and 17 year olds is not the same as dealing with 40 year old inmates.

Mr. Walker also mentioned that they only use verbal de-escalation at JDC. The transfer children are not motivated by verbal de-escalation, so the Sheriff's Department would have to be brought it. This would change the atmosphere at JDC.

Mr. Burrell wanted to if counseling services are offered at CCC. Mr. walker said that they do have counselors there.

Mr. Young wanted to know how many beds are in the Juvenile Housing Unit. Mr. Kevin Lawrence, F&M Director, said that he would have to get that information and provide it to him at the later date.

Mr. Walker said that Juvenile Services is meant to run JDC in the most rehabilitative way for the juveniles there. He reiterated that JDC is meant for a short-term rehabilitative place for juveniles, and bringing in the transfer children will change that atmosphere. He suggested taking a rehabilitative package to the Sheriff to keep the transfer children at CCC may save the taxpayers' money and keep JDC a short-term rehabilitative place for juveniles.

Mrs. Gage-Watts wanted to know if this could be included in the lease agreement. Mrs. Bryant said that if the Sheriff did agree to this, he would still look at the Parish to cover the cost of the programs, which would be less that constructing additional units at JDC.

Mr. Randall said that they do not want to "throw away" the children who have committed more serious crimes, but it would be more conducive to keep the transfer children separate from those children who are only in JDC for 1-90 days. He said that the transfer children would change the restorative and rehabilitative atmosphere that they've created at JDC. He agreed that the comprehensive plan to keep the transfer children at CCC in the Juvenile Housing Unit would be more effective for those children, whether it is utilizing therapeutic education, academics, etc. since those children will be housed there for a while.

Mr. Burrell wanted to know if recidivism is being tracked on the alternative facilities to determine the effectiveness of JDC or CCC. Mr. Cox explained that the Juvenile Judges cannot send kids over to those alternative facilities once they go into the Office of Juvenile Justice's (OJJ) custody; they can only make the recommendation. He also said that the Rutherford House has an excellent track record with a very low recidivism rate.

Mrs. Gage-Watts wanted to know what could be added to these ancillary facilities to "beef them up". Mr. Walker said that the Commission is already doing this through wraparound services.

He also said that what is lacking is transportation and entry fees. Mr. Walker explained that

they can put children in all different programs, i.e. computer programs, trumpet lessons, etc., but they are lacking the transportation to get there.

Mr. Walker also mentioned that JDC is only pending trial, meaning the juvenile is arrested, presumed innocent, and is pending trial then sentenced.

Mrs. Gage-Watts wanted to know if JDC is adequately staffed. Mr. Walker said that they are not. He also said that the Juvenile Probation Staff is helping to work in detention. They are constantly hiring and it is hard work. He said that you have to be ok with getting punched in the mouth and not hate that kid. You have to be able to counsel kids. It is a huge turnover, he said.

Mr. Walker also said that they do not want to add bed unless it is absolutely necessary. Incarcerating kids only keeps us safe for the days they're incarcerated; it is the rehabilitative part that is keeping us safe, he said. Mr. Walker reiterated that they can handle the 17 year olds.

Mr. Young said that if all the beds are full, then the district judges cannot put a child at JDC. Mr. Walker suggested sitting down with the Sheriff.

Mrs. Gage-Watts wanted to know the difference between the detention center and a prison. She also wanted to know if it is legal to put children who are being tried as adults at the detention center. Attorney Bernstein explained that jails and detention centers are considered to be short-term, as opposed to prisons, which are long-term. He also explained that the federal mandate says that a juvenile, even if they are being tried as an adult, cannot be within sight and sound of an adult offender and cannot be housed in an adult jail or lockup, unless it is in the interest of justice. The District Court Judge has to have a hearing and look at the seven factors, and having looked at the seven factors found it is in the interest of justice that juvenile is to be housed at an adult facility. Attorney Bernstein also pointed out that many times with the federal government is that if you don't comply with this, they stop giving money. The state would lose their juvenile justice monies.

It was **moved by Mrs. Gage-Watts**, seconded by Mr. Burrell, *to create a Community for Youth Justice Committee.*

She said that the committee will consist of twelve community members, appointed by each Commissioner in their respective districts. Their charge will have various duties to include making recommendations to the Juvenile Justice Committee about JDC expansion, alternatives to incarceration, expanding wraparound services, including, but not limited to a GED program, therapeutic treatment, and any other recommendations if desired by the Juvenile Justice Committee.

At this time, Mrs. Gage-Watts' motion carried, as shown by the following roll call votes: Commissioners Burrell, Gage-Watts, and Young (3). NAYS: None (0). ABSENT: Commissioners Johnson and Taliaferro (2). ABSTAIN: None (0).

Mr. Cox said that the judges are in the opinion that we need an expansion. He understands that this includes additional operating costs, and there is already a deficit. He asked that this Committee look at an expansion.

Mrs. Bryant said that this has been looked at for years, but there is not a reasonable funding solution. She also said that they have gone out to the citizens for additional millages to fund Juvenile Services, but have failed five times. At this time, it is not a viable option to add additional beds to the detention center.

Mr. Young would like to set up a meeting with CCC, the Sheriff, and the stakeholders to talk about the suggestion made by Mr. Walker. Mr. Burrell agreed.

There being no further business, the Committee adjourned at 1:09 p.m.


Assistant Commission Clerk