

BROKEN PROMISES

With its juvenile system in crisis, Louisiana vowed to transform it. 20 years later, little has changed

BY JACQUELINE DEROBERTIS | Staff writer

Nearly two decades ago, Louisiana leaders pledged to transform the state's notoriously brutal juvenile justice system into one that would rehabilitate rather than punish.

Twenty years later, a deepening crisis in the state's youth prisons shows Louisiana has not exorcised the problems that a generation of leaders promised to fix.

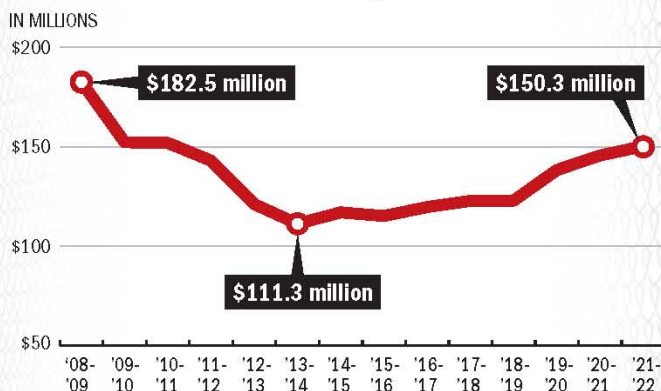
Just two weeks ago, Gov. John Bel Edwards announced plans to move two dozen teens to the Louisiana State Penitentiary at Angola, to be housed in an old building that once held the prison's death row. A month before, officials deployed guards armed with stun guns and pepper spray to understaffed youth prisons.

Those rare and harsh measures were a response to dozens of breakouts from state facilities that often left violence in their wake.

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OJJ's budget breakdown

The Office of Juvenile Justice's budget has fluctuated in the last decade, but never returned to the high of 2009.



Source: Louisiana Division of Administration, state budget documents

Staff graphic

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Some lawmakers have suggested the gentler, kinder model of juvenile justice has failed, and the communities surrounding juvenile prisons are paying the price. But many involved from the early days of reform — as well as the current Office of Juvenile Justice administration — say the reality of a “therapeutic” model of care was never fully realized.

The office’s deputy secretary, Bill Sommers, said in a statement that although many juveniles in the system have been rehabilitated through such a method, budget cuts and staffing woes have affected “almost every element of our care.”

“Complete, consistent implementation of (the therapeutic model) remains a goal we are working towards,” he said.

Others say there was early, promising movement toward a change, but no follow-through. They point to the current upheaval in juvenile justice as clear evidence of that, even as the overall number of teens in youth prisons has dramatically decreased over the past 20 years.

“If (the therapeutic model) was working, we wouldn’t be having the frequency or intensity of these problems,” said former Deputy Secretary Mary Livers. “These crises could be at a minimum.”

The bad old days

The morning of May 1, 2003, a 17-year-old named Emmanuel Narcisse, housed at Bridge City Correctional Center for Youth in Jefferson Parish, died from a blunt force injury to the head after a scuffle with a guard. He was about two weeks from becoming eligible for release.

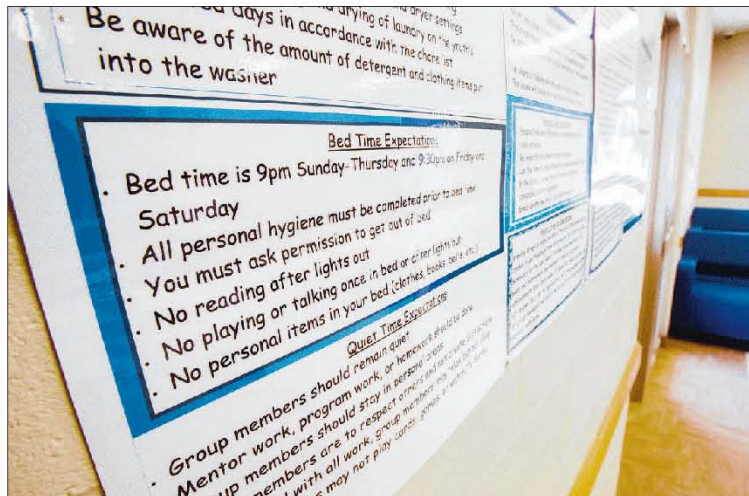
The tragedy illustrated what critics had long described as the horrors of Louisiana’s juvenile justice system.

“This poor kid’s death should be a wake-up call,” said advocate and attorney David Utter in the days fol-



STAFF FILE PHOTOS BY LESLIE WESTBROOK

The 2019 opening of the Acadiana Center for Youth in Bunkie was supposed to be a watershed moment for the therapeutic model. Instead, during this year’s legislative session, a state senator said the youth prison has only caused turmoil in her community in the years since.



Bedtime and other expectations of residents are displayed during a media tour of the Acadiana Center for Youth in 2019.

lowing the incident.

Federal officials and outside experts had already begun to scrutinize Louisiana’s juvenile prisons in the late 1990s, spurred by reports of inhumane conditions and abuse. A Tallulah facility, in particular, was under the

microscope for its treatment of teens suffering from mental illness and allegations of guard-on-juvenile violence.

At the time, Utter headed a nonprofit called the Juvenile Justice Project of Louisiana, which ultimately sued the Tallulah facility. The U.S.

Department of Justice then sued the state, citing violence and a lack of adequate medical treatment and educational services at four of its youth prisons.

All parties had recently settled the suits in the early 2000s with promises of bet-

ter health care treatment and other protections for juveniles. By the time Narcisse’s death was reported, the appetite for youth justice reform was reaching a fever pitch.

Almost two months to the day after the teen died, the state Legislature passed a sweeping package of juvenile justice reforms that ordered the closure of the Tallulah prison and required that teens receive education and treatment while incarcerated, among other measures.

Within the next year, the state formally severed juvenile justice from adult corrections, creating a separate office designed to rehabilitate youth.

Those early victories in the fight to overhaul the state’s youth prison system made headlines, but officials wanted to go further. They envisioned a totally different philosophy that would keep teens tied to their community support networks rather than just throwing them in prison.

In Missouri, a relatively new program encouraging a therapeutic method of juvenile justice was being lauded as the solution to other tra-

ditional, more punitive measures. After Louisiana Gov. Kathleen Blanco took office in 2004, she invited Mark Steward, founder of the so-called “Missouri Model,” to assess Louisiana’s juvenile facilities.

“We said, ‘This is horrible,’” Steward recalled of the Louisiana prisons. “‘This is the worst thing we’ve ever seen in our life.’”

‘Gold standard’

Missouri Youth Services Institute, Steward’s new nonprofit, eventually contracted with Louisiana to help implement a therapeutic model. Louisiana would be the organization’s first client — a test of whether the Missouri Model could be replicated in a state with an often fraught history of criminal punishment.

The model is simple enough: Treat kids like kids, rather than prisoners.

A more collegiate, dormlike setting serves better than cells, with the right number of staff members — not guards — trained in de-escalation techniques and trauma-informed care. Staff are mentors who lead in small-group settings.

“The youth have to feel like someone gives a damn about them,” Steward said. “It can’t be ‘us versus them.’”

The brick-and-mortar design of a facility is also not a deal breaker. With the right rehabilitative perspective, the model can be implemented anywhere, Steward said. Ideally, a large share of teens would not require imprisonment at all and instead be placed in their communities.

Former Louisiana Supreme Court Chief Justice Catherine “Kitty” Kimball was among those who toured Missouri’s juvenile justice system to study what she called the “gold standard” method in action. She was sold right away.

“When you saw their program, it just was amazing,” she said. “Even kids that were considered ‘bad kids’ — it made all the difference in the world in their lives. Of course, we were hoping to have that happen here.”

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The Annie E. Casey Foundation, a prominent national nonprofit focused on youth, got financially involved — supporting the departure from the model of discipline and punishment that was the hallmark of adult corrections. There were even optimistic rumbles of building a few smaller, regional facilities so youths could be closer to their families.

The state conceived its own method of care, an offshoot of Missouri's structure called the Louisiana Model for Secure Care. It, too, required a caring environment and keeping youths in small groups with dedicated staff called "juvenile justice specialists."

"It really would have been wonderful," Kimball said. "And it would have helped a lot of kids."

Where it all went wrong

At first, Steward and his team were hopeful. As they started to train staff in the new model, they saw real progress.

Then, Hurricane Katrina hit.

Priorities immediately shifted. They lost roughly 75% of trained staff after the storm, Steward said. Forget training — people needed a place to sleep.

"It was unbelievable," he said. "It was so hard to get back on track then. The kids were out of place. They'd lost their families. The staff had moved on. You couldn't find housing. And you couldn't pay them enough to work there."

Soon enough, the system also faced severe budget cuts during Gov. Bobby Jindal's administration. As dollars for juvenile justice decreased considerably, so did the number of total funded positions.

In fiscal year 2009, the office's budget was \$182 million; that fell to \$111 million in fiscal year 2014. By fiscal year 2022, it has increased to \$150 million — still about 17% less than it received in 2009.

Livers, the head of the Office of Juvenile Justice between 2008 and 2016, said the Jindal years were "ex-

tremely lean" and sacrifices were made to keep staff and teens safe. Programs that served as alternatives to incarceration deemed inefficient or lagging were axed — but Livers said the dollars supporting those services were returned to the state's general fund, rather than redirected to the juvenile justice system.

In the meantime, with finances so strained, the youth facilities continued to deteriorate.

The biggest problem: hiring enough people to do the work. Louisiana's model is staff-intensive, Livers noted; appropriately trained staff are always the highest cost of operation. And, like today, they just couldn't make people stay.

Another, more difficult challenge to address was the culture of discipline and punishment the state was finding hard to shake. Youth services had resided so long under the mantle of corrections that those habits appeared to have stuck.

"A lot of people weren't totally sure (the Missouri Model) was something they wanted to do," Kimball said. "I hear it even today. There's still a part of the culture that thinks when kids get in trouble, they need to be locked up."

Steward and his team noticed the tension at Louisiana's facilities, which were rife with power struggles between youths and staff. He also recalled high turnover of administration positions, disrupting any kind of continuity in executing the office's idealistic mission.

"Between funding, a loss of leadership and vision, and everything else, it just ended up kind of folding on top of itself," Steward said.

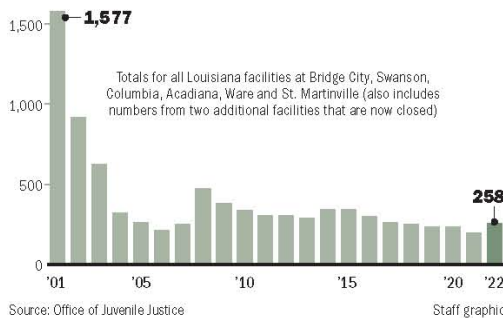
A continual collapse

After the Louisiana Model for Secure Care was formally adopted in 2006, the reports of mistreatment and violence were, theoretically, supposed to gradually lessen. They didn't.

A federal report detailed allegations of sexual abuse at secure care facilities; youth-on-youth and youth-on-staff violence remained ongoing; staff mishandled situations in which teens were hurt; and escapes and claims of retaliation from higher-ups were

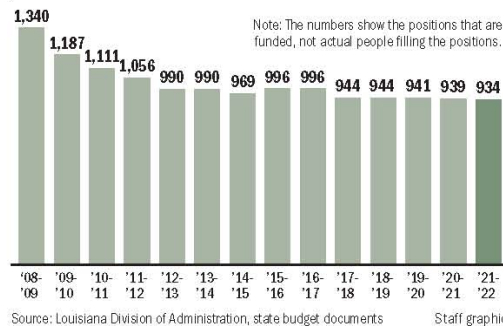
Youth prison population

The number of juveniles housed in the Office of Juvenile Justice's prisons has plummeted in the last 20 years.



OJJ's staffing struggle

Budget numbers show the regular decline of funded staff positions at the Office of Juvenile Justice.



not uncommon.

Two Louisiana children's rights groups published a damning report in 2012, lambasting the treatment of youths and questioning the model's successful implementation. The Jetson Center for Youth in Baker caused so many problems that state officials shut it down in the dead of night.

Steward's team again returned to Louisiana in 2016 to assess Bridge City. It found serious "slippage" in the therapeutic model, citing poor communication, inadequate training, high staff turnover and youths complaining about lack of safety.

State agencies weighed in, too. A legislative audit found in 2018 that the prevalence of violence had increased inside juvenile prisons, even as the number of teens behind bars had fallen. Staffing shortages were so chronic that the state had run afoul of federal laws intended to protect those serving time, the audit showed.

secure therapeutic treatment for juveniles," Livers said. "Louisiana ought to be able to figure it out."

'This dilemma of chaos'

The 2019 opening of the Acadiana Center for Youth in Bunkie, designed to follow Louisiana Model guidelines, was supposed to be a watershed moment for the therapeutic model.

Instead, during this year's legislative session, state Sen. Heather Cloud, a Turkey Creek Republican, said the youth prison has only caused turmoil in her community in the years since.

"The original model, the Missouri Model, had a therapeutic, regional approach," she said. "It's just not working."

Other youth prisons have seen similar struggles.

In May, a staff member at the Swanson Center for Youth at Monroe was struck in the head with a pipe while trying to keep teens from escaping. At Bridge City, juveniles have taken over parts of the building. Dozens of teens have broken out.

In the latest incident, an escapee allegedly shot someone during a carjacking, putting them in critical condition.

Sommers said during legislative testimony that the Office of Juvenile Justice has roughly 300 unfilled positions. He has also publicly criticized the use of a dorm-style setting for teens in favor of a more contained environment.

"If we don't have staff that feel safe, youth don't feel safe, which puts us in this dilemma of chaos," said Orlando Davis, a regional director with the agency.

Rachel Gassert, policy director for the Louisiana Center for Children's Rights, dates the latest round of problems to the coronavirus pandemic, during which youth advocates say teens spent long hours in isolation, had critical services disrupted, endured lockdowns and were overseen by staff armed with pepper spray.

"I don't think it's that surprising what we're seeing,"

she said.

Picking up the banner

The consensus among legislators and advocates alike is that the system is not working for anyone.

Gina Womack, executive director of Family and Friends of Louisiana's Incarcerated Children, remembers taking calls two decades ago from panicked parents who had children in juvenile prisons.

Since then, it seems little has changed. The cost is an increasing number of teens slipping deeper into a broken criminal justice system.

"We're losing generations of children," she said.

Womack sits on a commission dedicated to implementing the 2003 reforms, still trying to finish what was started so many years ago.

"It's clear as day that we have not been living up to and upholding what was passed into law for the reforms," said state Sen. Royce Duplessis, a New Orleans Democrat who chairs the commission. He added that the group is assessing problems and searching for solutions.

Although there is a push in some circles to revert to a model of punishment that more closely mirrors adult corrections, others still prefer a method that relies heavily on communities to provide services and keep kids close to their families, rather than locking them up.

"The notion of rehabilitation, redemption, forgiveness — it's just lost in Louisiana," said Utter, now an attorney with the Fair Fight Initiative. "We're going to make you pay; we don't want it to be nice; we want prison to be painful" — it all retraumatizes people."

Kimball, who was considered a champion of juvenile justice during her tenure on the bench, wants at long last to see the best-laid plans of the early 2000s realized.

"I just wish that someone would pick up the banner and move forward," she said.

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