

2016 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 102

BY REPRESENTATIVE LEGER

JUVENILES: Creates the Louisiana Juvenile Detention Alternatives Initiative Statewide Leadership Collaborative

1   A CONCURRENT RESOLUTION

2 To create the Louisiana Juvenile Detention Alternatives Initiative Statewide Leadership  
3 Collaborative to oversee the process of implementing the core principles and  
4 strategies of the Juvenile Detention Alternatives Initiative (JDAI) statewide to  
5 improve public safety and long-term outcomes for youth in Louisiana by safely  
6 eliminating the unnecessary or inappropriate use of detention, redirecting public  
7 funds to effective youth development endeavors, and identifying and reducing racial  
8 and ethnic disparities.

9       WHEREAS, the legislature enacted the Juvenile Justice Reform Act of 2003 (Act  
10 No. 1225 of the 2003 Regular Session of the Legislature) making significant changes to  
11 improve Louisiana's juvenile justice system, including the network of local juvenile  
12 detention centers which provide temporary housing to youth prior to adjudication or pending  
13 dispositional placement; and

14       WHEREAS, the legislature initiated statewide efforts to improve detention by  
15 enacting HCR No. 77 of the 2009 Regular Session of the Legislature and Act No. 863 of the  
16 2010 Regular Session of the Legislature, which resulted in the development of statewide  
17 uniform juvenile detention standards and promulgation of rules governing the licensing of  
18 juvenile detention facilities; and

19       WHEREAS, R.S. 15:1110 provides that it shall be the policy of this state that all  
20 juvenile detention facilities provide temporary, safe, and secure custody of juveniles during  
21 the pendency of juvenile proceedings only when no other less restrictive alternative is  
22 available to secure the appearance of the juvenile in court or to protect the safety of the  
23 youth or the public; and

1           WHEREAS, in 2014, the National Research Council published a comprehensive  
2 review of the juvenile justice system entitled, "Reforming Juvenile Justice: A Developmental  
3 Approach", which found no convincing evidence that confinement of juvenile offenders  
4 reduces the likelihood of re-offending; and

5           WHEREAS, the Juvenile Detention Alternatives Initiative, supported by the Annie  
6 E. Casey Foundation (Foundation), has repeatedly demonstrated over a period of twenty  
7 years that jurisdictions can safely reduce reliance on secure detention following their eight  
8 core strategies:

- 9           (1) Collaboration.
- 10           (2) Use of accurate data.
- 11           (3) Objective admissions criteria and screening instruments.
- 12           (4) New and enhanced non-secure alternatives to detention.
- 13           (5) Case processing improvements.
- 14           (6) Special detention cases.
- 15           (7) Reducing racial disparities.
- 16           (8) Improving conditions of confinement; and

17           WHEREAS, Louisiana became a JDAI partner in 2006 through the Louisiana  
18 Commission on Law Enforcement and Criminal Justice and five jurisdictions were selected  
19 by the Foundation to participate: Caddo, Calcasieu, East Baton Rouge, Jefferson, and  
20 Orleans; and

21           WHEREAS, following the success of implementing the model reforms in each of  
22 these five JDAI jurisdictions and with the desire of the stakeholders in the Louisiana juvenile  
23 justice system to engage in scale work statewide, the Foundation selected Louisiana to  
24 participate in a "Going to Scale" initiative which endeavors to develop a model, state-level  
25 process for expanding JDAI improvements strategically and with fidelity to all juvenile  
26 detention centers in the state; and

27           WHEREAS, a critical aspect of JDAI scale work requires a state leadership  
28 collaboration including key multi-branch state and local stakeholders to ensure that JDAI  
29 is implemented strategically, responsibly, and effectively with fidelity statewide.

1           THEREFORE, BE IT RESOLVED, that the Legislature of Louisiana does hereby  
2 create the Louisiana Juvenile Detention Alternatives Initiative Statewide Leadership  
3 Collaborative to oversee the process of implementing the core principles and strategies of  
4 JDAI statewide in order to improve public safety and long-term outcomes for youth in  
5 Louisiana by safely eliminating the unnecessary or inappropriate use of detention,  
6 redirecting public funds to effective youth development endeavors, and identifying and  
7 reducing racial and ethnic disparities.

8           BE IT FURTHER RESOLVED that the Louisiana JDAI Statewide Leadership  
9 Collaborative (Collaborative) shall be composed of the following members:

- 10           (1) The chief justice of the Louisiana Supreme Court or his designee.
- 11           (2) The chair of Louisiana Senate Committee on Judiciary B or his designee.
- 12           (3) The chair of the Louisiana House Committee on Administration of Criminal  
13 Justice or his designee.
- 14           (4) The deputy secretary of youth services of the Department of Public Safety and  
15 Corrections or his designee.
- 16           (5) The secretary of the Department of Children and Family Services or his  
17 designee.
- 18           (6) The secretary of the Department of Health and Hospitals or his designee.
- 19           (7) The state superintendent of education or his designee.
- 20           (8) The chair of the Juvenile Justice and Delinquency Prevention Advisory Board  
21 or his designee.
- 22           (9) The state public defender or his designee.
- 23           (10) The executive director of the Louisiana District Attorneys Association or his  
24 designee.
- 25           (11) The president of the Louisiana Juvenile Detention Association or his designee.
- 26           (12) The executive director of the Louisiana Center for Children's Rights or his  
27 designee.
- 28           (13) The executive director of Families and Friends of Louisiana's Incarcerated  
29 Children or his designee.
- 30           (14) The executive director of the Louisiana Sheriff's Association or his designee.

1           (15) The executive director of the Louisiana Chiefs of Police Association or his  
2 designee.

3           (16) The president of the Louisiana Council of Juvenile and Family Court Judges  
4 or his designee.

5           (17) The executive director of the Children's Cabinet or his designee.

6           (18) A representative from each of the five Louisiana model JDAI sites.

7           (19) Such other members as identified and invited by the Collaborative.

8           BE IT FURTHER RESOLVED that the JDAI State Coordinator of the Louisiana  
9 Commission on Law Enforcement and Administration of Criminal Justice shall provide the  
10 necessary support and staff for the Collaborative to conduct its work.

11           BE IT FURTHER RESOLVED that the Collaborative shall have as its purpose the  
12 development and monitoring of a plan for statewide implementation of the eight core  
13 strategies of the JDAI.

14           BE IT FURTHER RESOLVED that the members of the Collaborative shall enter into  
15 a memorandum of understanding to pursue the following objectives:

16           (1) Assist in the development and monitoring of a work plan that includes clearly  
17 defined goals, objectives, and action steps to guide statewide scale work in local jurisdictions  
18 in the implementation of JDAI core strategies; includes training and technical assistance for  
19 local jurisdictions and statewide leadership as appropriate; and establishes realistic time  
20 frames for achievement of goals taking into consideration a wide variance of resource  
21 availability within and between juvenile jurisdictions.

22           (2) Utilize a clear methodology for assisting local sites to assess their readiness to  
23 undertake detention system reform efforts. This methodology will include, at a minimum,  
24 a system assessment, a detention utilization study, the creation of a local collaborative to  
25 support reform efforts, the presentation of assessment findings, and the development of a  
26 local work plan.

27           (3) Develop clear and consistent messaging around JDAI scale work, including a  
28 marketing and messaging plan to engage elected officials, state-level administrators,  
29 mid-level supervisors, and line staff on the liabilities of inappropriate use of detention and  
30 benefits of detention reform.

1 (4) Make recommendations to the Juvenile Justice Reform Act Implementation  
2 Commission (JJIC), legislators, collaborative partner organizations, and other  
3 decision-making stakeholders for changes to practices, policies, procedures, regulations,  
4 state law, or other guidance related to detention utilization.

5 BE IT FURTHER RESOLVED that the Collaborative shall adopt such rules and  
6 procedures as it shall find necessary for the conduct of the activities and meetings of the  
7 Collaborative.

8 BE IT FURTHER RESOLVED that the Collaborative meet at least quarterly and at  
9 such other times as may be necessary to accomplish its purposes.

10 BE IT FURTHER RESOLVED that the Collaborative report on the status of JDAI  
11 progress to the JJIC at least annually and otherwise upon request of the JJIC.

12 BE IT FURTHER RESOLVED that members of the Collaborative shall serve  
13 without additional compensation; however, travel, per diem, and other expenses may be paid  
14 by the member's respective employer or affiliated agency.

15 BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted  
16 to each member of the Collaborative.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HCR 102 Reengrossed                      2016 Regular Session                      Leger

Creates the La. Juvenile Detention Alternatives Initiative Statewide Leadership Collaborative to oversee the process of implementing the core principles and strategies of Juvenile Detention Alternatives Initiative statewide.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the engrossed resolution:

1. Change reference to the secretary of the Dept. of Education to the state superintendent of education.
2. Change reference to the deputy secretary of the Dept. of Public Safety and Corrections, office of juvenile justice, to the deputy secretary of youth services of the department.