

2016 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 102

BY REPRESENTATIVE LEGER

A CONCURRENT RESOLUTION

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

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

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

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

WHEREAS, in 2014, the National Research Council published a comprehensive review of the juvenile justice system entitled, "Reforming Juvenile Justice: A Developmental

Approach", which found no convincing evidence that confinement of juvenile offenders reduces the likelihood of reoffending; and

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

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

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

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

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

THEREFORE, BE IT RESOLVED, that the Legislature of Louisiana does hereby create the Louisiana Juvenile Detention Alternatives Initiative Statewide Leadership Collaborative to oversee the process of implementing the core principles and strategies of JDAI statewide in order to improve public safety and long-term outcomes for youth in

Louisiana by safely eliminating the unnecessary or inappropriate use of detention, redirecting public funds to effective youth development endeavors, and identifying and reducing racial and ethnic disparities.

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

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

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

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

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

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

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

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

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

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

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

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

Collaborative.

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

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

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

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE