

CRIMINAL JUSTICE WORKING GROUP
Resolution on Executive Order 10-06

WHEREAS, public safety in New Orleans is vital to promoting and securing the quality of life that residents of New Orleans deserve and expect;

WHEREAS, the buildings that composed the Orleans Parish Prison complex were severely damaged and destroyed during Hurricane Katrina;

WHEREAS, the Orleans Parish Sheriff urgently requires the construction of a modern prison facility in order to deliver lawful and appropriate housing for inmates;

WHEREAS, the determination of an optimal size for a new Orleans Parish Prison complex will be dependent on a variety of data that must be analyzed and an understanding of how different policies and practices which, if implemented, could influence the number of prisoners housed in Orleans Parish Prison and the length of their incarceration;

WHEREAS, the Criminal Justice Working Group has reviewed the report completed by Dr. James Austin, JFA Institute, under the guidance of the National Institute of Justice, that provided technical observations and recommendations based on a review of documentation relative to initial offender capacity and a site-visit to the existing Orleans Parish Prison complex;

WHEREAS, simulations performed by Dr. James Austin, at the request of the Criminal Justice Working Group, concluded that if specific policy reforms are fully implemented, New Orleans would need approximately 1,485 beds to house local inmates by the year 2020;

WHEREAS, the Criminal Justice Working Group has reviewed plans, developed by Sheriff Gusman, for a new Orleans Parish Prison complex;

WHEREAS, the Criminal Justice Working Group has reviewed information about national best practices for criminal justice and recommendations that other organizations have submitted to the Working Group;

WHEREAS, the Criminal Justice Working Group has convened five times in meetings that have been open to the public and has held two public hearings to take testimony from citizens and stakeholders pertaining to the size of the prison; and

WHEREAS, Mayor Landrieu created the Criminal Justice Working Group by Executive Order MJL 10-06 and charged it with reviewing best practices for criminal justice and making a data driven recommendation to him and the City Council regarding the optimal size of the new Orleans Parish Jail by November 22nd, 2010.

NOW, THEREFORE, the Criminal Justice Working Group, as ordered by Mayor Mitchell J. Landrieu, issues a resolution that includes the following recommendations concerning the reconstruction of the Orleans Parish Prison complex:

1. We recommend that the Mayor and City Council authorize the construction of a replacement jail and intake and processing center to be built on the Templeman III and IV site owned by the Law Enforcement District. We recommend that permission to open this new facility only be granted under the following conditions:

- a. The facility follows the design, size and scope of the Sheriff's proposal that calls for a maximum capacity of 1,438 inmates;
 - b. The facility is capable of accommodating any type of prisoner under any jurisdiction. This includes, but is not limited to, state and federal prisoners, inmates that need substance abuse and mental health treatment (except inmates that require acute mental health treatment), female inmates, and prisoners participating in a re-entry program;
 - c. This facility is able to provide a variety of programming aimed at reducing recidivism including, but not limited to, medical care, educational services, including GED preparation, vocational and job training;
 - d. Upon opening the new facility, the following Orleans Parish Prison facilities shall be decommissioned or demolished concurrently unless other appropriate action is taken by the Mayor and/or City Council that is consistent with their authority – House of Detention, Community Correctional Center, Conchetta, South White Street, Templeman V, and the original Temporary Housing Units (Tents). Orleans Parish Prison (OPP) shall only be used as a holding facility to transfer inmates to and from court.
2. Furthermore, it is recommended and requested that, pursuant to Executive Order MJL 10-06, the Mayor consent to the Criminal Justice Working Group meeting for an additional three months. This will enable the Criminal Justice Working Group to convene semi-monthly to thoroughly address the following unresolved issues:
- a. The use of city-owned property at the former site of Templeman I and II;
 - b. The use and lifespan of temporary jail facilities currently under construction;
 - c. Considering that the new facility is designed with the potential to house all Orleans Parish inmates, discuss whether or not there is a need for additional capacity to house local inmates (male and female);
 - d. Considering that the new facility is designed with the potential to house all Orleans Parish inmates, whether there is a need or for additional capacity to house federal inmates (male and female);
 - e. Considering that the new facility is designed with the potential to house all Orleans Parish inmates, whether or not it is appropriate and/or desirable for Orleans Parish to house state Department of Corrections inmates in our jail and for what purposes, including re-entry and work release programs;
 - f. Ensuring effective treatment programs and facilities are available for inmates with substance abuse or mental health issues;

- g. Reviewing the appropriateness of a per diem funding mechanism for the Sheriff's Office;
- h. Reviewing racial disparities in length of stay between African American and other inmates and proposing policy changes to address them as appropriate;
- i. Whether the Criminal Court should develop a bonding schedule just as Municipal Court has done;
- j. Proposing an oversight strategy to ensure the implementation of the criminal justice reforms anticipated by Dr. Austin's jail size simulations;
- k. Other policy or procedural changes to the criminal justice system that the Criminal Justice Working Group may decide are important to review in order to complete their review.