

# *A Failing System*

Reminiscent of Tallulah



***“Do not put the fate of your children into anyone else’s hands and trust them to fight like you will fight.” - Assata, FFLIC member and parent of a child in the system***

## Acknowledgements:

Families and Friends of Louisiana’s Incarcerated Children (FFLIC) writes this report on behalf of family members of our children who are incarcerated: children who need us to be our best selves and children whose lives matter, because no child is disposable.

Our children are not only our future, but they are our past and our present. Right now, the ugly truth is that too many of our children have been thrown into state juvenile secure care facilities, given substandard treatment and left in the hands of staff that are too tired to work or who lack the necessary experience to care for them.

For our kids who are living in custody behind barbed wire fences, the state is stealing their childhoods by keeping them locked up in facilities that do not nurture whole, healthy human beings. We must be able to trust that if our children are incarcerated, these institutions will at least care for our loved ones while they are there. For the families who wait at home for the safe return of their child, FFLIC is united here for them.

## Introduction

A decade ago, the Louisiana’s Department of Public Safety and Corrections (DPSC) was at the center of a major lawsuit. Children were being abused and neglected throughout Louisiana’s juvenile justice system. After years of protest and litigation, DPSC was to close its most notorious facility, The Tallulah Correctional Center for Youth. Tallulah, considered by some to be the worst juvenile facility in the country, was notorious for its cruelty. Broken bones, black eyes, fractured jaws, and rapes were everyday occurrences for youth who resided in the state’s youth prisons.



FFLIC refused to stand idly by and watch as our children were harmed while in state custody. In 2001, FFLIC fought alongside the Juvenile Justice Project of Louisiana, the Department of Justice, and other allies to win passage of the Juvenile Justice Reform Act of 2003 (Act 1225), which forced our state to close Tallulah and to transform our juvenile system into one that was less punitive and more rehabilitative. In 2004, legislation was passed which created a firewall and separated the juvenile system from the adult system.

After separation from the DPSC, the newly formed juvenile system, the Office of Youth Development (OYD) vowed to implement the less punitive and more rehabilitative system. OYD then developed the Louisiana Model (LaMOD), which was developed with the Missouri Services Youth Institute (MYSI). MYSI is led by Mark D. Steward, former Director of the Missouri Division of Youth Services (DYS) for over 17 years. Under his leadership, Missouri’s Division of Youth

Services received national and international attention as the “model” state juvenile justice system.

For the purposes of this document we will refer to this “model” as the “Missouri Model.” The Missouri Model was formed with the goal of promoting cooperative relations between youth, families, and staff members and has achieved far lower rates of recidivism than other states, an impressive safety record, and positive youth outcomes.<sup>1</sup> LaMOD, is based on the Missouri Model of residential treatment with added interventions to meet the needs of Louisiana’s youth.<sup>2</sup> LaMOD is described as a model that focuses on a therapeutic, child-centered environment versus a traditional adult correctional/custodial model.<sup>3</sup> Treating kids with dignity and respect is the key to LaMOD’s success.

According to its website, it is the vision of Office of Juvenile Justice (OJJ), formerly referred to as OYD, to provide safe and effective individualized services to youth, who will become productive, law-abiding rehabilitated citizens<sup>4</sup> upon returning to their communities. Today, however, FFLIC finds that OJJ is being negligently hesitant in its promise to create lasting positive change for these young individuals.

Today, FFLIC families are still fighting for the implementation of this reform, and still struggling with a broken system. When a child is sentence to custody, parents expect that their child will be in the best care and returned home rehabilitated, as stated in OJJ’s mission and vision. Therefore, FFLIC demands:

- Real Family Involvement
- High Caliber Staff Involvement
- Productive Youth Interaction, Placement and Services
- Therapeutic, Safe and Consistent Settings
- Transparency

FFLIC understands that OJJ cannot attain its vision for every youth without the above methods being implemented with fidelity.

## **Methodology**

This report highlights some of the key issues plaguing LaMOD as observed by FFLIC. We have been examining the conditions and events taking place at Bridge City Center for Youth (BCCY), Swanson Center for Youth (SCY), and Jetson Center for Youth (JCY). We have identified and analyzed the overall discrepancies as we see them between the Missouri Model and LaMOD. FFLIC then used testimonies from parents and former staff to further explain five main issues of concern regarding rehabilitation: lack of real family involvement; lack of high caliber

staff involvement; lack of productive youth interaction, placement, and services; lack of therapeutic, safe and consistent settings; and lack of transparency.

***Discrepancies between the Missouri Model and LaMOD***

According to one of the most reliable sources of evaluation – the parents of the youth who are in Louisiana’s facilities – LaMOD is devoid of essential components based on the effective Missouri Model. While the policies that are included in LaMOD are beneficial to the youth, there is vast room for improvement. LaMOD adopted specific approaches of the Missouri Model and declares it sufficient. Therefore, without qualified, well trained staff, more defined policies and procedures, and consistent methods to ensure staff follows the policies and procedures of LaMOD, the secure-care facilities tend to backslide to a correctional method.

The following table compares some of the discrepancies FFLIC has found between the Missouri Model and LaMOD as described by both Missouri and Louisiana:<sup>5</sup>

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| <b>Missouri Model Rehabilitative Therapy</b>  | <b>LaMOD Rehabilitative Therapy</b>   |
|---|---|
| Youth in the Missouri Model are placed in groups of 10-12 in which they participate in group therapy. Youth portray real life scenarios and then discuss solutions to the often times challenging situations. Youth then learn how to behave in a group setting and how to interact with others. The idea is that in a real world setting kids are much more influenced by their peers and the pressure that they put on one another. The group therapy works to see that youth feel responsible for their actions and the actions of those in their group. This process is effective only because the model focuses on keeping groups small. They learn how to control their behaviors and develop social skills that they can use throughout their lives. There are group circles and daily group meetings. | LaMOD provides group and individual therapy for youth in groups of no more than 10-12. There is a focus on a therapeutic environment in which youth can positively interact with others. LaMOD states that they promote a healthy peer culture and looks to move youth back to their communities as productive people. However, LaMOD has not achieved this therapeutic environment and former staff have reported that sometimes youth are in groups as large as 14. Youth seem to be “going through the motions” when in these groups. Many youth say that they just “want to do their time” while in secure care, families have stated. These youth refer to their time in secure care as “jail.” This is in direct conflict with the ideology and culture OJJ hopes to foster with LaMOD. |

### **Missouri Model: Low-Risk Youth**

Instead of being placed in a facility, low-risk youth in the Missouri Model are assigned to community service programs. These youth engage in concentrated counseling that promotes healthy youth and family relationships. Using Multi-Systemic Therapy, the youth are counseled within their home environment with their families in order to transform the youth's experience as a whole.

### **Missouri Model Staff**

The Missouri Model staff is seen as counselors and mentors rather than guards and disciplinarians. They work to develop a strong connection with the youth by not only creating group treatment plans but individual plans as well. The youth then see that personal attention and care is being paid to them. Counselors follow the youth they are assigned to upon entry all the way to their release. The staff members are all college educated and some have further education as well. The training for the staff members is never complete. It is ongoing and they consistently receive new information on how to do their job even better. The teachers and the youth specialists work with one another in common on professional development.

### **LaMOD: Low-Risk Youth**

OJJ lists a non-secure, non-residential plan for youth who qualify but this seems to be rarely implemented. As of August 8, 2011, 503 youth were in secure care. The last public report released by OJJ stated that 40% of youth in secure care were non-violent offenders. We had hoped to find more available data on OJJ's website but their reporting is very obscure.

### **LaMOD Staff**

Under LaMOD, staff is called Case Manager/Social Worker/Counselor; Group Leader; or Juvenile Justice Specialist. There is an interactive approach between youth and staff that is promoted through the model. Each youth has a Case Manager who is the person that helps the child through the program and meets with the child on a regular basis. Other than this, the relationship between staff and youth is not very specific. The staff is trained in the LaMOD which includes an "intensive training during a four-week course, including instruction in the differences between the traditional correctional approach to juvenile justice, and the new therapeutic approach, which is child-centered and treatment-oriented." Training for the staff is ongoing and communication between staff and administration should be frequent. However, not all of OJJ's staff seems to be embracing LaMOD based on the numerous complaints about the staff.

### **Missouri Model Transition**

Once the youth are admitted into the center, the plans for their release begin to be made. Plans are made for education, employment, and counseling of the youth. Upon being released the youth are watched over by college students or members of their own community. These mentors work with the youth coordinators in being active participants in the youth's day to day lives. Youth will continue to receive aftercare for an average of six months after their release.

### **Missouri Model Education**

During the day, youth in the Missouri Model receive six hours of education in a classroom setting. One-third of the youth return home with a GED or diploma and another half return to school upon release. 90% of the youth earn high school credits while in the facilities. Programs provide vocational training opportunities so that the youth develop skills that they can use upon being released from the center. In order to provide for constructive encouragement and development, youth receive minimum wage compensation for their work and time.

### **LaMOD Transition**

The process of reintegration of youth back into the community is said to begin upon admission into the facility. The facilities use furloughs and home passes to help transition back home. The use of furloughs varies based on the youth. Many youths say that they leave OJJ custody without any practical skills. Some leave without knowing how to even fill out a job application. OJJ claims that there is an emphasis on services being available to the youth but what these services are and what they include is not clear.

### **LaMOD Education**

OJJ states that education is a priority. There are pre-GED and GED programs as well as special education programs. The GED program is optional and many youth spend years in the facility without getting it. Between the three facilities there are six vocational training programs. However, one center has four available while another has only one. Swanson has recently instituted a college program for a mere 4 of its estimated 160 youth. For non-secure care facilities, youth are provided education services either on campus or they are sent to a school that is run by the local education agency. OJJ's education information is veiled and not quantifiable. We have reports that few youth leave OJJ's custody with adequate information.

### **Missouri Model Facilities**

The facilities in the Missouri Model are made to look like a home and community environment rather than a correctional institute. Youth stay in open dorms rather than in isolation in individual dorms. This promotes group activity and positive social behavior. The population of the centers remains low, fostering a rehabilitative environment. Except for one facility, no more than 48 youth are living in a center at one time. This exception seems to work for Missouri due to the fact that the therapeutic and rehabilitative culture permeates every aspect of the system. Youth are able to dress in their own clothing to promote a positive and more home-like living environment. The facilities are located within neighborhoods rather than in isolated locations.

### **Missouri Model: Family and Community**

The core philosophy of the Missouri Model is that the family of the child is a vital and necessary part of the treatment plan and they are the experts on the child. There is a goal in place to maintain strong the connection between youth and their parents. Youth are placed in centers close to their homes in order to ensure that parents are able to visit their child conveniently. Staff members will make personal visits to the parents in order to update the family on what their child is experiencing and how to transition their child back to the home setting when they return. In order to assist in this transition back to home life, the youth are allowed visits to their home so that it does not become a foreign place for them. After the release of the youth, they are given a coordinator that helps them transition back to the community.

### **LaMOD Facilities**

LaMOD has an emphasis on a home-like environment, but rehabilitation can be difficult because of the un-solidified culture and there are anywhere from 100 to about 170 youth at the different facilities instead of 48 as in the Missouri Model. There is a plan to make the setting of the facilities more inviting, and that is the case at BCCY, but SCCY and JCCY definitely look correctional. OJJ has decided to build a facility in Bunkie, LA. The facility will house 72 youths. OJJ stated that they are building more facilities to lower the amount of youths in the current facilities and to help with regionalization, instead of utilizing smaller existing buildings in communities like Missouri.

### **LaMOD: Family and Community**

LaMOD states that there is a focus on parent involvement. There is a single parent liaison that works with parents from all centers. The parent liaison's job is to help families navigate the system and provide answers and solutions to their concerns. OJJ requires quarterly staffings (meetings concern the status of the youth). The youth, case workers, staff, and parents are supposed to be present at the staffings to provide information regarding the youth. There have been complaints of these staffings not occurring or the parents not being involved. Staffings are also important because they help decide if a youth is entitled to a less-restrictive setting or furloughs. Youth seem to have little interaction with the community besides day-trips.

### **Missouri Model: Effectiveness**

The Missouri Model ensures that youth enter the juvenile justice system at a low rate. With proper development and care, the youth are able to become members of their community and reentry is avoided as they continue on with their lives as constructive individuals. The Missouri Model showed a recidivism rate of 7.3% in 2007.

### **LaMOD: Effectiveness**

The one-year recidivism rate after implementing the LaMOD Model was 15.0% during 2006-2007. The two year and three year rate for 2006-2007 was 24.2% and 30.7%. These recidivism rates only include youth who re-enter the juvenile system, not those who enter the adult system.

When OJJ has been asked the question: why is reform taking so long to fully implement and why are recidivism rates so high, the typical response FFLIC has heard from OJJ is that it involves a long process to implement reform. This overused excuse, however, is inexcusable because there is such little visible proof that there is a true effort to move forward with reform. While a strategic plan, written policies, and the words of current staff members and directors can assure the public that work is running smoothly and changes are being implemented, the only way to truly know if this is the case is to measure the satisfaction of the parents and children. We at FFLIC have spoken directly to families with children who are being held at Bridge City Center for Youth, Swanson Center for Youth, and Jetson Center for Youth in order to understand their personal experiences with the system and the issues at hand.

### ***Issue #1: Lack of Family Involvement***

Parent involvement is a major concern at the youth facilities. A mother, whose child is currently at Bridge City Center for Youth, has informed us that only now does she feel slightly included in her child's treatment plan because she began persistently calling the facility for weeks to check on her child and his progress. Originally, she said that she was not given any information about her child when he entered OJJ custody. Upon her child's intake, she was not even aware who she was supposed to call in order to receive information. When asked if staff members seem interested in her input, she said, "The attitude is that they are just doing it because they have to." She had no information about her child's intake assessment and no information about a reentry plan. She has received one invitation to a parent meeting in the past month. Even so, it is incredibly inconvenient for her to drive to the facility because of how far it is from her home. Parents have told us that they have to drive hours to see their children. Parents feel helpless because the only way they can connect with their children is through the seldom visits. Often times, visiting is hard because of the distance and lack of transportation. One parent tells us that on a visiting day at Bridge City in August there were a total of 16 visitations even when there are over 100 youth at the facility. A parent who regularly visits his



son said that there are never more than 30 parents visiting per week. This shows that parent involvement is not encouraged or supported.

Simple tasks, such as informing parents of policy changes, are made difficult by OJJ's administration. One parent said that while visiting her son at Bridge City, she found that the visitation policies had been changed without any notification. Parents were forced to sit in the heat and wait to see their children. The gymnasium in which the visitations take place has a large hole in the ceiling and the bathrooms provided for the parents are dirty and inadequate. Parents are offered nothing to eat or drink as they sit in the heat. Some parents are turned away because of administrative issues. These parents become angry because they should have been notified about the issues before the visit in order to spare them the long drive. "You are already upset to see your child in such a situation, but they just add to the frustration," says one mother.

A grandfather of a child at Bridge City says, "Every aspect of the program could be improved. There are too many changes being made without notifying the parents." Another parent we spoke to said that he has no information about what is going on with his son. He has also been talking frequently to parent liaison, Donna Bowie, to get the child's stepmom on the visitation list; yet, this still has not occurred. Another parent recalls that a phone call she made to the facility was returned two months later. Even when the parent attempts to be actively involved, it is a difficult process to get any information. Direct phone numbers are available through OJJ's website, but without internet access or know-how, parents really have no way of knowing who to contact. When they do have the information to make the calls, it is often difficult to get a hold of whomever the parent needs to speak with.

Orientation for the parents when their child is first admitted is extremely important in order for parents to understand how to navigate through the system and how to be available for their child. One father notes: "The staffing [upon intake] does not give a clear explanation of what is going to happen. There are no actual documents of information, everything is verbal." He has been to one staffing since April when his child was first admitted. Since then, three other staffings have been cancelled. Parents agree that there is no initiative by the staff to get in touch with the parents. There is an overall trend that parents receive little to no information about their child's treatment plan upon intake and they receive little to no information about a reentry plan for when their child is released from OJJ custody. Just recently, youth started receiving progress reports and report cards.

There simply needs to be more parent involvement that emulates the Missouri Model in order to fully commit to a rehabilitative, rather than a correctional process. One parent stated, "Kids need the support of their parents in order to succeed." It is almost setting the youth up to fail by not including their parents in their developing years. The parents and children feel disconnected from one another and a child cannot develop properly or learn to integrate himself back into the home without his family involvement in the rehabilitative process.

## ***Issue #2: Lack of High Caliber Staff Involvement***

Bridge City Center for Youth is the one facility that was supposed to be fully implemented in LaMOD but has been recently described by OJJ's Deputy Secretary, Dr. Mary Livers, as being totally out of control. Dr. Livers, described Bridge City as having constant staff problems. Staff is being terminated or has decided to leave due to the recent problems at Bridge City. Now, Bridge City struggles to keep good staff due to problems and the lack of support. Current staff is being given incentives to entice them to stay. Probation and parole officers are being used to fill shifts. OJJ stated that they are hiring 50 new people next week. Bridge City's ACA accreditation has been postponed 6 months so that OJJ can address the numerous problems at the facility.

We have heard many accounts from parents whose children have faced or are facing physical or mental abuse from staff members at the facilities. One mother informed us that her child got into an argument with a staff member and was then hit by that staff member. When speaking to her child about the incident, she said she felt that her son was afraid to tell her everything that had happened in fear of retaliation from the staff. Another mother was told by her child that he was being mentally abused by the staff. The mother is concerned that her child needs some sort of mental therapy or intervention that he is not receiving. Another child told his mother that the staff was "teaching" him to be respectful through physical altercations. There is a report of a child who is being repeatedly teased by the staff and the other youth for having some feminine characteristics. Parents talk frequently about their children freezing up when they begin to talk about the mental and physical abuse they are enduring. Parents say that their children fear retaliation from the staff and, therefore, they have no way of opening up about their experiences. OJJ has evidence of at least 2 officers watching kids get beat up by other kids. Dr. Livers has stated that charges have been filed against 2 officers and 1 officer is currently in jail – which is provoking more backlash from staff.

*The Advocate* recently reported that OJJ is currently involved in two lawsuits, both claiming that staff were harassed and threatened when they spoke up about the poor living conditions at the youth facilities.<sup>6</sup> One of the claimants stated that he was asked to sign a false affidavit that claimed OJJ took appropriate action with regard to the facilities and that the director did not make derogatory comments about the staff. When he refused to sign this affidavit, the claimant was punished and mistreated. Not only is there tension between the youth and the staff, there is tension between the staff and the administration.

A mother spoke of two specific incidents that her child has experienced. The child was on the verge of receiving an assault charge for an altercation with a staff member. The charge was dropped because after reviewing the tape it was clear that the staff had shoved her son. The staff member was simply suspended for a short period of time. Upon his return, he attempted to befriend the child, which has made the mother and her son uncomfortable. In

the other incident a female staff member was poking fun and laughing at the tennis shoes that the boy had received from his mother. The child made a smart comment back to the woman in retaliation. The staff member then reported what he said to the director who then did not allow the child to go on his planned furlough with his mother.

There have been multiple incidents of staff having inappropriate and abusive sexual and intimate relationships with the youth. A social worker was terminated from Swanson for having a relationship with a youth and there are reports of misconduct at Bridge City. In a separate incident, another mother spoke of an incident where her son was in a relationship with a female staff member. The two met while he was in a youth facility and continued their relationship by living together once he was released in January of this year. We have no information about whether or not that staff member was removed from her position. We also have information that a female staff member was fired around the beginning of August due to her inappropriate relations with a youth.

Similar to what the director of OJJ described, one of the main problems that parents are reporting is that the facilities cannot maintain staff. "People are quitting left and right," one mother told us. There is a huge understaffing problem. One mother reports that staff members are working 18 to 24 hour shifts at times. A former staff member at Bridge City reports that staff members are not treated properly by the administration. They get extremely short breaks and there is favoritism towards certain staff members that frustrates others. When they are forced to work long shifts, they are not even able to use the phone to call their family and inform them. There is also a system of putting staff members "on-call" so they are technically working even when they are off. Staff members become frustrated by the way they are treated. The former staff member said, "Sometimes it feels like we're the ones in trouble." It is inevitable that with such conditions, staff members would become frustrated and, as one parent reported, they let their anger out on the kids. One parent reported a specific incident in which a female staff member at Bridge City left a dorm unit unsupervised because no one would respond to her call for back up. Most likely out of frustration, she simply decided to leave. As soon as she left, the unit became out of control. The unsupervised youth began to pull things down and trash the dorm. Another former staff member reports that she was once arrested for accidentally bringing her cell phone into the facility. It is almost impossible for the staff members to execute their job correctly if they are under so much pressure and have to work such long hours. Many of the staff members are under the impression that the "therapeutic model" is not working. The reason for this is because none of the staff members are seeing the model fully implemented and they are not getting the training consistently. They are being told by the administration that the therapeutic model is what is in place. Therefore, they link LaMOD to all the problems that are occurring at the facility.

This culture of hostility remains in effect is even having major effects on the children who do not involve themselves in the trouble. Rather than addressing the more aggressive

children in a therapeutic and rehabilitative way, the staff seems to be allowing it to go on and allowing the other children to be swept up in it. Staff members will only put out what they are given. The staff not only need proper training and qualifications, but they must also be treated with dignity and respect by the administration in order to provide dignity and respect to the youth. Working as a staff member for OJJ cannot simply be a job and a way of making money. Some staff members have bought into the reform and therefore, some individual children are benefiting. There are good people that work at these facilities with great intentions to do what's best for the youth but without proper training, it's impossible to implement LAMOD. It must be understood across the board that the children's futures, to a certain degree, are in the hands of the staff and they must act accordingly.

### ***Issue #3: Poor Youth Interaction, Placement, and Services***

A couple of years ago, a FFLIC member witnessed her son go through the "school to prison pipeline" and ultimately to his death. This parent felt that the juvenile justice system destroyed her and her son's lives. This child needed special assistance in school and was instead sent to the Family in Need of Services (FINS) program which directed him to a youth facility. The child had an altercation with a staff member and was tried by the adult system for the incident. 3 months after being released, the child was murdered. The mother wrote letters and petitions to OJJ regarding their fault in her son's troubles. This parent felt that Louisiana's juvenile facilities are "hardening" these kids and making them more susceptible for violence when they are released. Many of the stories happening now are similar to this previous tragedy.

That account is one example of how youth interaction, placement, and services are sub-par at the juvenile facilities. Youth interaction has grown extremely hostile within the past couple months. FFLIC has received reports of increased instances of fighting in the facilities. Another parent who speaks frequently with his son at Bridge City says that OJJ's solution to address the more aggressive youth in the facility was to place them all in the same dorm. Caseworkers are assigned by dorm. Changing caseworkers can be a difficult adjustment and detrimental to any youth's treatment. Parents speak of how their children are upset about having to move dorms. Not only do they have to readjust to a new caseworker, but they must also readjust to a new group of young men. While regionalization of the facilities is important for keeping the youth close to their families and community, it is not being addressed properly by the staff. Some of the youth know one another from their neighborhoods. Youths complain of cliques that arise all throughout the facility. Groups of youth have conflicts with other groups from their community and those issues are brought into the facility. Staff members see the conflicts, and while they may be working to stop them as they occur, they are not working to the best of their ability to analyze the root of the problems and try to prevent them before they happen. Part of the therapeutic treatment is not simply telling the youth not to fight but to

help them understand why they are choosing to fight and provide them with other solutions such as conflict resolution.

Parents are extremely concerned that their children are not receiving the proper services that they deserve. Two parents have spoken of their children needing mental therapy but not receiving it. One parent spoke of her child who after being out of the facility for no more than 90 days was arrested and sent to adult jail. She says that her son did not receive any resources upon being released. "It's like a dog race," she said. "They just cut them loose. Some of them will make it to the finish line and some of them won't." Another mother talks about how her son was at Bridge City for a year and a half and did not receive his GED or adequate vocational training with an aftercare plan which would allow her son to have some direction once he returned home. Otherwise, they have nothing when they get it. A former staff member said that she knows of many young men who were at the facility when she was employed there and years later they have either been killed or put in adult jail. We know that this is not all of OJJ's responsibility, but statistics have shown, as in the case of Missouri, that receiving proper services and aftercare treatment will ensure that more children go on to succeed and less will end up in back in state custody.

The poor youth interaction, placement, and services increases a youth's risk of recidivism. Louisiana's juvenile justice system does not seem to be rehabilitating too many youth. Instead, these youth are being housed and released without any significant change to their behavior and perceptions. Sometimes due to the mistreatment and the violence they have suffered while locked up, they become more harden and jeopardize themselves and their community. Many youth return to the juvenile justice system or worse, the adult system. LaMOD is supposed to put these youth in an environment that benefits them and decreases their chances of re-entering the juvenile justice or adult correctional system. Sadly, it seems that to a large degree this is not happening.

#### ***Issue #4: Harsh and Inconsistent Settings***

The parents we have spoke to are in complete agreement that the facilities are in no way welcoming and "home-like," which is one of the key aspects of the Missouri Model. When FFLIC staff visited Missouri, the warmth and homelike environment was evident upon arrival. Not like our facilities, parents report that the facility looks like a correctional institution rather than a development and learning center. Wired fences line the perimeter of the facility which makes for a harsh environment that makes the youth feel less comfortable. The youth facilities are not part of the community like they are in the Missouri Model. All of the facilities in Louisiana are fenced-in "camps" in secluded areas. Dorms are cold and impersonal. Also, there have been complaints of rodents and bugs infesting the facilities. In our opinion, none of these facilities represent the therapeutic environment envisioned by LaMOD or the Missouri Model.

From talking to parents, FFLIC has discovered that the environment at each facility varies greatly. Certain services and programs are only offered at certain facilities. Dorm sizes vary within each facility. Youth complain about how some dorms are more violent than others, certain staff are preferred over others, and favoritism plays a big role in how youth are treated. There are good staff and dorms, but LaMOD should be evenly implemented. Youth should not be afraid of going to certain dorms or facilities. Also, youth should be afforded all the same programs and opportunities at each facility.

### ***Issue #5: Lack of Transparency***

Many preach transparency; but when it comes right down to it, what does that mean? What does that look like and how can one really tell? Of course there is statistical information made available, reports to read that presents data that says “this many parents were invited to a staffing, these many youths sat in a circle.” However, when we get right down to it, can we really tell that a circle helped a child or why a parent didn’t attend a staffing? Most reports will lead you to believe that parents do not want to be involved. However, at FFLIC we have found that the percentage of parents who are not interested in being involved in their child’s treatment are a small number compared to those that want to be involved but cannot for one reason or another.

From FFLIC’s perspective *real* family involvement doesn’t just mean numbers, it means actual narrative information in order to help overcome the barriers to family participation. This means we need to actually talk to ALL of the people who are the alleged “beneficiaries” of BEST PRACTICE services that businesses, organizations, and agencies receive money for. As employees working on behalf of youth and families, we need to ask ourselves a question: are the services we provide quality and do they represent best practice for our own children and families? When asking that question, FFLIC is sure there is hesitation.

If those questions are not posed, we can find ourselves backsliding to the days of old - the “Tallulah Days” when the lack of transparency and oversight led to the rampant abuse of our children and in one case, death. Until FFLIC and other allies came on board, no one was listening to the cries of parents who told of the mistreatment of their children. A decade ago people only heard the reports from the system who declared things were fine. These reports did not compare to stories parents told FFLIC.

“You can’t imagine the things they do to children at Tallulah,” says Brenda Brue, a New Orleans woman whose son was sent to the prison for over two years. “These children are abused by guards who are supposedly there to care for them. Guards beat on the children, sell them drugs and have sex with them. This is what is happening and the children are afraid to say anything about it.”

Unfortunately, we cannot list the names of the parents and youth whose courage made this report possible. Just like during the days of “Tallulah,” families are concerned for their children’s safety. When families and youth are scared of retaliation for telling their stories, it is obvious that families cannot “HAVE FAITH”<sup>7</sup> in the current system. It is our desire to work with OJJ to ensure that the “HAVE FAITH” principals are upheld:

**Honesty:** To be honest; do everything with integrity.

**Achievement:** To be outcome-oriented in achieving results consistent with our mission.

**Versatility:** To value, promote and support diversity and cultural competence.

**Ethical:** To be ethical; to do the right thing, both legally and morally.

**Focused:** To be focused on empowering people to succeed.

**Accountable:** To be accountable for the effective and efficient management of resources.

**Informed:** To be informed and guided in our decisions by appropriate and valid data.

**Team Players:** To be an effective and efficient team of professionals.

**Harmonious:** To be inclusive – involve all parties, both external and internal, who need to be part of the process.

## **Conclusion**

This report only highlights some of the many issues that forty parents have brought to our attention. Many of the issues plaguing OJJ’s facilities are hidden or too subtle to describe without further transparency from OJJ or confessions from the youths. FFLIC has constantly tried to work with OJJ over the years and have offered to provide support to their families by helping them develop support groups where families feel safe to share information and organize car pools for visitation. This cooperation was supported by Dr. Livers, in the presence of the then Lt. Governor Mitch Landrieu and Juvenile Justice Implementation Commission Chair, after a visit to the Swanson facility. “It was a good idea,” she admitted. Unfortunately, that support never materialized after constant follow-up yielded the excuses that parental information is confidential. While OJJ have agreed to work with FFLIC by holding quarterly check-ins and tours of the facilities, it seems that the relationship only yields too few individual results that do not lead to systemic reform. OJJ does have partnerships with other stakeholders; however, none of those stakeholders’ main focus is to work with the families who are directly affected by the juvenile justice system and to support them in holding the juvenile system accountable. We feel that at this current point, a serious partnership needs to form between OJJ and stakeholders such as FFLIC. FFLIC has listened to parents’ concerns for years and brought them to light, which helped to bring about change. We continue that same fight today and will continue to do so until there is real family involvement; high caliber staff

involvement; productive youth interaction, placement and services; therapeutic and consistent settings and transparency.

Below FFLIC have developed a list of recommendations for OJJ that parents feel will help move reform forward; this is not exhaustive list and should be a living document. When new methods to help families are identified, they should be added. Upon the acceptance of these recommendations, a process should also be developed in order to update this list. FFLIC strongly request to meet with OJJ before October 15, 2011 in order to develop a plan and an immediate timeline in which these recommendations can be implemented.

## **Recommendations**

**Real Family Involvement:** The family of the child is a vital and necessary part of the treatment plan and they are the experts on the child. Therefore actions taken to ensure families can participate in the child's treatment should be exhaustive.

### **We recommend that:**

- Families have one staff person within their child's assigned facility that is their main contact throughout the time that their child is in the facility.
- There be a one on one meeting with the family within the week following intake which the family should be given all the information necessary to ensure they understand facility policies; a staff member should go to the home if the parents are unable to come to the facility. Enough time should be given and great care should be taken to make sure that the family understands every important detail.
- Parents must have FREQUENT access to updates about their child;
- Parents are given documented information about their child's treatment plan, education plan and reentry plan after the assessment process that they can refer to;
- Parents know all the names of staff members within the facility, and are assured all of the staff are experienced and meet the requirements based on best practice models to work with their children;
- There is a culture that permeates through the environment that parents are looked at as valued partners. If parents express concerns about their child, those concerns are taken into account with the treatment plan of the child. Every concern should be taken seriously and investigated.

**High Caliber Staff Involvement:** The staff is all college educated. The training for the staff members is never complete. It is ongoing and they receive new information on how to do their job even better on a consistent basis as set forth by policy. There are all facility staff meetings to ensure better communication, resolve issues and keep staff all on the same page.



**We recommend that:**

- OJJ only hire and keep staff who are college educated and believe in the LaMOD mission and vision, and follows the LaMOD policies and procedures;
- Individual therapy happens with youth on an as needed basis based on the youth's individual treatment plan. Youths should not simply interact with staff in group sessions;
- Staff informs all youths of the process that they will be going through on an ongoing basis to ensure that the process is understood;
- All information about the individual's goals and expectations is transparent to the child and the family;
- Expectations are clearly given to the staff by the administration and should be revisited frequently through refresher courses as laid out by the best practice model;
- Any staff violations are dealt with immediately and efficiently.

**Productive Youth Interaction, Placement, and Services:** Like Missouri, LaMOD would offer a demanding, carefully crafted, multi-layered treatment experience designed to challenge troubled teens and to help them make lasting behavioral changes and prepare for successful transitions back to the community. Crucial insights into the roots of the youth delinquent behavior and new social competence to acknowledge and solve personal problems would be included.

**We recommend that:**

- Youth be properly assessed for their placement. It is imperative to have cultural competency about the neighborhoods the youth come from. If there are rivals, great care must be taken that youth are not put together and further put in harm's way. Further interventions should happen so that upon release youth will know how to avoid conflict;
- If staff has to be changed for whatever reason, a meeting is held with the youth to thoroughly discuss the change for a smooth transition;
- Youth are not randomly assigned to groups, but are placed in strategically chosen groups that are reflective of the best interest to rehabilitate;
- Youth that are being abused in anyway by others are removed from that situation and given legitimate protection from those that they are not getting along with. Conflict resolution and restorative justice techniques are used in order for the youth to rehabilitate according to best practice;
- More aggressive youth are given the tools approved by best practice methods to critically analyze and correct their behavior;

- There is a mandatory education plan made for each youth. This plan should be developed with the child and family at all times. There should be clear documentation if a family is unable to participate, but only after every attempt is made for the family to be involved within the time frame set forth in the best practice model. Options are provided but all youth must be receiving education services based on the choice that the child and family have decided is appropriate for the child;
- A reentry plan is created for each individual with youth and family input. Hobbies and interests are encouraged in creating the plan so as to get the youth involved in areas that they will remain interested;
- Staff continue to work with the youth and family after release to ensure that youth and family stay on track with the transition plan and successful transition back into the community.

**Therapeutic, Safe and Consistent Settings:** As in Missouri, great emphasis on keeping youth safe not only from physical aggression but also from ridicule and emotional abuse; and it does so through constant staff supervision and supportive peer relationships rather than through coercive techniques that are commonplace in most youth corrections systems. There is intensive supervision by highly motivated, highly trained staff constantly interacting with youth to create an environment of trust and respect.

**We recommend that:**

- All altercations are not simply dealt with but are looked into thoroughly and therapeutic solutions are provided for the individuals involved. An advisory council should be formed to include outside personnel including family members who are all trained in LAMOD to review redacted information to insure compliance and accountability.

**Transparency:** What makes the Missouri successful is the partnership with family and community involvement. With that said, information regarding the status of the youth and the process of reform should be easily accessible. Information should be data as well as narratives that include outcomes that will not violate confidentially.

**We recommend that:**

- Appropriate data is made available on websites to help determine the reform process i.e.
  - Education Reports
    - How many youth received GED while incarcerated?
    - How many youth returned to school within their community?
    - How many youth are currently in or who have transitioned to higher education after release?

- Placement based on type of offenses
- Percentage of youth sentenced to adult prison with-in 1 year of release and every year after that
- Percentage of youth transferred to adult prison while in the juvenile secure facilities
- Critical incident reports to include:
  - When a young person is injured, restrained or held in isolation
  - Youth on youth attacks and staff on youth attacks and youth on staff attacks, including sexual assaults
- Number of furlough per month
- Suicide attempts;
- Job responsibilities, appropriate chain of command, and the identity of the parent contact should be clearly laid out so a parent will know who to contact when an issue arises;
- There is a circle of communication between the administration, staff, youths, and their parents. Everything that one group knows, the other knows as well.

#### ENDNOTES:

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<sup>1</sup> Annie E. Casey Foundation, 2010 *The Missouri Model: Reinventing the Practice of Rehabilitating Youthful Offenders*.

<sup>2</sup>OJJ, Guiding Principles, “2011-2013 Strategic Plan.” Web. Accessed: September 1, 2011: <http://ojj.la.gov/ojj/files/OJJ%20Strategic%20Plan%202010-2012.pdf>.

<sup>3</sup> OJJ LAMOD: <http://www.ojj.la.gov/index.php?page=sub&id=196>.

<sup>4</sup> Id.

<sup>5</sup> Annie E. Casey Foundation, 2010 *The Missouri Model: Reinventing the Practice of Rehabilitating Youthful Offenders*; Office of Juvenile Justice, Web. Accessed: September 1, 2011: <http://ojj.la.gov/index.php>.

<sup>6</sup> Joe Gyan Jr, “OJJ Lawsuit Claims Retaliation” *The Advocate* (Baton Rouge newspaper). Web. Accessed September 1, 2011: <http://theadvocate.com/news/644676-64/ojj-lawsuit-claims-retaliation.html>

<sup>7</sup> OJJ, Guiding Principles, “2011-2013 Strategic Plan.” Web. Accessed: September 1, 2011: <http://ojj.la.gov/ojj/files/OJJ%20Strategic%20Plan%202010-2012.pdf>.