



Juvenile Justice Project of Louisiana (JJPL)
Final Report to the McDowell Foundation
September 24, 2013

Litigation

After the defendant's motion to dismiss was granted, JJPL filed a motion challenging that ruling. The judge has not yet made a decision. While the litigation portion of the strategy is on hold, there have been marked improvements, which will be addressed in the following section. As a result of the litigation, access to clients has improved considerably. Our requests are granted in a timely manner and we have established excellent working relationships with the administration of several facilities.

Conditions status update

Since our last report, most of the conditions within the secure care and detention facilities have improved dramatically, as have the access issues.

In the interim report, JJPL identified the rapid deterioration of conditions, particularly at the Bridge City Center for Youth (BCCY). The overall improvement in conditions was evident in facilities across the state; however, there was at least one significant incident at BCCY in which one of our youths was beaten by another youth and transferred from BCCY to Swanson. JJPL advocated on behalf of the youth to protect his safety through an emergency visit to assess his physical state after the altercation and conducted follow-up visits to monitor his wellbeing. This incident appeared to be an isolated incidence of violence, unlike the rampant aggression within the facilities prior to the litigation.

While youth were previously victims of retaliation after JJPL filed the lawsuit, we have not heard of incidences of this since the last report. Similarly, youth were routinely intimidated and discouraged from contacting counsel to address violence, abuse, and other conditions violations that occur inside the facilities. The inaccessibility of phones and access to attorneys have improved since the last report. For example, the phones that were previously not functioning at Swanson have been repaired and youth at that facility can reach our offices directly again.

Fortunately, we have had fewer challenges getting access to meet with and support youth than in the past. Some specific cases of advocacy stand out. Our conditions monitor provided post-dispositional assistance for a youth housed in BCCY who had gone without a hearing for several years. Several JJPL staff provided advocacy and investigative services for one of our youth group members who identifies as transgender. JJPL ensured she received a fair hearing.

JJPL recently launched an effort to evaluate educational services within secure care and detention facilities. Our monitor began asking youth about their educational experience, whether they are being taught Carnegie units or getting GED credit, and if their individualized education plans are being

followed. Initial feedback indicates that many youth feel they are not being challenged. We look forward to continuing this important addition to our work gathering information to create and sustain systemic change within the Office of Juvenile Justice. Should this approach fail to produce the necessary changes within the facilities, we are prepared to litigate as needed.

Conclusion

Despite its pending status, the litigation is effectively serving as an accountability measure to the facilities—improving conditions and access considerably.

JJPL appreciates the support from the Barbara McDowell and Gerald S. Hartman Foundation and will continue to pursue litigation designed to have a systemic impact on the rights of Louisiana's most vulnerable children.