



**Reclaiming Children from the Prison System
The Juvenile Justice Reform Act (Act 1225),
State of Louisiana, 2003**
by Xochitl Bervera, Families and Friends of Louisiana's Incarcerated
Children

Overview

Louisiana has the highest incarceration rate in the nation, locking up 794 of every 100,000 Louisianans. In 2003, Louisiana had one of the nation's highest rates of juveniles in jails and group homes in the country. While Black youth comprise barely one third of the state's population, they comprise up to 78% of the youth behind bars. Contrary to the popular belief that youth prisons were a last resort for "out of control kids" who are violent and repeat offenders, 73% of Louisiana's young people are incarcerated for nonviolent offenses. For years, the symbol of Louisiana's injustices in its juvenile system was the Tallulah Youth Prison. Opened in 1994 as a private, for-profit facility, it is located in the rural and economically devastated Mississippi Delta region of the state. Tallulah was such a dangerous and violent place that the federal government stepped in to sue the state in 2000, and the state took over the operations of the facility. However, there was little improvement. Media attention to the abysmal conditions, lawsuits, legislative advocacy, and community organizing led by parents of incarcerated children combined to secure passage of the Juvenile Justice Reform Act of 2003.

The Policy

Passed in 2003 and signed by then-governor Foster, the Juvenile Justice Reform Act (Act 1225):

- Ordered the closure of the Tallulah Youth Prison;
- Mandated that the savings from the closure go to community-based alternatives; and
- Outlined a plan for the radical transformation of the entire juvenile justice system.

Impact

The last child was removed from the Tallulah Youth Prison on June 2, 2004. Since the passage of Act 1225, the number of children in secure care in Louisiana has dropped dramatically: in 2000, there were over 1,500 youth locked up in Louisiana's prisons, while today, there are approximately 550. The first executive act of Governor Blanco once she took office in January 2004 was to follow the recommendations of Act 1225's Juvenile Justice Implementation Commission and separate the Office of Youth Development from the Department of Public Safety and Corrections, appointing a new secretary of OYD and mandating that he have a separate budget and report directly to the Governor's office. Governor Blanco subsequently pushed for and won legislation to codify this separation.

Under the lead of this new secretary, the state has contracted with the state of Missouri's juvenile justice system and with the Annie E. Casey Foundation to help dramatically change the way the Louisiana system works. These partners are advocating for the closure of Louisiana's three remaining youth detention facilities and for turning "security" personnel into "treatment and counseling workers." Also building on Act 1225, the legislature passed a bill in 2004 creating Youth and Children Services Planning Boards, local bodies made up of all stakeholders to

oversee reform at the local level. The first round of Request for Proposals for community-based alternatives to incarceration funded by Tallulah's closure has been issued.

Key Players

The Close Tallulah Now! (CTN) campaign was spearheaded by the Juvenile Justice Project of Louisiana (JJPL) in coalition with Families and Friends of Louisiana's Incarcerated Children (FFLIC), Building Blocks for Youth (including the Youth Law Center and Justice Policy Institute), and Grassroots Leadership. The Louisiana-based Coalition for Effective Juvenile Justice Reform was formed in early 2003 and also played a strong role in the victory. Legislative champions were Senator Donald Cravins and Representative (now Lieutenant Governor) Mitch Landrieu.

Winning the Policy

The Close Tallulah Now! campaign began formally in 2002 and built on several years of legal advocacy work and a class action lawsuit brought by JJPL (which later was joined by the U.S. Department of Justice) against the state on behalf of all of Louisiana's incarcerated children. The settlement from the lawsuit included a monitoring provision whereby JJPL lawyers and advocates had regular access to the youth in all the facilities, as well as access to important documents. JJPL developed a thorough knowledge of the system and its dysfunctions, an understanding of the players at the state level, and contacts with the parents who would later form FFLIC, the voice that would change the debate in the legislature.

In 2002, the campaign was a small coalition focused solely on closing Tallulah. However, with help from national players, a stronger FFLIC, and a growing Coalition for Effective Juvenile Justice Reform, the campaign broadened the goals to include the reallocation of money to community-based alternatives and the development of a statewide grassroots movement for reform. Using media outreach, legislative advocacy, legal work, and grassroots outreach and organizing, the campaign kept the issue front and center. Legislators were contacted with information at least once a week, FFLIC members were a regular and powerful presence at the capitol, and the campaign team communicated regularly and coordinated to create events such as press conferences, actions outside courtrooms, and a Juvenile Justice Reform Day at the capitol.

Challenges

Act 1225 was a broad bill that succeeded in closing Louisiana's most notorious youth detention facility but fell short of mandating some of the most important reforms the campaign had advocated. For example, the Act strongly recommends the creation of a Department of Children, Youth, and Families that would include oversight of the juvenile justice system, but the governor has opposed this step. A bill was introduced in 2004 to create this new department, but it failed to pass.

In addition, campaign members acknowledge that internal issues of race, class, gender, and power arose during the campaign as to who made which decisions when, differing "bottom lines" during negotiations, and communication and information sharing. "These issues were not dealt with at the start of the campaign, but they must be addressed in a real and meaningful way before the next campaign is built," states Xochitl Bervera of FFLIC.

Replicability

Other organizations have begun to take the lessons of the Close Tallulah Now! campaign to push for reform in their states. Mississippi is currently building political momentum for their Juvenile Justice Reform Act of 2005, which they hope will close their two youth prisons, as well as reform the system as a whole. Advocates in Alabama are considering using the methodology used to win CTN to close down the infamous women's prison there, arguing that small, regionally-based, therapeutic facilities are more appropriate for adult female prisoners, as well. CTN and Act 1225 serve as reminders that campaigns must build the political momentum necessary to drive legislative policy, and then legislative policy must be used to build more momentum to implement the changes that actually make a meaningful difference in people's lives and in the balance of power.