



**State of Louisiana
Office of the Governor**

**APPROVED
3/20/19**

**Louisiana Commission on Law Enforcement
and Administration of Criminal Justice
Juvenile Justice & Delinquency Prevention Advisory Board
Meeting Minutes**

Clarion Inn and Suites Conference Center
501 N. Highway 190
Covington, LA 70433
Phone: 985-893-3580
December 5, 2018
9:00 a.m.

I. Call To Order

The quarterly meeting of the Juvenile Justice and Delinquency Prevention Advisory Board was called to order at 9:00 a.m. on Wednesday, December 11, 2018, by Dr. John S. Ryals, Jr., proxy for Board Chairman Mr. Julio Galan.

II. Roll Call

Ms. LaShinna Irons conducted the roll call, and a membership quorum was present.

Board members or their representatives present included:

Dr. John S. Ryals, Jr., proxy for Ms. Amanda L. Calogero, Mr. Julio R. Galan, and Dr. Stephen W. Phillippi; Ms. ViEve Martin-Kohrs, proxy for Ms. Avrie G. Celestine; Mr. Ted Cox; Ms. Claire T. Daly; Ms. Marcella A. Elliott; Ms. Billie Giroir; Mr. Curtis Hooks; Ms. Dana Menard; Mr. Joshua Muller; Reverend Marc A. Napoleon; Dr. Darrell L. Renfro; and Dr. Tiffany R. Wilkerson-Franklin

LCLE staff in attendance:

Chief Jim Craft; Ms. Rutha Chatwood; Mr. Demetrius Joubert; Ms. Martha Addison; Ms. LaShinna Irons; Ms. Nakia Harris; Ms. Brittany Onezine; and Ms. Melanie Vick.

District Directors or their representatives in attendance:

Mr. Jeremy Edwards, Northwest Law Enforcement Planning District, Inc. and Red River Delta Law Enforcement Planning Council, Inc.; Ms. Marky Tucker, North Delta Law Enforcement Planning District, Inc.; Ms. Amanda Bourque, Evangeline Law Enforcement Council, Inc.; Ms. Wanda Johnson and Dawn Hawkins, Capital District Law Enforcement Planning Council, Inc.; Ms. Calli Peloquin, Southwest District Law Enforcement Planning Council, Inc.; Ms. Jody Moreau, Jefferson Parish Criminal Justice Coordinating Council and Metropolitan District Law Enforcement Planning Action Commission, Inc.; and Mr. George Lawrence, City of New Orleans/Office of Criminal Justice Coordination.

Guests that attended the meeting:

Mr. Lee Clemons, 26th Judicial District Attorney's Office; Mr. Jack L. Duty, CASA-Natchitoches; Ms. Leslie R. Chambers, Governor's Office; Ms. Leigh Anne Wall, Louisiana District Attorney's Association; Ms. M. A. Patterson, New Orleans Police Department; Ms. Carrie Dean, Office of Juvenile Justice Services; Ms. Desiree Cook-Calvin, Ms. Tina Haines, and Ms. Louise Gray, Orleans Parish Juvenile Court; and Ms. Sarah Omojola, Welcoming Project.

III. Adoption of Agenda (December 5, 2018)

Dr. Ryals called for a motion to accept the agenda as presented. A motion was made by Mr. Hooks, seconded by Rev. Napoleon, and the motion passed.

IV. Old Business

A. Consideration of September 26, 2018, JJDP Advisory Board Meeting Minutes

Dr. Ryals called for a motion to approve the minutes from the meeting held September 26, 2018. A motion was made by Ms. Menard and seconded by Mr. Hooks. The motion passed.

B. Other Old Business

Dr. Ryals called for Other Old Business, and there was none to discuss.

V. New Business

A. Consideration of JJDP Allocation

**District 9 - City of New Orleans Office of Criminal Justice Coordination
Representative: Ms. Tenisha Stevens**

Prior Grant Number	District Number	Program	Applicant Agency	Project Title	Funds Requested
4222	9	JF (2017)	Orleans Parish Juvenile Court	Teen Court Works Program	\$42,877
District 9 Total Allocation					\$42,877

Dr. Ryals called for a motion to approve the above allocation. A motion was made by Mr. Hooks, seconded by Rev. Napoleon. The motion passed.

Abstention:

Mr. Joshua Muller abstained on Orleans Parish Juvenile Court.

B. Consideration of JJDP (JF) Application

**District 9 - City of New Orleans Office of Criminal Justice Coordination
Representative: Ms. Tenisha Stevens**

Grant Number	District Number	Program	Applicant Agency	Project Title	Funds Requested
4222	9	JF (2017)	Orleans Parish Juvenile Court	Teen Court Works Program	\$42,877

Dr. Ryals called for a motion to approve the above application. A motion was made by Ms. Daly, seconded by Ms. Giroir. The motion passed.

Abstention:

Mr. Joshua Muller abstained on Orleans Parish Juvenile Court.

VI. Reports

A. Federal Issues/Updates

Mr. Joubert reported that he's received the 2018 applications and working on a budget. JJDP received \$620,000, which is a \$126,000 increase.

B. Juvenile Justice Federal Programs

Mr. Demetrius Joubert

Mr. Joubert mentioned that we hired a new employee, Shantia Jones; who will be the the new JDAI/DMC State Coordinator.

C. Governor's Conference and DMC Committee Reports

Ms. Menard reported that the contracts have been signed for the Marriott hotel in New Orleans for the 2019 Governor's Conference that will be held April 24th-26th.

D. Report from Judge Michelle Breaux

Ms. Rachele Gassert and Dane Bolin presented "Raise the Age Implementation". (See attached)

VII. Other New Business

Dr. Ryals called for other new business, and there was none to discuss.

VIII. Next Meeting

JJDP Board Meeting: March 20, 2019 @ 9:00 a.m.

Commission Meeting: March 21, 2019 @ 10:00 a.m.

Location:

Baton Rouge Marriott

5500 Hilton Ave, Baton Rouge, LA 70808

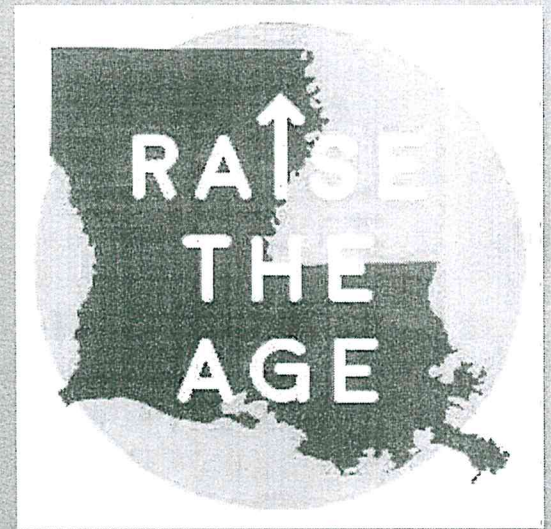
Phone: 225-924-5000

IX. Meeting Adjournment

There being no further business to conduct, Dr. Ryals called for a motion to adjourn. A motion was made by Mr. Hooks, seconded by Ms. Martin-Kohrs, and the motion passed. The meeting adjourned at 9:45 a.m.

Submitted by: LaShinna Irons

Raise the Age Implementation



Raise the Age (RTA)

- June 2016 - SB 324 raised the age of juvenile court jurisdiction so that 17-year-olds will not be automatically treated as adults
- Two phases
 1. March 1, 2019 - 17-year-olds charged with non-violent offenses as defined in R.S. 14:2 will enter the juvenile justice system
 2. July 1, 2020 - 17-year-olds charged with crimes of violence will enter the system
- Important to know: This law only applies to 17-year-olds arrested and charged with nonviolent offenses on or after March 1, 2019 AND 17-year-olds arrested/charged with violent offenses on or after July 1, 2020

Raise the Age: Phase 1

- **March 1, 2019:**
- Youth alleged to have committed nonviolent offenses at the age of 17 will be considered juveniles
- Youth alleged to have committed crimes of violence at age 17 will continue to be treated as adults.
- If a young person is charged with both a violent and non-violent offense, they can be treated as an adult for the violent charge (e.g., booked in the adult jail), but the non-violent offense should be processed as a juvenile charge.
- This law is **not** retroactive.

Crimes of Violence

Committing or attempting to commit the following:

1. Solicitation for murder
2. 1st and 2nd deg. murder
3. Manslaughter
4. Agg. battery
5. 2nd degree battery
6. Agg. Assault
7. 1st, 2nd, 3rd deg. rape
8. Sexual battery
9. 2nd deg. sexual battery
10. Intentional exposure to AIDS virus
11. Agg. kidnapping
12. 2nd deg. kidnapping
13. Simple kidnapping
14. Agg. Arson
15. Agg. crim. damage to property
16. Agg. burglary
17. Armed robbery
18. 1st deg. robbery
19. Simple robbery
20. Purse snatching
21. Assault by drive-by-shooting
22. Agg. crime against nature
23. Carjacking
24. Terrorism
25. Agg. 2nd deg. battery
26. Agg. assault upon a peace officer
27. Agg. assault w/ firearm
28. Armed robbery; use of firearm; additional penalty
29. 2nd deg. robbery
30. Disarming peace officer
31. Stalking
32. 2nd deg. cruelty to juveniles
33. Agg. flight from officer
34. Battery of police officer
35. Trafficking of children for sexual purposes
36. Human trafficking
37. Home invasion
38. Domestic abuse agg. assault
39. Vehicular homicide*
40. Agg. Assault on dating partner
41. Domestic abuse battery punishable under R.S. 14:35.3(M)(2) or (N).
42. Battery of a dating partner punishable under R.S. 14:34.9(L)(2) or (M).
43. Violation of a protective order if the violation involves a battery or any crime of violence as defined by this Subsection against the person for whose benefit the protective order is in effect.
44. Criminal abortion.
45. First degree feticide.
46. Second degree feticide.
47. Third degree feticide.
48. Agg. criminal abortion by dismemberment.

*Refer to statute for specifics

Why RTA?

- Children in the juvenile justice system are **less likely** to reoffend than those prosecuted as adults because only the juvenile system provides age-appropriate services to get kids on the right track.
- **Over 90%** of 17-year-olds are arrested for offenses that involve neither violence nor a weapon.
- Youth in adult facilities face high rates of physical abuse and sexual assault, and are **likely** to commit suicide than children in juvenile facilities.

How to implement raise the age

- Address delinquency of 17-year-olds just like you have addressed delinquency of other minors
- Use detention as a last resort
- Exercise discretion to **COUNSEL AND RELEASE** 17-year-olds to the care of their parents with a written promise to appear in court when notified
 - Children's Code Art. 814


Louisiana Law Gives Law Enforcement Significant Discretion

Louisiana Children's Code Article 814

Discretion to not make an arrest:

Art. 814. Taking child into custody without a court order; duties of the officer; duties of the court

A. A child **may** be taken into custody without a court order or warrant by a peace officer or probation officer if the officer has probable cause to believe that the child has committed a delinquent act.




Opportunity for police diversion

Discretion to release youth to parents:

Art. 814 (B) If a child is taken into custody without a court order or warrant, the officer shall have the responsibility to **either**:

(1) **Counsel and release the child to the care of his parents upon their written promise to bring the child to court at such time as may be fixed by the court.**

(2) Promptly escort the child to the appropriate facility in accordance with Article 815.



Opportunity to avoid detention

Consider Counsel and Release for:

1. Criminal mischief
2. Criminal trespass
3. Disturbing the peace
4. Minor traffic violations
5. Misdemeanor illegal possession of stolen things
6. Misdemeanor obstruction of justice
7. Misdemeanor theft/theft of goods
8. Obstructing public passages
9. Simple assault
10. Simple battery
11. Simple possession of marijuana
12. Simple burglary

Other strategies to ensure effective implementation:

- Reduce the use of pre-trial detention (Detention Screening)
- Develop and Increase the use of Alternatives to Detention
- Make probation and aftercare approaches more effective
- Address young people's mental health needs outside of the juvenile justice system
- Reduce reliance on facilities and focus resources on community based approaches/resources
- Expand the use of diversion
- Keep young people safe by complying with the Prison Rape Elimination Act (PREA)
- Improve Juvenile Justice Systems' management of resources and strengthen strategies to serve young people more effectively

Raise the Age Reference Card

Under the **Raise the Age Louisiana Act** people younger than 18 years old are **children** who are subject to juvenile justice system and procedures starting on March 1, 2019. However, some 17-year-olds will continue to be considered adults. 17-year-olds who are charged with crimes of violence (see back of this card) will remain subject to the adult criminal justice system procedures until July 1, 2020.

This card will expire on 6/30/2020

Offenses in accordance with R.S. 14.2(B):

- | | | |
|--|---------------------------------------|---|
| 1. Solicitation for murder | 16. Agg. burglary | 31. 2nd deg. robbery |
| 2. 1st and 2nd deg. murder | 17. Armed robbery | 32. Disarming peace officer |
| 3. Manslaughter | 18. 1st deg. robbery | 33. Stalking |
| 4. Agg. battery | 19. Simple robbery | 34. 2nd deg. cruelty to juveniles |
| 5. 2nd degree battery | 20. Purse snatching | 35. Agg. flight from officer |
| 6. Agg. Assault | 21. Assault by drive-by-shooting | 36. Battery of police officer |
| 7. 1st, 2nd, 3rd deg. rape | 22. Agg. crime against nature | 37. Trafficking of children for sexual purposes |
| 8. Sexual battery | 23. Carjacking | 38. Human trafficking |
| 9. 2nd deg. sexual battery | 24. Terrorism | 39. Home invasion |
| 10. Intentional exposure to AIDS virus | 25. Agg. 2nd deg. battery | 40. Domestic abuse agg. assault |
| 11. Agg. kidnapping | 26. Agg. assault upon a peace officer | 41. Vehicle from child* |
| 12. 2nd deg. kidnapping | 27. Agg. assault w/ firearm | 42. Agg. Assault on dating partner |
| 13. Simple kidnapping | 30. Armed robbery; use of property | *Refer to statute for specifics |

This card will expire on 6/30/2020

Raise the Age Referral Card

When an officer stops a child on suspicion of committing a delinquent offense without a warrant or court order, the officer has discretion to **NOT** transport the child to a detention center.

The officer can **COUNSEL AND RELEASE** the child to the care of his/her parents with a written promise to appear in court when notified. (La. Ch. Code Art. 814)

This card will expire on 6/30/2020

Consider counsel & release for the following offenses:

- | | |
|--|------------------------------------|
| 1. Criminal mischief | 7. Misd. theft/theft of goods |
| 2. Criminal trespass | 8. Obstructing public passages |
| 3. Disturbing the peace | 9. Simple assault |
| 4. Minor traffic violations | 10. Simple battery |
| 5. Misd. illegal possession of stolen things | 11. Simple possession of marijuana |
| 6. Misd. obstruction of justice | 12. Simple burglary |

This card will expire on 6/30/2020

Contact information

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