



ModelsforChange

Systems Reform in Juvenile Justice

Louisiana: System Snapshot

Delinquency services are organized at both the state and local level in Louisiana. Parish (county) governments, parish boards and commissions, juvenile courts, and law enforcement departments administer secure detention. The Louisiana Youth Services, Office of Youth Development (OYD), provides predisposition investigation, probation supervision, and aftercare supervision services through 13 offices. OYD also administers the state's public commitment facilities. In five urban parishes, local executive agencies fund probation services and may also administer local probation services. In Caddo Parish, the juvenile court administers probation services.

| Legal Framework | |
|---|---|
| Juvenile Court Purpose Clause / Primary Emphasis | Standard Juvenile Court Act: "child shall receive...care, guidance, and control that will be conducive to his welfare and the best interests of the state..." |
| Juvenile Court Jurisdiction in Delinquency Matters | |
| Lower Age | 10 |
| Upper Age | 16 |
| Extended Age for Disposition Purposes | 20 |
| Transfer Provisions: Minimum Age / Offenses (As of 2004 legislative session) | |
| Discretionary Waiver | 14 / murder; certain person offenses |
| Presumptive Waiver | No provision |
| Mandatory Waiver | 15 / murder; certain person offenses |
| Direct File | 15 / att. murder; certain person, property or drug offenses |
| Statutory Exclusion | 15 / murder; certain person offenses |
| Reverse Waiver | No provision |
| Once an Adult, Always an Adult | No |
| Blended Sentencing Provisions | No provision |
| Delinquency Services | |
| Delinquency Services Model | Combination State |
| Level / Branch of Agency | |
| Detention | Local/Combination |
| Probation Supervision | State/Executive; Local/Judicial; Local/Executive |
| Juvenile Corrections | State/Executive |
| Aftercare Supervision | State/Executive |

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Key Agencies

| | |
|---|---|
| Court(s) with Delinquency Jurisdiction | Juvenile Courts in Caddo, Orleans, Jefferson, and East Baton Rouge parishes. District, Parish, or City Courts elsewhere. (Calcasieu has a Unified Family Court as part of District Court.) |
| Type of Jurisdiction | Limited jurisdiction except for District Courts, which are general jurisdiction |
| Court's Authority / State Commitment: | |
| Placement Decisions | The court can recommend a secure or non-secure placement in the disposition order. By OYD policy, the court is almost always allowed to select the initial type of assignment (secure or non-secure). However, OYD decides placement specifics. |
| Length of Stay Decisions | Both indeterminate or determinate commitments |
| Release Decisions | Court makes the release decision |
| Court's Authority to Place w/o State Commitment | Yes |
| Prosecution | District Attorney |
| Authority to File Petition / Intake decision making | Local prosecutors receive delinquency complaints and draft petitions, but also permit the court to designate another official for this responsibility. As a result, the intake process and the responsibility for drafting petitions vary across the state. Where OYD administers probation, district attorneys review court intake decisions (e.g., manner of handling and offenses charged in the petition). However, local arrangements vary in the five urban parishes that support their own juvenile probation departments. |
| Indigent Defense* | No statewide system; each judicial district has an Indigent Defense Board that selects 1 of 4 methods |
| State Funding | 25% |
| Juvenile Probation | The Louisiana Youth Services, Office of Youth Development administers probation supervision through 13 district offices. In five urban parishes (Caddo, Calcasieu, Jefferson, East Baton Rouge, Rapides), probation is administered locally. |
| Supervision Range | Varies, depending on administration |
| Juvenile Corrections Agency | Office of Youth Development (2004) |
| Facilities | Three secure correctional centers OYD administers aftercare supervision through its 13 district offices, including to the 5 locally administered probation departments. |
| State Advisory Group | Juvenile Justice Delinquency Prevention Advisory Board staffed by the Louisiana Commission on Law Enforcement and Administration of Criminal Justice |

*Please refer to the National Juvenile Defender Center's web site (www.njdc.info/state_data.php)

Please refer to NCJJ's State Juvenile Justice Profiles web site (www.ncjj.org/stateprofiles) for more information.

Louisiana: Statistical Snapshot

| Demographic | State | % change* 1990-2005 |
|--|--------------|--------------------------------|
| Juvenile (0–16) population, 2005 | 1,080,048 | -5.3% |
| Black, non-Hispanic proportion of juvenile population, 2005 | 40.8% | 2.0% |
| American Indian, non-Hispanic proportion of juvenile population, 2005 | 0.6% | 19.8% |
| Asian, non-Hispanic proportion of juvenile population, 2005 | 1.5% | 24.5% |
| Hispanic** proportion of juvenile population, 2005 | 2.9% | 29.2% |
| Health | State | National |
| Teenage birth rates (per 1,000 females, 15–17), 2003 | 30.1 | 22.4 |
| <i>Percent change in teenage birth rate, 1991–2003</i> | -41.1% | -42.1% |
| Suicide rate (per 1,000,000 persons, 7–17) 1981–2003 | 30.9 | 27.4 |
| Homicide rate (per 1,000,000 persons, 7–17) 1981–2003 | 56.3 | 34.4 |
| Education | State | National |
| Average freshman graduation rate* of public high school students, 2002-03 | 64.1% | 73.9% |
| Percent of population (25 year and older) who are high school graduates*, 2005 | 80.5% | 84.2% |
| Economic | State | National |
| Proportion of children (0–17) in poverty, 2005 | 24.7% | 17.6% |
| Proportion of children (0–17) without health insurance, 2000 | 14.1% | 11.9% |
| Median income for families with children under age 18, 1999 | \$37,886 | \$48,196 |
| Arrests* | State | National |
| Juvenile (0–17) proportion of all arrests, 2004 | 14.8% | 15.8% |
| Juvenile (0–17) Violent Crime Index (VCI) arrest rate**, 2004 | 387 | 271 |
| <i>Percent change in juvenile VCI arrest rate, 1995–2004</i> | -26.3% | -44.9% |
| Juvenile (0–17) Property Crime Index (PCI) arrest rate**, 2004 | 1,992 | 1,346 |
| <i>Percent change in juvenile PCI arrest rate, 1995–2004</i> | -29.6% | -45.2% |
| Custody | State | National |
| Commitment rate* (per 100,000 juveniles, 10–16), 2003 | 246 | 219 |
| <i>Offense profile** of committed juveniles, 2003:</i> | | |
| Person offenses | 29% | 36% |
| Property offenses | 37% | 30% |
| Technical violations | 2% | 11% |
| Detention rate* (per 100,000 juveniles, 10–16), 2003 | 136 | 83 |
| <i>Offense profile** of detained juveniles, 2003:</i> | | |
| Person offenses | 34% | 31% |
| Property offenses | 35% | 24% |
| Technical violations | 9% | 23% |

Data Sources and Notes

| Demographic | |
|---|---|
| Data Source: | Puzzanchera, C., Finnegan, T., and Kang, W. (2006). <i>Easy Access to Juvenile Populations</i> . Online. Available: http://www.ojjdp.ncjrs.gov/ojstatbb/ezapop/ |
| Notes: | * Percent change based on annual estimates for each population subgroup. ** Persons of Hispanic ethnicity may be of any race, i.e., white, black, American Indian, or Asian. |
| Health | |
| <i>Teenage birth rates</i> | |
| Data Source: | Martin J.A., Hamilton B.E., Sutton P.D., et al. (2005). "Births: Final data for 2003." <i>National Vital Statistics Report</i> , 54, (2) National Center for Health Statistics. Online. Available: http://www.cdc.gov/nchs/data/nvsr/nvsr54/nvsr54_02.pdf |
| <i>Suicide and homicide rates</i> | |
| Data Source: | National Center for Health Statistics, National Center for Injury Prevention and Control. (2006). <i>WISQARS (Web-Based Injury Statistics Query and Reporting System)</i> [interactive database system]. Online. Available: http://www.cdc.gov/ncipc/wisqars |
| Education | |
| <i>Average freshman graduation rate of public high school students</i> | |
| Data Source: | Seastrom, M., Hoffman, L., Chapman, C., and Stillwell, R. (2005). <i>The Averaged Freshman Graduation Rate for Public High Schools From the Common Core of Data: School, 2002-03</i> . National Center for Education Statistics. Online. Available: http://nces.ed.gov/pubs2006/2006601.pdf |
| Notes: | * The rate for 2002-03 is computed by dividing the number of regular diplomas issued in school year 2002-03 by the number of estimated first-time 9th graders in 1999-2000. |
| <i>Percent of people (25 years and over) who have completed high school</i> | |
| Data Source: | U.S. Census Bureau. (2005). <i>American Community Survey</i> . Educational Attainment: Table R1401. Online. Available: http://factfinder.census.gov |
| Notes: | * Includes high school equivalency. Data are limited to the household population and exclude the population living in institutions, college dormitories, and other group quarters. |
| Economic | |
| <i>Proportion of children in poverty</i> | |
| Data Source: | U.S. Census Bureau. (2006). Current Population Survey. <i>Annual Social and Economic Supplement</i> . Table POV46: Poverty status by state, 2005. Online. Available: http://pubdb3.census.gov/macro/032006/pov/toc.htm |
| <i>Proportion of children without health insurance</i> | |
| Data Source: | U.S. Census Bureau. (2005). <i>Small Area Health Insurance Estimates Program</i> . State Data Files, 2000. Online. Available: http://www.census.gov/hhes/www/sahie/data.html |
| <i>Median income for families with children under age 18</i> | |
| Data Source: | U.S. Census Bureau. (2000). <i>Census 2000 Summary File 3 (SF 3)</i> . Sample Data. PCT39. Median Family Income in 1999 by presence of children under age 18. Online. Available: http://factfinder.census.gov |
| Arrests | |
| Data Source: | Puzzanchera, C., Adams, B., Snyder, H., and Kang, W. (2006). <i>Easy Access to FBI Arrest Statistics 1994-2004</i> . Online. Available: http://ojjdp.ncjrs.gov/ojstatbb/ezaucr/ |
| Notes: | * In many states, data reported to the FBI are incomplete. The data presented in Easy Access to FBI Arrest Statistics are based on estimates that account for missing data. Each state has a Coverage Indicator that represents the proportion of the state population for which arrest counts were available in a given year and for which no estimates were required. The lower the coverage indicator; the greater the likelihood that the estimates do not accurately reflect the arrest activities of the state. As a result, only jurisdictions with a coverage indicator at or above 70% are displayed for this presentation. To view state coverage indicators, please visit http://ojjdp.ncjrs.gov/ojstatbb/ezaucr/asp/coverage.asp ** Juvenile arrest rates are calculated as the number of arrests of persons under age 18 per 100,000 persons age 10 to 17 in the United States. |
| Custody | |
| Data Source: | Sickmund, M., Sladky, T.J., and Kang, W. (2005). <i>Census of Juveniles in Residential Placement Databook</i> . Online. Available: http://www.ojjdp.ncjrs.org/ojstatbb/cjrp/ |
| Notes: | * The rate is the number of youths in residential placement per 100,000 youth ages 10 through the upper age of original juvenile court jurisdiction in each state. ** The offense profile detail will not sum to 100%; drug, public order, and status offenses are not included for this presentation. |