

***STATE OF LOUISIANA
LEGISLATIVE AUDITOR***

**Housing and Rehabilitation of
Juvenile Offenders**

February 1997



Performance Audit Division

***Daniel G. Kyle, Ph.D., CPA, CFE
Legislative Auditor***

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February 1997



**Performance Audit
Office of Legislative Auditor
State of Louisiana**

**Daniel G. Kyle, Ph.D., CPA, CFE
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February 19, 1997

The Honorable Randy L. Ewing,
President of the Senate
The Honorable H. B. "Hunt" Downer, Jr.,
Speaker of the House of Representatives
and
Members of the Legislative Audit Advisory Council

Dear Legislators:

This is our report of the performance audit of the Housing and Rehabilitation of Juvenile Offenders. We conducted this audit under provisions of Title 24 of the Louisiana Revised Statutes of 1950, as amended. All performance audits are conducted in accordance with generally accepted government auditing standards.

The report presents our findings, conclusions, and recommendations. We have also identified matters for legislative consideration. Included in Appendix D is the response of the Department of Public Safety and Corrections, Corrections Services.

Sincerely,

A handwritten signature in cursive script that reads "Daniel G. Kyle".

Daniel G. Kyle, CPA, CFE
Legislative Auditor

DGK/jl

[JUVENILE]



Office of Legislative Auditor

Executive Summary

Performance Audit

Housing and Rehabilitation of Juvenile Offenders

Through the Office of Youth Development at the Department of Public Safety and Corrections, Corrections Services, the state spent more than \$70 million to house and rehabilitate juvenile offenders in fiscal year 1996. Our performance audit found that:

- ♦ No sentencing guidelines exist in state law for most juvenile offenses. Thus, judges have broad discretion in the disposition of juvenile cases. This leads to juvenile offenders receiving different sentences for similar crimes. Some states have developed a system of graduated sanctions that provides for punishments that are equivalent to offenses.
- ♦ Public safety may be jeopardized when juvenile offenders are not placed timely or do not receive placements that meet their needs for rehabilitation.
- ♦ The state does not devote sufficient resources to probation and parole services. Therefore, juvenile offenders assigned probation or awarded parole may not receive adequate supervision.
- ♦ Despite increases in capacity, the availability of institutional beds for juvenile offenders has not kept up with demand.
- ♦ The state should seek to provide more programs aimed at preventing juvenile crime. These programs may not only reduce juvenile crime rates but also the cost of the juvenile justice system.
- ♦ Required long-term sentences and high recidivism are among the problems that lessen the space available in Office of Youth Development facilities.

Audit Initiation and Objectives

In August 1995, the Legislative Audit Advisory Council authorized this performance audit of the housing and rehabilitation of juvenile offenders.

The audit objectives were to:

- ♦ Determine if the placements of juvenile offenders are timely, ensure public safety, and provide the most appropriate setting
- ♦ Identify successful prevention, intervention, and aftercare programs that have been implemented by other states

Housing and Rehabilitation of Juvenile Offenders

In Louisiana, a separate set of laws, the Children's Code, covers serious offenses committed by persons under the age of 17 and certain less serious offenses by persons under the age of 18 (juveniles). The Office of Youth Development within the Department of Public Safety and Corrections, Corrections Services is responsible for assigning juvenile offenders to either a facility or supervision once the court gives the Office of Youth Development legal custody. During fiscal year 1996, the state of Louisiana spent \$70,354,182 through the Office of Youth Development to house and rehabilitate juvenile offenders. This is approximately 18 percent more than for fiscal year 1995 and 36 percent more than for fiscal year 1994. (pages 3, 5, 9-10)

There are no sentencing guidelines in the Children's Code that apply to juvenile crimes, except for certain serious offenses covered by Article 897.1. Thus, the disposition (sentence) of juvenile cases is subject to each judge's discretion. As a result, juvenile offenders may receive different sentences for similar crimes. Furthermore, juveniles may commit several crimes before receiving a sentence providing for rehabilitative services.

Inconsistencies in sentences add to the Office of Youth Development's difficulties in managing its bed space. Some states have implemented a system of graduated sanctions into law. These sanctions provide for specific punishments that correspond to specific offenses. For example, only the most serious offenders are placed in a secure facility. In addition, juvenile offenders may sometimes receive inappropriate placements if they have special needs that make finding an appropriate setting difficult.

The state does not devote sufficient resources to probation and parole services. Judges may recommend that juvenile offenders be placed in a residential facility if too few probation officers are available. Consequently, the shortage of probation and parole services can lead to a backlog of youths waiting to be placed in residential facilities. (pages 20-21)

Although the state has increased funding to provide more beds for juvenile offenders, these efforts have not kept up with the demand. Juvenile offenders in our sample were not always placed in an Office of Youth Development facility within 30 days of sentencing. Judges may require the Office of Youth Development to place a juvenile offender in a secure facility within 30 days. However, there is no time requirement for non-secure placements. In our analysis, we used the 30-day requirement for both types of care. In addition, offenders who are placed do not always receive placements that are appropriate. If offenders do not receive timely placements or placements that are appropriate, rehabilitation may be hindered and public safety jeopardized. (pages 22-35)

The Children's Cabinet, established in 1992, is supposed to coordinate the delivery of services to children and their families. However, this entity does not currently address juvenile rehabilitation and is set for termination on January 1, 1997. (pages 37-38)

Recommendations

- 1. The Office of Youth Development should develop and implement performance measures for all of its rehabilitative programs, especially those relating to education. This data should be used to evaluate the effectiveness of rehabilitative efforts.**
- 2. The Office of Youth Development should develop performance measures to measure the effectiveness of contractors who provide non-secure services. These measures should include educational and/or vocational progress of juveniles in their care.**

Matters for Legislative Consideration

1. The legislature may wish to re-enact legislation providing for the Children's Cabinet. Then, the legislature may wish to require better coordination, communication, and cooperation among the Children's Cabinet, the Office of Youth Development, the courts, and other state agencies that provide services to children. Along with other children's issues, the re-created Children's Cabinet should ensure that juvenile offender issues are addressed. Among those issues should be the following:
 - ♦ Provide input on the promulgation of general guidelines for juvenile offender sentencing
 - ♦ Assist the Office of Youth Development with developing a comprehensive plan for better use of the state's scarce housing and rehabilitation resources
2. The legislature may wish to fund more Office of Youth Development probation and parole services, which are less costly than non-secure and secure environments.

Prevention, Intervention, and Aftercare

Certain risk factors and population trends may affect juvenile crime rates. However, few programs exist in Louisiana to steer juveniles from lives of crime. Those that do exist are only available to a small number of youth in the state. Several other states have begun to invest more in efforts aimed at preventing youth from beginning or returning to lives of crime. These types of programs are far less costly than incarceration. (pages 41-43, 49-50, 54-55)

To contain and eventually reduce the costs of juvenile crime, the state should adopt a more proactive approach to juvenile crime by instituting programs that will deter children from beginning or returning to lives of crime. Thus, the state should examine alternative, cheaper methods of addressing juvenile crime and reducing recidivism rates among juvenile offenders. (pages 54-55)

Recommendations

- 1. The Office of Youth Development should work with other state and local entities to define the at-risk population.**
- 2. The Office of Youth Development should work with other state and local entities to develop prevention programs targeted at the at-risk population.**
- 3. The Office of Youth Development should play a greater role in the development and implementation of intervention and aftercare programs that offer alternatives to incarceration.**

Matters for Legislative Consideration

- 1. The legislature may wish to ensure a continuum of services to at-risk youths and juvenile offenders by funding appropriate prevention, intervention, and aftercare programs. The legislature may also wish to fund these programs at levels sufficient to permit periodic and long-term evaluations of program outcomes.**
- 2. The legislature may wish to direct the Children's Cabinet (if re-enacted) to develop a comprehensive prevention, intervention, and aftercare plan. This plan should identify the additional programs needed to provide a continuum of services as well as provide for the coordination of new and existing programs for at-risk juveniles.**

Glossary

Adjudication	The court hearing that determines the guilt or innocence of the juvenile.
Children's Code	Effective January 1, 1992, and applicable to all juvenile court proceedings, except as specified. The Children's Code provides guidance for the juvenile justice system and allows broad discretion to judges having jurisdiction over juvenile offenders.
Custody	Legal responsibility for a juvenile offender. Physical custody occurs when a juvenile offender is actually placed in a facility.
Delinquent Act	An act committed by a child 10 years of age or older that, if committed by an adult, is designated as an offense under the statutes or ordinances of the state.
Discharge	Termination of the Department of Public Safety and Corrections' responsibility for a juvenile. A discharge may occur in both custody and supervision cases.
Disposition	The equivalent of adult sentencing for juveniles.
Detention Center	A holding facility providing physically restrictive care for juveniles awaiting court action. A juvenile alleged to have committed a delinquent act can be placed in a detention center.
Felony-Grade Delinquent Act	An offense that, if committed by an adult, may be punished by death or by imprisonment at hard labor.
Judge	Any city, parish, district, or juvenile court judge, when exercising juvenile jurisdiction as provided for in the Children's Code.

Juvenile Information and Records Management System (JIRMS)	Electronic database used by the Department of Public Safety and Corrections, Office of Youth Development to track juveniles in the department's custody.
Juvenile Reception and Diagnostic Center (JRDC)	The screening center for all juvenile offenders entering secure care. JRDC screening provides data on the offender's medical, physical, emotional, and intellectual conditions. This information assists staff in assigning a juvenile offender to the most appropriate institution.
Misdemeanor-Grade Delinquent Act	An offense other than a felony which, if committed by an adult, could require imprisonment.
Needs and Risk Assessments	Structured documents that assign numerical scores to certain types of juvenile problems. Needs and risk assessments provide the basis for individualized treatment plans.
Non-Secure Care	Community-based residential or non-residential programs for juvenile offenders conducted by private providers who have entered into contracts or purchase-of-service agreements with the Office of Youth Development.
Parole	A legal status created by court order, whereby a child is conditionally released from a juvenile correctional institution to a less restrictive setting. For the duration of parole, continued supervision will be provided by a probation officer and standards of conduct will be imposed by the court.
Placement	The authority granted solely to the Department of Public Safety and Corrections to assign juvenile offenders to facilities or programs operated by or affiliated with the agency through contractual or purchase-of-service agreements.
Probation	The legal status created by court order following an adjudication of delinquency or an adjudication that a family is in need of services, whereby a juvenile offender is permitted to remain in a community. For the duration of probation, supervision will be provided by a probation officer and standards of conduct will be imposed by the court.

Recidivism	The commission of a new offense that results in the return to Department of Public Safety and Corrections custody.
Release	The process by which a court order removes a juvenile offender from the custody of the Department of Public Safety and Corrections and permits the juvenile's supervised return to the community.
Secure Care	Highest level of custody for juvenile offenders. Facilities providing secure care include the three state operated juvenile institutions located in Baton Rouge, Bridge City, and Monroe as well as the privately operated Tallulah Correctional Center for Youth.
Status Offender	A juvenile who has violated a law enacted specifically for juveniles, such as truancy, ungovernableness, or consuming alcoholic beverages.
Supervision	Limited responsibility for monitoring the juvenile offender's activities.

Chapter One: Introduction

Audit Initiation and Objectives

In August 1995, the Legislative Audit Advisory Council authorized this performance audit of the housing and rehabilitation of juvenile offenders. The audit objectives were as follows:

- ♦ Determine if the placements of juvenile offenders are timely, ensure public safety, and provide the most appropriate setting
- ♦ Identify successful prevention, intervention, and aftercare programs that have been implemented by other states

Report Conclusions

For fiscal year 1996, the state of Louisiana, through the Department of Corrections, Corrections Services, Office of Youth Development (OYD), spent more than \$70 million on efforts to house and rehabilitate juvenile offenders. This amount was up from \$59 million spent the previous fiscal year.

Currently, state law provides no sentencing guidelines that apply to juvenile crimes other than the six offenses covered by Article 897.1 of the Children's Code. This gives judges broad discretion in the disposition of juvenile cases. As a result, juvenile offenders may receive different sentences for similar crimes. Inconsistencies in sentences further create difficulties for OYD in managing its bed space.

The state does not devote sufficient resources to probation and parole services. Judges may place juvenile offenders in residential care if not enough probation officers are available to provide ample supervision. Consequently, the shortage of probation and parole services aggravates bed shortages in residential facilities. Probation without effective supervision may encourage further delinquent behavior. More emphasis on intensive probation services would lessen the need for and provide cost-effective alternatives to residential placement.

Many juvenile offenders commit numerous crimes before OYD receives custody. Required long-term sentences and high recidivism rates are among the problems that lessen the space available in OYD facilities and delay the placement of offenders in OYD facilities. Approximately half of the juvenile offenders in our sample were not placed in residential custody within 30 days of disposition.

In addition, offenders are not always placed in settings that are appropriate. If offenders do not receive timely placements or placements that are appropriate, rehabilitation may be hindered and public safety jeopardized.

Many risk factors as well as population trends affect juvenile crime rates. The link between juvenile crime and teenage population growth is of immediate concern to our state. By the year 2005, significant increases in the number of teenagers in Louisiana between the ages of 15 and 19 is expected.

Louisiana has been responding to long-term increases in the juvenile crime rate by spending more for incarceration. Since 1991, the state has invested mostly in residential facilities for juvenile offenders. Despite adding more beds, the available space for juvenile offenders has not kept pace with demand. The addition of new bed space is unlikely to reach demand.

Given the high costs of incarceration and the high recidivism rates, the state should examine cheaper methods of preventing juvenile crime and reducing recidivism among juvenile offenders. To contain and eventually reduce the costs of juvenile crime, the state should adopt a proactive approach to juvenile crime by instituting programs that will deter children and adolescents from starting or continuing lives of crime.

History of Juvenile Justice

The first elements of juvenile justice systems in this country appeared in the late 1800s, when several states established reformatories for children. The creation of state juvenile justice systems was based on the assumption that juvenile offenders were young enough to be rehabilitated and deterred from returning to lives of crime. The primary common objective of state juvenile justice systems was to act in the best interest of the child.

Separate Laws Govern Juvenile Offenders

Generally, laws that govern crimes committed by adults do not apply to juveniles (persons under 18 years of age). In 1978, the Louisiana legislature enacted the Code of Juvenile Procedure. Act 235 of 1991 repealed the Code of Juvenile Procedure and enacted a new unit of state statutes, the Children's Code, for dealing with children's issues. This new unit of law, which became effective January 1, 1992, relates to juvenile court administration, services to families, children in need of care, delinquency, traffic violations, and other issues relating to children. The Children's Code allows judges who have jurisdiction over juvenile offenders broad discretion.

Article 728 of the Children's Code lists some unlawful acts that a juvenile might commit, but would not be crimes if committed by an adult. Juveniles committing these offenses are referred to as "status" offenders. Examples of status offenses include truancy, ungovernableness, or consuming alcoholic beverages.

Article 804 of the Children's Code lists the more serious juvenile offenses that are also crimes when committed by an adult. Juveniles committing these types of offenses are referred to as delinquent. Delinquent acts fall into two categories: felony-grade and misdemeanor-grade. Felony-grade delinquent acts are those acts that if committed by an adult may be punishable by death or imprisonment at hard labor. Misdemeanor-grade delinquent acts are those acts that if committed by an adult could require imprisonment. Examples of delinquent acts include murder, armed robbery, burglary, or disturbing the peace.

The number of felony-grade delinquent acts committed by juveniles has increased in recent years. As a result, Act 430 of 1993 added Article 897.1 to the Children's Code. For selected offenses, this act changed the primary objective of the juvenile justice system from action in the best interest of the child to the protection of society. This act covers cases involving certain serious crimes, such as first and second degree murder, aggravated rape, and armed robbery. Article 897.1(A) requires juvenile offenders adjudicated for the serious offenses listed in the article to be committed to the Department of Public Safety and Corrections without benefit of parole, probation, suspension of imposition or execution of sentence, modification, or furlough until age 21. These juvenile offenders are still treated as juveniles and serve their sentences at a juvenile facility.

Act 15 of the 1994 Third Extraordinary Session amended Article 857 of the Children's Code to permit 14-year-olds who commit certain specified serious offenses to be tried as adults and, if convicted, confined up to age 31. These juveniles are treated as adults and, if found guilty, serve their sentence in an adult facility.

Juvenile Justice System Includes Courts and OYD

In Louisiana, the courts adjudicate, or determine the guilt or innocence of, a juvenile accused of a crime. OYD incarcerates or supervises juveniles placed in its care. In addition, some juveniles may be routed to other services outside of OYD. See Appendix A for a flow chart of the juvenile justice system.

Court System

In Louisiana, four types of courts may exercise jurisdiction in juvenile matters: city courts, parish courts, state district courts, and juvenile courts. The city courts, parish courts, and district courts also exercise jurisdiction in non-juvenile matters. The four juvenile courts located in Caddo, East Baton Rouge, Jefferson, and Orleans parishes have jurisdiction over cases involving foster care, juvenile crime, and other matters involving juveniles.

Subsequent to arrest, several court hearings may occur. During this time, the court has two options for temporary placement. The juvenile offender may be:

- (1) permitted to remain at home; or
- (2) placed in a local juvenile detention center, depending on the nature of the crime and the availability of a local detention bed.

At the final hearing, the court determines the juvenile's guilt or innocence and his or her sentence. Article 901(C) of the Children's Code allows the court to commit status offenders or delinquents to OYD. The judge may order that the department take physical custody of the juvenile offender 30 days from the date of disposition (sentencing for juveniles). However, this order may only be made if the juvenile is in or is going to be housed in a parish detention facility and is recommended for secure placement.

Office of Youth Development

In Louisiana, the Department of Public Safety and Corrections (DPSC) through its OYD has sole authority over the placement, care, and treatment of juveniles placed in its custody by the court. OYD is comprised of the Division of Youth Services (DYS) and the Juvenile Corrections Institutions, formerly known as the Louisiana Training Institutes (LTIs). OYD provides three types of care: probation and parole, non-secure care, and secure care.

Probation and Parole Care (Supervision). When the court places a juvenile offender on probation or grants parole to an incarcerated offender, OYD, through DYS, monitors the offender's activities. However, the offender remains in the custody of his or her parent or legal guardian. Both status offenders and delinquents may be placed on probation, but only offenders released from secure custody may be placed on parole.

Juveniles on probation or parole receive the same type of services. The juvenile typically lives at home and attends school. An OYD probation officer periodically monitors the juvenile. The frequency of monitoring depends on the needs of the juvenile. OYD does not have a set capacity for juvenile offenders on probation or parole. As of June 28, 1996, OYD had 6,274 juvenile offenders in probation and parole care.

Non-Secure Care. OYD may receive physical custody as well as legal custody of juvenile offenders placed in non-secure care. Both status offenders and delinquents may be placed in non-secure care. The state does not maintain non-secure facilities, but does contract with private organizations for this service.

In fiscal year 1996, OYD contracted with 33 private providers for 54 non-secure programs. For fiscal year 1996, the department spent \$21.6 million on non-secure care. In addition, the average daily cost for residential non-secure care was \$76.23, or nearly \$28,000 per year per offender. As of March 31, 1996, OYD had a maximum capacity of 1,132 juvenile offenders for non-secure care. In June 1996, OYD had nearly 1,200 offenders that were either in a non-secure setting or pending such placement.

Non-secure programs include group homes, residential living, day programs, and trackers. The day programs and trackers are not residential settings. Rather, these programs allow the offender to remain at home, but be monitored more often than probation or parole. The trackers program provides highly structured surveillance and support services to delinquent youth. A complete listing of private providers and non-secure programs are included in Appendix C.

Some private providers serve foster care children from the Department of Social Services (DSS), Office of Community Services as well as juvenile offenders who have been placed in OYD custody. Private provider facilities and programs are located in many parts of the state and provide varying degrees of security. Depending on the placement of the juvenile and the availability of services, a juvenile offender may or may not draw upon services provided by other state agencies.

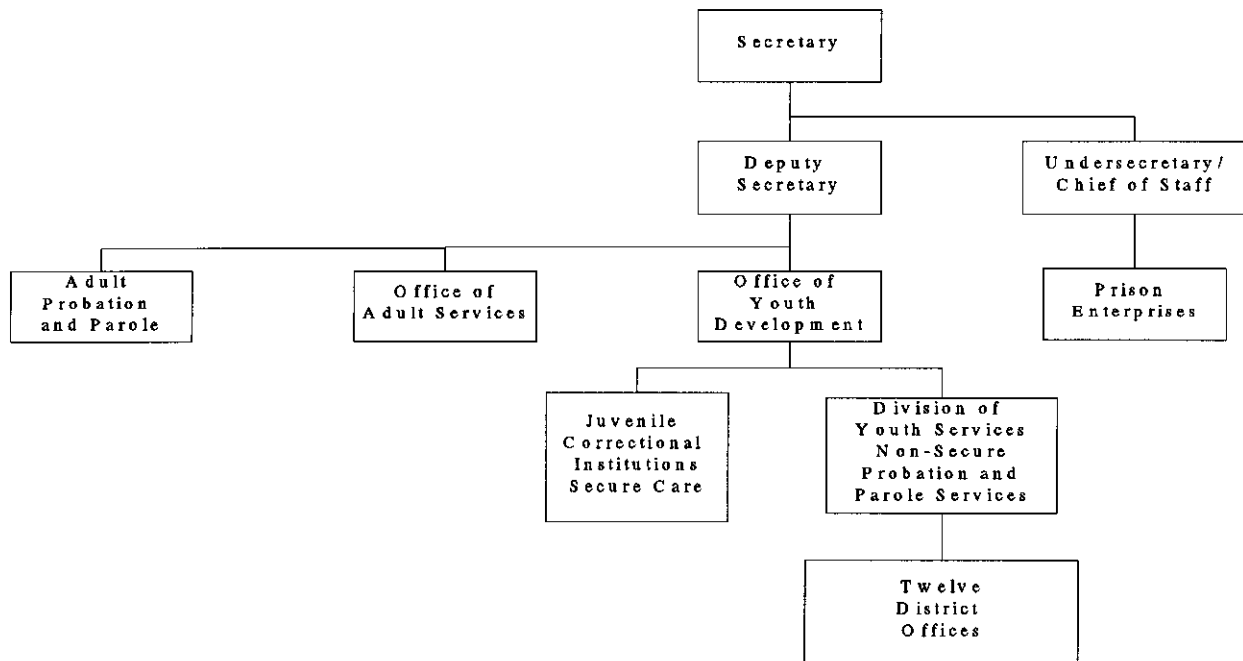
Secure Care. OYD receives legal and physical custody of juvenile offenders placed in secure care. The federal Juvenile Justice and Delinquency Prevention Act of 1974 mandates that only delinquents be placed in secure care. Secure care facilities include the three state-owned and operated Juvenile Correctional Institutions, Jetson Correctional Center for Youth in Baton Rouge, LTI-Bridge City, and Swanson Correctional Center for Youth (formerly LTI-Monroe), and the privately owned and operated Tallulah Correctional Center for Youth (TCCY). TCCY, established by a cooperative endeavor agreement between

OYD and the town of Tallulah, maintains a boot camp and a regular secure care facility.

For fiscal year 1996, OYD spent more than \$29.3 million at the three juvenile correctional institutions. The average daily cost for secure care in these facilities was \$72.26, or approximately \$26,375 per year per offender. As of March 31, 1996, OYD had a capacity of 1,672 juvenile offenders for secure care. In June 1996, OYD had 1,862 juvenile offenders who were either in a secure setting or pending such placement.

Field Services. DYS has 12 district offices located throughout the state. DYS is responsible for probation and parole and non-secure care. Exhibit 1-1 below displays an organization chart of the Department of Public Safety and Corrections, Corrections Services.

Exhibit 1-1
Department of Public Safety and Corrections, Corrections Services
Organization Chart
June 30, 1996



Source: Prepared by legislative auditor's staff from information provided by OYD.

District offices (field services) provide probation and parole services to juvenile offenders. In addition, these offices monitor the juveniles' placements and rehabilitative progress in non-secure care within their respective districts. District offices also maintain files of juveniles on probation, parole, or in non-secure care in their region and files for juveniles in secure care whose cases originated in their regions. Once a juvenile is placed in secure care, information contained in that juvenile's file is transferred to the secure facility.

Exhibit 1-2 below shows a five-year trend in the number of juveniles under OYD custody or supervision. Appendix B shows the populations of each type of care provided by OYD by sex, race, and age.

Exhibit 1-2
Five-Year Population Trend in
Office of Youth Development
Custody and Supervision of Juvenile Offenders

Status	April 1992	April 1993	May 1994	June 1995	June 1996
Secure	1,038	1,103	1,469	1,626	1,862
Non-secure	1,036	989	1,070	1,142	1,197
Probation/Parole	5,420	5,758	5,695	5,830	6,274
Total	7,494	7,850	8,234	8,598	9,333

Note: OYD did not maintain this data on a monthly basis but gathered it upon legislative request. Therefore, the dates used in this exhibit reflect the times that data requests were made.

Source: Prepared by legislative auditor's staff from data supplied by OYD.

Diversion Options

Louisiana's juvenile justice system allows options which divert juveniles from the courts and OYD. Diversion option decisions may be made by the district attorney or the judge. The district attorney may decide to drop charges and reprimand the juvenile or enter into an agreement, which contains written terms and conditions the juvenile must follow.

A Families in Need of Services (FINS) officer (hired or appointed by the court) may recommend to the court that a juvenile be placed in the FINS program. FINS identifies the juvenile's problems and provides referral and coordination of services. The judge makes the decision to place the juvenile in the FINS program.

**Program Funding
Has Increased
36 Percent in
Two Years**

As shown in Exhibit 1-3 below, OYD receives approximately 90 percent of its funding from the state general fund. The total funding to OYD has increased by 36 percent from fiscal year 1994 to fiscal year 1996. This exhibit also shows the other sources of funding for fiscal years 1994 through 1996.

**Exhibit 1-3
Office of Youth Development
Funding Sources for
Fiscal Years 1994 to 1996**

Source of Funds	1994	1995	1996
State General Fund	\$48,673,543	\$53,133,265	\$62,762,627
Interagency Transfers	2,492,670	5,050,901	6,861,895
Self-Generated	75,554	100,387	102,416
Statutory Dedications	8,164	505,759	38,935
Federal Funds	586,214	591,924	588,309
Total	\$51,836,145	\$59,382,236	\$70,354,182

Source: Prepared by legislative auditor's staff from data supplied by the Department of Public Safety and Corrections, Corrections Services.

Exhibit 1-4 on the following page shows how OYD's funds were spent and also provides the percent increases from fiscal years 1994 to 1996. According to management and finance for DPSC, Corrections Services, the increase in administration spending was due to juvenile services being moved from DPSC Headquarters to OYD's budget. In addition, the 42 percent increase in field services is due to a transfer of emergency federal funds from DSS. These funds were used to hire 50 probation and parole officers and to make one time purchases of computer equipment and vehicles.

Exhibit 1-4
Office of Youth Development
Uses of Funds
Fiscal Years 1994 to 1996

Uses of Funds	1994	1995	1996	Percent Increase 1994 to 1996
Administration	\$ 727,526	\$ 1,074,367	\$1,038,793	43%
Swanson Correctional Center for Youth*	8,851,389	9,159,022	9,484,693	7%
Jetson Correctional Center for Youth**	12,665,461	13,594,609	14,515,379	15%
LTI-Bridge City	4,304,262	4,677,014	5,305,149	23%
Field Services	6,004,597	6,628,605	8,540,153	42%
Contract Services	19,282,910	20,374,922	21,622,467	12%
Tallulah Correctional Center for Youth	NA	3,873,697	9,847,548	***154%
Total	\$51,836,145	\$59,382,236	\$70,354,182	36%

* Formerly known as LTI-Monroe

** Formerly known as LTI-Baton Rouge

*** Percent increase from 1995 to 1996

Source: Prepared by legislative auditor's staff from data supplied by the Department of Public Safety and Corrections, Corrections Services.

**State Devoting
More Resources
to Housing of
Juvenile
Offenders**

Since 1991, the state has invested heavily in providing residential facilities for juvenile offenders. The costs of operating or contracting for these residential facilities is high and increasing.

Louisiana has responded to increases in juvenile crime by shifting its emphasis from that of the best interest of the individual to public safety. One indication of this shift is the increase in the number of beds for juvenile offenders. The opening and subsequent expansion of TCCY enabled OYD to increase the number of secure beds from 1,045 in December 1993 to 1,562 in December 1995 (a two-year increase of 49 percent). Secure capacity will reach 1,926 beds (a 113 percent increase from 904 in 1991) when budgeted expansions at TCCY and other facilities are completed in fiscal year 1997.

Payments to the newly opened and privately operated Tallulah facility accounted for much of the funding increase and now make up a significant portion of the agency's annual budget (7 percent, or \$3.9 million, in fiscal year 1995 and 13 percent, or \$9.9 million, in fiscal year 1996).

However, increases in OYD's budget were not due solely to increases in bed space. As shown in Exhibit 1-5 below, the average daily cost of housing juvenile offenders in state and private facilities has also risen. Non-secure care residential facilities provide a variety of services at a wide range of costs. The lowest per diem (\$39.69) is for placing juveniles with specially trained foster care families. The highest per diem (\$135.86) is for placing juveniles in a closed, self-contained facility servicing juveniles with serious psychiatric and emotional disorders.

Exhibit 1-5
Office of Youth Development
Average Daily Cost of Residential Care for
Fiscal Years 1994 to 1996

Type of Facility	1994	1995	1996	Two-Year Increase
Non-Secure	\$66.58	\$70.84	\$70.64	6.1%
State Secure	70.53	72.75	72.26	2.5%
TCCY	NA	48.00*	65.40**	36.3%***

* Began operation as of November 16, 1994

** As of November 16, 1995

*** One-year increase

Source: Prepared by legislative auditor's staff from information provided by the Department of Public Safety and Corrections, Corrections Services.

Scope and Methodology

This audit was conducted under the provisions of Title 24 of the Louisiana Revised Statutes of 1950, as amended. All performance audits are conducted in accordance with generally accepted government auditing standards, as promulgated by the Comptroller General of the United States.

Scope

Preliminary work began in April 1995 and fieldwork was completed in July 1996. This audit focused on the housing and rehabilitation of juvenile offenders receiving secure and non-secure placements, because 87 percent of OYD's fiscal year 1996 budget was allocated to the housing and treatment of juveniles in secure and non-secure placements. The audit also examined case loads for probation and parole officers.

Methodology

We reviewed the Children's Code, Louisiana Revised Statutes, and the Constitution of 1974 to gain an understanding of the laws that govern the juvenile justice system in Louisiana. We contacted legislative staff to see what juvenile justice issues were of interest to legislators in Louisiana.

We interviewed officials of the Department of Public Safety and Corrections, judges from different regions of the state, the Director of the Office of Correctional Studies, Louisiana State University (Baton Rouge) School of Social Work, and a criminologist and professor of Social Work at the Louisiana State University (Baton Rouge) School of Social Work to obtain their perspectives on juvenile justice and to identify problems these officials and authorities may have encountered with the juvenile justice system.

We performed a preliminary file review of active and closed files in three OYD districts to identify and gain an understanding of the types of information contained in these files. The preliminary file review also enabled us to develop a data collection instrument for use later in our closed file reviews.

We reviewed 60 randomly selected files of juvenile delinquents who were released from OYD custody in calendar year 1994. We sampled closed files to review the complete history of each case from the date OYD receives custody until the date of discharge from agency custody or supervision. We examined files closed in 1994 to obtain 12-month recidivism data for these juvenile offenders. Our sample included 30 juvenile offenders who received initial secure sentences and 30 who received initial non-secure sentences. Juvenile offenders with initial OYD sentences of probation were excluded from the sample.

We also reviewed OYD's Juvenile Information Records and Management System (JIRMS) data on 60 randomly selected juvenile offenders with recent initial sentences to see if these juvenile offenders received timely placements. Our sample included JIRMS data on 30 juvenile offenders receiving initial secure sentences and 30 juveniles receiving initial non-secure sentences to measure the timeliness of both secure and non-secure placements. We selected cases with initial dispositions between November 9, 1995 (latest addition of secure beds at Tallulah Correctional Center for Youth) and February 15, 1996 (date during our fieldwork). We also reviewed these active cases to identify the most serious offense for which each juvenile received the secure or non-secure sentence.

We reviewed OYD's June 21, 1996, list of juvenile offenders awaiting placement, to determine how many juvenile offenders were pending placement and to determine how long they were pending placement. The June 21, 1996, pending list was chosen because it was the most recent list available at the end of our fieldwork.

We contacted and obtained information from the National Conference of State Legislatures and the federal Office of Juvenile Justice and Delinquency Prevention to gain insight into juvenile justice issues nationwide including prevention, intervention, and aftercare issues.

Report Organization

The remainder of this report is organized as follows:

- ♦ **Chapter Two** addresses the housing and rehabilitation of juvenile offenders.
- ♦ **Chapter Three** addresses prevention, intervention, and aftercare programs.
- ♦ **Appendix A** contains a flowchart of the juvenile justice system.
- ♦ **Appendix B** contains demographics of juveniles under the custody and supervision of the Office of Youth Development as of June 28, 1996.
- ♦ **Appendix C** contains a list of non-secure programs and placement facilities.
- ♦ **Appendix D** contains the Department of Public Safety and Corrections, Corrections Services' response to the report.

Chapter Two: Housing and Rehabilitation of Juvenile Offenders

Chapter Conclusions

State law currently does not provide sentencing guidelines for juvenile crimes other than for six offenses covered by Article 897.1 of the Children's Code. Juvenile offenders may receive different sentences for similar crimes, depending on the judge's philosophy and the availability of local resources. Inconsistencies in sentencing add to OYD's difficulties in managing its bed space.

Because of limited probation and parole services, some judges may place juvenile offenders in a residential facility. Consequently, the shortage of probation and parole services aggravates bed shortages in non-secure and secure facilities. In addition, probation without effective supervision may not deter further delinquent behavior.

Juvenile offenders are not always placed in a timely fashion after sentencing. In addition, offenders do not always receive placements that provide the most appropriate setting, if they are placed at all. If offenders do not receive timely or appropriate placements, rehabilitation may be hindered and public safety jeopardized.

OYD provides educational services to juveniles in its custody, but there is insufficient data to evaluate the effectiveness of the agency's efforts. The Children's Cabinet is responsible for coordinating most services to children, but does not address the often complex needs of juvenile offenders.

Juvenile Offenders May Receive Different Sentences for Similar Crimes

With no guidelines for sentencing juveniles, judges with jurisdiction in juvenile cases have broad discretion in determining the dispositions (sentences) of juvenile offenders. There are only two situations in the Children's Code where guidance is given for sentencing of juvenile offenders. As a result, juvenile offenders may receive different sentences for similar crimes. The availability of local resources can also play a role in what sentence the juvenile offender will receive.

State Law Lacks Direction in Sentencing Juvenile Offenders and in Administering Rehabilitative Services

The Children's Code does not have guidelines for juvenile sentences, except as included in Articles 857 and 897.1 for certain serious crimes. Consequently, juvenile offenders may commit numerous offenses before receiving rehabilitative services, if ever. Criminal justice experts agree that the failure of the juvenile justice system to take action early in a juvenile's offense history may encourage additional, more serious delinquent behavior.

Article 897.1 of the Children's Code seeks to ensure public safety by requiring severe sentences for juveniles adjudicated delinquent for certain serious crimes. This law requires OYD to house these juveniles in secure facilities until age 21 without benefit of parole, probation, suspension or modification of sentence, or furlough.

Opinions of this law and its effectiveness vary. According to an LSU criminologist, the law is needed to deal with violent juvenile offenders. However, he added that the state must distinguish between violent offenders and juvenile delinquents who can be rehabilitated. One judge suggested that Article 897.1 can be circumvented by charging and adjudicating violent offenders for less serious offenses. Thus, rehabilitative services may be further prolonged.

Documentation in the files of several juvenile offenders in our sample showed lengthy criminal histories. Exhibit 2-1 on the following page illustrates the criminal history of one of these juvenile offenders, as well as how the juvenile justice system responded to the various offenses committed by this offender.

Exhibit 2-1
Selected Case to Illustrate
Lengthy Criminal History

Age	Offense	Sentence
12	Simple Battery	Probation
13	Attempted Armed Robbery (While on Probation)	Supervised Probation
	Misdemeanor Theft (While on Probation)	Supervised Probation
	Simple Battery	Probation
	Resisting Arrest, Disturbing the Peace, and Misdemeanor Theft	Dismissed
14	Theft	No Action Taken
	Illegally Carrying a Weapon	No Action Taken
	Simple Burglary	No Action Taken
	Three Counts Theft	No Action Taken
15	Simple Burglary	Detention
	Armed Robbery	Detention*
	Forcible Rape	Dismissed; Plead Guilty to the Above Armed Robbery

*Spent 15 months in detention pending secure placement, but was discharged.

Source: Prepared by legislative auditor's staff using OYD's JIRMS and district files as of December 31, 1994.

Lack of Sentencing Guidelines and Differences in Local Resources May Lead to Inconsistent Sentences

According to judges that we interviewed, standardization of sentences among courts is difficult because each court handles juveniles differently. Specifically, judges within each court may issue different sentences to juveniles who were adjudicated for the same crime. As a result, juvenile sentences are not consistent even within jurisdictions. In a joint interview, three Caddo Parish Juvenile Court judges acknowledged that a juvenile offender might receive a different sentence from each of them for the same offense.

Other judges that we interviewed also said inconsistencies in sentences may occur because all areas of the state do not provide equal services for juvenile offenders. Juveniles from areas with adequate local resources are more often permitted to remain in the community and receive community-based services. A juvenile charged with a similar offense in an area with limited resources is more likely to be committed to state custody. Thus, local jurisdictions that offer few services are more likely to make use of state resources, thereby adding to the numbers of juveniles going into state facilities.

According to a National Conference of State Legislatures (NCSL) publication, *A Legislator's Guide to Comprehensive Juvenile Justice*, nationally, the most serious crimes are committed by a small number of repeat juvenile offenders. This publication recommends a system of graduated sanctions that holds young people accountable for their actions. This system should provide swift and sure punishment when a juvenile first commits a crime with progressively tougher sanctions following.

This NCSL publication reports that, nationally, secure juvenile facilities often mix first-time and nonviolent offenders with more dangerous youths. These secure facilities are not only expensive, but spend the same amount on all youths regardless of their individual needs or the danger they may present to the public.

In our sample of 30 offenders placed in secure care, 21, or 70 percent, had committed non-violent crimes such as possession of stolen things, simple burglary, and theft of property worth less than \$100. According to the offender's files, 12 of the 21 were in secure care as a result of judicial request. The remaining nine were placed through OYD's needs and risk assessment process. In addition, the files showed that these 21 offenders had the following number of prior delinquent offenses:

- ♦ Eight (38 percent) had none
- ♦ Nine (43 percent) had one
- ♦ Two (9.5 percent) had two
- ♦ Two (9.5 percent) had four

According to NCSL's publication, a system of graduated sanctions consists of four major components:

1. **Immediate sanctions**, including community-based diversion and day treatment programs, that are imposed quickly on first-time, nonviolent offenders
2. **Intermediate sanctions**, such as intensive supervision and wilderness camps, for more serious offenders
3. **Secure facilities** for violent offenders
4. **Structured programs** that provide surveillance and treatment in the community for offenders released from residential or institutional care

According to the NCSL publication, some states have incorporated a system of graduated sanctions into law. For example, the state of Texas adopted a seven-step progressive sanctions policy as part of a comprehensive juvenile justice reform act in 1995. Each level specifies punishment options that correspond to the type of offense committed. Sanctions become increasingly more restrictive. These sanctions begin with programs such as restitution, progress up to probation or boot camp, and end with secure placement. In the Texas system, level two covers certain misdemeanor offenses and level seven is for capital offenses (felonies).

**Each Offender
Must Be
Evaluated**

Except for juveniles guilty of one of the six felony-grade delinquent acts established in the Children's Code and judicial orders, OYD must evaluate each offender placed in its custody and his or her offense to determine how best to place the offender. OYD must also determine how best to meet the needs of the juvenile offender.

First, OYD conducts a risk assessment (by completing a secure placement screening document) and a needs assessment to determine where to place him or her. The risk assessment form assigns numerical scores for different factors including severity of present offense and prior criminal history. The offender's score on the risk assessment form helps to determine placement.

The needs assessment form assigns numerical scores for different factors including family environment, substance abuse, and education history. The offender's needs assessment identifies problems to be addressed and aids in selecting services and programs that address the identified needs.

After the assessments are completed, OYD prepares a treatment plan and attempts to place the juvenile offender in an appropriate rehabilitation program. However, scarce resources, judicial requests, and a steadily increasing demand for services has often lead to the agency not being able to provide the most appropriate services.

According to the NCSL publication discussed in the previous section, assessing the level of risk each offender presents to the community and determining his or her treatment needs, such as substance abuse, are critical to the effective use of graduated sanctions. NCSL further states that risk assessment and needs assessment are closely related in providing the most appropriate placement or sanction for different levels and types of offenders. Combining risk and needs assessment with graduated sanctions can make providing for public safety more cost efficient. This method of assigning sanctions to juvenile offenders increases the likelihood that serious offenders will be incarcerated while less dangerous offenders are assigned to community-based, less expensive programs.

**Overloaded
Probation and
Parole Services
Leads to
Infrequent
Supervision of
Offenders and
Bed Shortages**

The state does not devote sufficient resources to probation and parole services. Based on work load data gathered from OYD, there may be an insufficient number of probation and parole officers to provide quality supervision. Consequently, juvenile offenders assigned probation and parole may not be properly supervised. Furthermore, some judges have expressed concern about the excessive case loads of probation and parole officers. As a result, judges may place offenders in non-secure care instead of on probation, thus further aggravating bed shortages in residential facilities.

Agency data on work loads indicate that the 155 juvenile service officers of DYS may not be sufficiently supervising their assigned cases. According to an agency estimate, DYS would have needed 16 additional officers in May 1996 to guarantee appropriate levels of supervision to its assigned juveniles. During that month, officers required an average of 128.9 hours to sufficiently serve their assigned cases. According to a 1994 OYD study, however, each officer only had 117 hours per month to devote to direct case services.

The average case load of DYS' 155 juvenile service officers was 56.7 cases as of June 1, 1996. District averages ranged from 41.5 cases per officer in Monroe to 64.6 cases per officer in Lafayette. Officers in Jefferson and Orleans have the second and third highest case load averages at 57.9 and 56.8, respectively. Because probation officers in Orleans Parish have high case loads, one judge estimates that juvenile offenders in that jurisdiction may not see a probation officer for up to 90 days.

Although DYS has not established case load standards for its officers, the Orleans district manager stated that 20 to 25 cases per officer would be an ideal case load, given the types of juvenile offenders placed on probation in his district. He further stated that 15 cases per officer would be an appropriate case load when providing intensive probation services. In addition, probation and parole services are hampered by a high turnover rate among the officers.

Several judges said meaningful rehabilitation will not occur if officers' case loads are too high to permit appropriate levels of supervision. In addition, some judges may place juvenile offenders in non-secure care if too few probation officers are available. This further aggravates bed shortages in residential facilities. One judge added that additional funding to provide comprehensive probation services could lessen the need for residential placement and provide cost-effective alternatives to residential placement.

**Lengthy Delays
in Placement and
Rehabilitation
May Jeopardize
Public Safety**

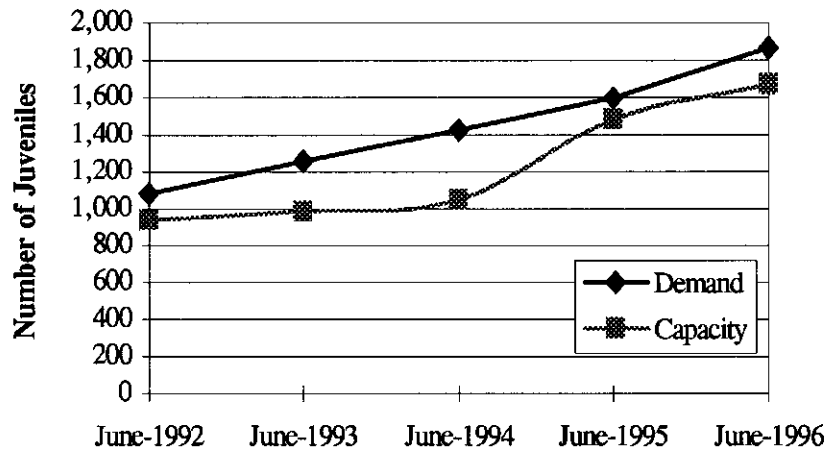
Despite a recent addition of secure beds, demand in both secure and non-secure facilities has outgrown available space. Insufficient space has not only lead to delays in placement, but may also result in greater risk to public safety and deferred rehabilitation. Several factors have contributed to the need to add more beds. These factors include required secure placement until age 21 for certain serious crimes, high recidivism rates, limited space for females, and juvenile offenders with special needs.

Need for Secure Placements Surpasses Availability

Increases in secure capacity have not kept pace with the demand for bed space. Exhibit 2-2 on the following page compares secure bed demand to capacity from June 1992 to June 1996. The difference between demand and capacity represents the number of offenders pending placement.

OYD sought to address the issues of bed shortages and timely placement by adding 658 secure beds between December 1991 (904 beds) and December 1995 (1,562 beds)--an increase of 73 percent; an additional 334 beds will be added by the end of fiscal year 1997 for a total of 1,926 beds. However, the number of non-secure beds has declined from 778 in December 1991 to 534 in December 1995 (a 31 percent decrease). According to DPSC, Corrections Services' secretary, this decrease signifies a shift to non-secure programs that use in-home services such as day treatment and trackers.

Exhibit 2-2
Comparison of Demand
for Secure Placement to Capacity



Source: Prepared by legislative auditor's staff from data supplied by the Department of Public Safety and Corrections, Office of Youth Development.

Nearly One-Half of Those Sampled Not Placed in Facility Within 30 Days

Although the number of secure beds has increased significantly, OYD continues to have problems placing offenders in a timely manner. OYD could not place almost one-half of the juvenile offenders in our sample who were assigned to OYD facilities within 30 days of sentencing. Because Article 903(C) permits judges to require placement within 30 days for secure dispositions, we chose this time frame as a measure of timely placement for all types of care. It should be noted that courts do not always notify OYD promptly of sentences granting the agency custody. In cases where OYD informed us that the agency did not receive prompt notification of a sentence awarding custody, we used the actual date of notification as the starting date for calculating the time taken by OYD to assume physical custody.

Closed Files. To gain a historical perspective, we examined 60 files of juvenile offenders who were discharged from OYD in 1994 (referred to here as closed files). For 25 of these offenders, OYD did not take physical custody within 30 days of the date of sentencing. One juvenile offender who was adjudicated to OYD waited 210 days, or about seven months, before being placed. OYD did not take custody of eight offenders because OYD's custody terminated before the offenders were placed. One of the eight unplaced juveniles spent 492 days, or more than a year, pending placement before OYD's custody was terminated. If the juvenile is at home awaiting OYD's placement, he or she may commit additional crimes during this time. Exhibit 2-3 below groups these offenders by the number of days spent pending placement.

Exhibit 2-3
Days Juvenile Offenders Who Were Discharged from OYD in 1994
Spent Pending Placement in an OYD Facility
(Closed File Sample)

Days Pending	Secure	Non-Secure	Total
0-30 Days	17	10	27
31-60 Days	2	*12	14
61-90 Days	1	2	3
91 Days or More	**5	3	8
Total Placed	25	27	52
Total not Placed	5	3	8
Total Sample	30	30	60

* Includes one juvenile who ran away after 40 days pending non-secure placement.

** Includes one juvenile placed in detention for four months and then placed in non-secure placement by court order.

Source: Prepared by legislative auditor's staff from data supplied by OYD.

As with secure placements, agency efforts to place juveniles in non-secure facilities and programs are also frequently characterized by excessive delays. Agency officials stated that delays in non-secure placements were due to insufficient bed space and to the scarcity of programs or facilities that are able or willing to meet the special needs of some juvenile offenders. These special needs are further discussed on page 29.

While pending placement, some juvenile offenders may be placed in a local detention center. However, local juvenile detention centers are not designed to provide long-term care. In addition, the juvenile offender will not receive comprehensive rehabilitative services until OYD takes physical custody and places the juvenile offender in a facility.

Active Files. Our review of 60 open, or active, files of juvenile offenders assigned to OYD as of February 1996 also showed that OYD had not placed over one-half of these juvenile offenders within 30 days. Thirty-one of 60 juvenile offenders in this sample were not placed within 30 days of disposition.

When we examined OYD's JIRMS database, 50 of 60 juveniles in our active file sample had been placed. Exhibit 2-4 below groups these juveniles by the number of days spent pending placement. Some juvenile offenders who were in OYD's custody in February 1996 waited up to 95 days for placement.

The remaining 10 juveniles in our active file sample were not placed when we examined the JIRMS records of these cases. Although we could not determine how long it would have taken OYD to take these juveniles into custody, these juveniles had spent from 71 to 164 days pending placement at the time of our examination.

Exhibit 2-4

Days Juvenile Offenders Assigned to OYD From November 9, 1995, to February 15, 1996, Spent Pending Placement in an OYD Facility (Active File Sample)

Days Pending	Secure Care	Non-Secure Care	Total
0-30 Days	15	14	29
31-60 Days	8	4	12
61-90 Days	4	3	7
91 Days or More	1	1	2
Total Placed	28	22	50
Total not Placed	2	8	10
Total Sample	30	30	60

Source: Prepared by legislative auditor's staff from data supplied by OYD.

Pending Lists. A review of the June 21, 1996, OYD pending list shows that juvenile offenders were still not being placed timely. Exhibit 2-5 below summarizes the number of days juvenile offenders had spent pending placement as of June 21, 1996. Agency data revealed that 109 of these juveniles (46 percent) who were pending secure care had not been placed within 30 days. This includes eight juveniles on runaway status (juveniles who cannot be located).

Agency data further revealed that 157 juveniles (73 percent) who were pending non-secure care were unplaced after 30 days--122 with known locations and 35 who were deemed runaways. Of the 35 runaways, 9 had been adjudicated for crimes of violence, including armed robbery and manslaughter.

Exhibit 2-5
Days Juvenile Offenders Spent Awaiting Placement
in an OYD Facility
(Pending Lists as of June 21, 1996)

Days Pending	Secure	Non-Secure	Total
Juveniles With Known Locations*			
0-30 Days	0	5	5
31-60 Days	1	2	3
61-90 Days	1	4	5
91 Days or More	6	29	35
Total With Known Locations	227	176	403
Runaways			
0-30 Days	0	5	5
31-60 Days	1	2	3
61-90 Days	1	4	5
91 Days or More	6	29	35
Total Runaways	8	40	48
Total	235	216	451

* Includes home, local detention, shelter homes, and medical facilities.

Source: Prepared by legislative auditor's staff from data supplied by OYD.

Mandatory Seven-Year Sentences Limit Available Bed Space and Can Be Costly

One state law can keep certain offenders in OYD custody for a significant amount of time thus limiting the space available. Article 897.1 of the Children's Code requires that if a 14-year-old murder suspect is adjudicated in juvenile court, he or she is to be sentenced to a secure OYD facility until age 21. Based on the fiscal year 1996 average daily cost of \$72.26 to house a juvenile in state secure care, it would cost more than \$184,000 to keep a 14-year-old juvenile in secure custody until age 21.

According to OYD's deputy assistant secretary, the average length of stay at a state secure facility is approximately 17 months. However, a 14-year-old sentenced until age 21 would remain in the facility for approximately 84 months. As more juvenile offenders in this category are sentenced under this legal provision, the average length of stay will increase, thus aggravating the bed shortage.

Louisiana has also lowered the age at which a juvenile can be tried as an adult. Articles 305 and 857 of the Children's Code, as amended by Act 15 of the 1994 Third Extraordinary Legislative Session, now permit 14-year-olds to stand trial in adult court for first-degree murder and six other crimes and to be sentenced up to age 31. However, these offenders are not OYD's responsibility but go to the adult system, which is also within the Department of Public Safety and Corrections, Corrections Services.

Recidivism Rates Also Affect Bed Shortage

Juveniles who return to OYD custody because of new offenses create further demands for bed space and increase delays in placement. Reported recidivism rates indicate that the state's current approach to juvenile justice has not brought about lasting, positive results.

Many juveniles in OYD's custody are repeat offenders. In our review of closed secure placement files, 16 of 30 juvenile offenders (53 percent) had been in OYD's custody at least once before the sentence for which they were discharged in 1994. Although recidivism rates are low and easy to track during the first 12 months following release, recidivism rates increase substantially for three to five years from the date of release before leveling off. Recidivism rates for juvenile offenders released from OYD custody since 1989 are provided in Exhibit 2-6 on page 29. Although TCCY has not been

open long enough to identify long-term recidivism trends, the 21.3 percent one-year recidivism rate for 1995 graduates of the boot camp is comparable to the one-year rate for juvenile offenders released from regular secure and non-secure placements.

According to the deputy assistant secretary of OYD, differing recidivism rates indicate that no one type of facility rehabilitates or deters crime more or less effectively than another. Various factors can influence recidivism including the environment to which the juvenile returns and whether adequate services are provided after release. This issue will be discussed further in Chapter Three.

Secure facilities normally house serious or repeat offenders who pose greater risks to the community and have high recidivism rates. According to the National Council on Crime and Delinquency, no clear evidence exists that incarceration reduces juvenile crime. High recidivism rates suggest that our current juvenile justice strategies frequently do not bring about lasting, positive results.

Exhibit 2-6
Percent of Juvenile Offenders
Returned to DPSC Custody After Release
Calendar Years 1989-1995

Year of Release	Overall	Highest Level of Custody			
		Secure	STOP*	Non-Secure	Probation
1989	48.4%	70.2%	-----	57.4%	41.7%
1990	46.7	65.5	**	55.0	39.7
1991	45.6	66.8	60.8%	49.8	38.5
1992	41.6	62.3	58.7	48.1	34.1
1993	37.7	57.3	49.3	40.9	30.6
1994	28.3	43.3	36.1	30.1	23.4
1995	18.9	24.0	25.5	23.0	15.7

* STOP = 90-day intensive Short-Term Offender Program at LTI-Bridge City.

** Data provided for only two juvenile offenders, both of whom returned to OYD custody.

Note: The recidivism rates are tracked by OYD based on the highest level of custody a juvenile offender may have been placed. Secure care is the highest level of custody and probation is the lowest level of custody.

Source: Prepared by legislative auditor's staff from data supplied by OYD.

**Some Juvenile
Offenders May
Not Receive
Appropriate
Placement**

Juvenile offenders do not always receive placements that provide the most appropriate setting or that allow for effective rehabilitation. OYD is currently handling a large number of juveniles who have many conditions and disorders that the agency is not prepared to address. Specifically, OYD does not always provide adequate services for females or offenders with special needs, such as sex offenders and offenders who are mentally handicapped. OYD sometimes has difficulty placing these types of juvenile offenders.

In addition, one vital secure facility may be too far away to allow offenders to interact with their families, thus making rehabilitation less likely to be effective. Frequent transfers can also have a negative effect on rehabilitation.

Fewer Non-Secure Beds Available for Female Juvenile Offenders Than Secure Beds

Only one state facility provides secure beds for female juvenile offenders. The Jetson Correctional Center for Youth (JCCY) in Baton Rouge is the only state facility now providing secure beds for female offenders. Secure slots for female offenders increased from 84 in December 1993 to 150 in November 1995. As of March 20, 1996, OYD had contracted with private providers for a maximum of 103 non-secure beds for female juvenile offenders, which is 31 percent less than the number of secure beds. Appendix B shows that as of June 28, 1996, there were 145 female offenders in secure care (8 percent of the secure population), 270 in non-secure care (23 percent of the non-secure population) most of which were not in residential settings, and 1,227 on probation or parole (20 percent of the probation and parole populations).

One judge stated that the lack of bed space for female juvenile offenders often led to placing them on probation and conducting frequent follow-ups to ensure that the terms of probation are being followed. Another judge said that because female offenders often may not be placed in any type of facility, they may not receive as many rehabilitative services as male offenders. Referring to those who are placed in facilities, this judge added that females are currently "warehoused" with limited opportunities for rehabilitation. He added that for each female he assigns to OYD custody, he must release a female from OYD custody.

Programs to Treat Some Hard-to-Place Juvenile Offenders Are Costly and Almost Non-Existent

Private providers often reject juvenile offenders with special needs for different reasons. Some special arrangements can be made, but these are quite costly and can only accommodate a few offenders. Because OYD contracts with private providers do not guarantee placement of juvenile offenders with special needs, some with special problems may not receive the rehabilitation needed. Thus, a juvenile may not be placed at all, or may not benefit from placement in a facility that lacks programs suited to the offender's needs. Furthermore, hard-to-place juvenile offenders may create problems at private facilities, endangering and disrupting the rehabilitation of others.

As mentioned in Chapter One, OYD contracts with private providers for all non-secure placements. The agency sends a “placement package” to various private providers in an effort to place each juvenile offender. However, private providers may reject juvenile offenders for a variety of reasons. Some reasons given by private providers for rejecting juveniles in our sample of closed files are listed below:

- ◆ Unsuitable to the programs offered by that provider
- ◆ Mentally retarded
- ◆ Emotionally disturbed
- ◆ Diagnosed with behavioral problems that might be injurious to staff or residents
- ◆ Sex offenders
- ◆ Arsonists
- ◆ Given too brief a sentence to permit effective rehabilitation (e.g., less than one year)
- ◆ Suicidal

Some judges that we interviewed said that private providers might reject high-risk or high-cost juvenile offenders because the providers operate on the profit motive. We also interviewed staff of some private providers who may attempt to house some hard-to-place offenders. Some of these private provider employees said that OYD is seeking to place juvenile offenders with more serious behavioral problems than in the past. One private facility administrator said that bed and money shortages are leading OYD to place more violent juveniles with private providers. This administrator added that his staff was trained to deal with moderate behavioral problems, but not with the severe problems exhibited by many of the juveniles now entering his facility.

Another private provider administrator noted that some juvenile offenders “fall through the cracks” because no facility offers the full range of services needed by that juvenile. This administrator recommended that private providers design programs to meet each youth’s needs instead of trying to make juveniles conform to the provider’s program. According to a third private provider administrator, OYD will seek to place a

juvenile offender in any facility with an opening especially if the offender's risk assessment shows that the juvenile can be placed in a non-secure setting. The secretary of DPSC, Corrections Services says these types of placements may occur for fiscal reasons.

The program manager of DYS stated that approximately one-half of the juvenile offenders pending non-secure placements have specialized needs that render them difficult to place. OYD sometimes contracts with private facilities as needed to house individual hard-to-place juvenile offenders. As of July 1996, OYD was preparing contracts with two private facilities that were willing to accept hard-to-place juvenile offenders. These contracts would cost approximately \$100 per day, which is more than 40 percent higher than the average fiscal year 1996 non-secure per diem of \$70.64. OYD would place no more than four juvenile offenders at each of these facilities.

Remote Facility May Inhibit Rehabilitation

One major secure facility's location may hinder rehabilitation of some juvenile offenders. In September 1994, OYD entered into a cooperative endeavor agreement with the town of Tallulah to construct and operate secure beds under broad state supervision.

TCCY opened as a juvenile boot camp facility in November 1994. As of June 1996, this privately owned and operated facility had 396 beds that could be used for the boot camp or secure care. In addition to the 396 beds, the facility has 80 beds designated for secure care only. According to the deputy secretary of DPSC, Corrections Services, TCCY was located in an impoverished region to stimulate economic development.

Family counseling is an integral aspect of juvenile rehabilitation programs. Given the economic difficulties faced by the families of many juvenile offenders, Tallulah may be too remote to permit regular or effective family interaction with juvenile offenders from other areas of the state. Some juvenile justice experts have argued that centralized residential facilities should be replaced by regional residential programs. These

experts also say only local programs allow for effective family support and interaction with the juvenile offender during his or her stay at the institution and facilitate reentry into the community upon release.

At TCCY, the state operates the Louisiana Intensive Training and Education (LITE) program (boot camp). The boot camp is designed to provide short-term, intensive, high-impact treatment for adjudicated youth, using military surroundings in a highly structured institutional environment. The goal of the boot camp is to develop and enhance positive behavior in delinquent youth through counseling, which will include self-concept development, academics, and physical fitness components.

Although TCCY is located in the northeastern area of the state, most of the offenders kept at TCCY are from the southeastern region. As of June 28, 1996, 65 percent (119 of 182) of juvenile offenders assigned to the boot camp were from the southeastern part of the state, including the New Orleans and Baton Rouge areas. In addition, 71 percent (211 of 296) of juvenile offenders assigned to regular secure custody at TCCY were from the southeastern part of the state. According to OYD officials, the total of these groups (478) is two more than capacity due to the time of day that these counts were taken. This difference can occur if offenders are counted, but are due to be transferred or released before the end of the day.

Frequent Transfers and Premature Release Can Inhibit Rehabilitation

OYD may find it necessary to move hard-to-place juvenile offenders from facility to facility. In addition, limited bed space can cause juvenile offenders to be released before completing rehabilitation programs.

Many of the juvenile offenders included in our review of closed files underwent frequent and numerous transfers. For example, one juvenile offender initially placed in non-secure care ran away four times from non-secure placements. Eventually, the offender served a total of 39 months in several different facilities: one local detention, three different secure, and two different non-secure facilities. According to OYD officials, this juvenile did not remain in any placement long enough to benefit from rehabilitative services.

To determine if juvenile offenders are held long enough to be rehabilitated, we asked a professor at the Louisiana State University (Baton Rouge) School of Social Work if he thought juvenile offenders in Louisiana remain in rehabilitation programs long enough to receive meaningful benefit. According to this professor, overcrowding and limited resources prevent complete rehabilitation.

We asked judges from different parts of the state if they thought juvenile offenders remain in rehabilitation programs long enough to receive meaningful benefit. Some judges said that juvenile offenders may be released early to make room for other offenders entering OYD custody.

According to the federal Office of Juvenile Justice and Delinquency Prevention, comprehensive case management and stability in placements are important factors to the rehabilitation of juvenile offenders. Frequent transfers disrupt the continuity of the rehabilitation process and reduce the likelihood that relocated juvenile offenders will receive effective treatment. To meet the needs of juvenile offenders, the state should try to provide stability throughout the rehabilitation process.

Juveniles With Mental Health or Substance Abuse Problems May Not Receive Proper Treatment

OYD offers behavioral and substance abuse counseling in both secure and non-secure facilities and limited mental health and substance abuse treatment. Thus, problems identified in the OYD needs assessment process may not be addressed before the juvenile's release. Furthermore, these individuals may endanger the staff or other juveniles in the facility.

Our sample of 60 closed files revealed the following statistics:

- ♦ Sixteen juvenile offenders (27 percent) were identified substance abusers. Although most substance abusers in OYD custody were adjudicated for other criminal activity, a juvenile may be placed in a secure or non-secure facility for failure to attend a court-ordered outpatient drug treatment program. We observed one judge sentence a juvenile to six months at a state secure facility for failing to attend an outpatient drug treatment program.

- ♦ Eighteen (30 percent) were diagnosed with mental health problems or significant developmental disabilities before contact with the juvenile justice system. Identified problems included various types of conduct disorder, severe depression, suicidal tendencies, attention deficit disorder, and mental retardation.
- ♦ Seven (12 percent) had prior histories of hospitalization or outpatient treatment at a mental health facility.
- ♦ Four juvenile offenders (all in non-secure care) were mildly or severely retarded, with IQs ranging from 52 to 70.

Two judges told us that juvenile offenders with substance abuse or mental health problems should not be placed in OYD facilities because the needs of these juveniles will not be met. The Children's Code gives sole authority to OYD to determine placement of offenders put into its custody. However, judges can and do issue court orders placing juvenile offenders with substance abuse or mental health problems into secure or non-secure care.

According to OYD's legal counsel, Louisiana should provide a specialized facility for juvenile offenders whose principal problems are mental health-related. Some mentally disturbed juvenile offenders pose a threat and must be taken into physical custody, she added, but these juveniles still have a greater need for treatment than for incarceration. Nonetheless, courts may place a juvenile better served by mental health services in OYD custody because OYD can exercise control for a greater length of time. The Office of Mental Health within the Department of Health and Hospitals may offer several months' treatment, but OYD can retain custody of the juvenile for years.

**OYD Does
Not Monitor
and Assess
the Impact
of Educational
Efforts**

OYD data on the academic performance of juveniles in secure care indicates that most juvenile offenders in secure facilities are two or more grades behind students in the general population. Although the average juvenile offender in our sample completed the seventh grade before entering OYD's custody, academic assessments indicated that many of these juvenile offenders functioned well below the grade levels for children their age.

Because OYD does not compile aggregate data on General Equivalency Diploma (GED) completion rates or other test scores at all secure facilities, we were unable to assess the effectiveness of the agency's educational programs. If OYD monitored its educational programs on a systemwide basis, the agency could measure whether it is meeting the educational needs of the juvenile offenders who typically come into OYD with educational deficiencies.

Nearly all of the juveniles in our secure and non-secure closed file samples (53 of 60, or 88 percent) had measurable academic deficiencies before placement. Other data obtained from our sample include:

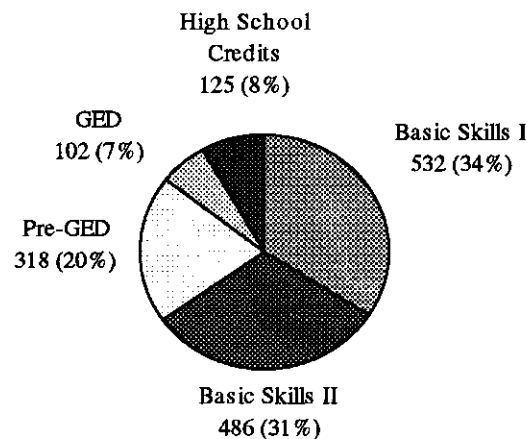
- ♦ Thirty-three (55 percent) exhibited substandard intelligence, as measured by IQ scores.
- ♦ Sixteen (27 percent) failed one grade.
- ♦ Nineteen (32 percent) failed two to five grades.
- ♦ One (2 percent) failed seven grades.

According to documents obtained from OYD, 1,164 (73 percent) of the 1,598 juvenile offenders actually placed in a secure facility care on May 31, 1996, were 16 years of age or older. Nearly all of the 1,598 offenders (1,563, or 98 percent) were enrolled in academic courses. Of the 1,563, a large number (1,336, or 85 percent) were functioning at or below the 8th grade level. According to a juvenile detention center administrator, juvenile offenders who should be in the 8th to 10th grades often read at a third grade level.

Juvenile offenders in secure facilities are placed in one of four curricula: Basic Skills I (grades K-4); Basic Skills II (K-6); Pre-GED (7-8); and GED (9+). Juvenile offenders may also earn high school credits to be applied to a regular high school diploma. Exhibit 2-7 below shows the numbers and percentages of offenders enrolled in each educational curriculum for the 1,563 juveniles who were enrolled in academic courses in May 1996. The agency reported that 170 juvenile offenders received a GED during fiscal year 1996.

We also requested initial and current Test of Adult Basic Education (TABE) scores for juvenile offenders in secure custody. Although OYD tests each juvenile offender at six-month intervals, the agency does not regularly monitor changes in TABE scores on a systemwide basis or by secure facility. OYD gathered this information at our request, but only data for Swanson Correctional Center for Youth. Data provided for the Monroe facility indicated that 68 percent (189 of 278) of retested juvenile offenders showed improvements of at least one grade level in reading or mathematics scores. Thirty-two percent (89 of 278) of juveniles showed marginal improvement, no measurable change, or declines in reading and mathematics skills.

Exhibit 2-7
Enrollment in Educational
Curriculum at Secure Facilities
As of May 1996



Source: Prepared by legislative auditor's staff from data supplied by OYD.

Services to Juveniles Could Be Better Coordinated

Act 971 of 1992 established the Children's Cabinet. The Children's Cabinet is responsible for coordinating the delivery of services to children and their families. The Cabinet is to assure the most efficient and effective use of state resources by facilitating cooperation and resolving conflicts among state agencies.

Louisiana Revised Statutes (LSA-R.S.) 46:2603(A)(1) requires the Children's Cabinet to develop and implement an annual comprehensive plan for coordination of policymaking and planning for all state agencies and programs responsible for services to children and their families. However, according to the staff of the Children's Cabinet, the Cabinet's 1996 plan does not address the issue of rehabilitating juvenile offenders.

Given the complex needs of many juvenile offenders, the Children's Cabinet could improve and/or establish communication and cooperation among OYD, other state agencies that provide services to children, and the courts that have jurisdiction over juvenile matters. This effort could ensure that juvenile offenders receive appropriate placements and needed services. Through the Children's Cabinet, the state could identify and make use of both public and private services that may be available to meet the needs of juvenile offenders who do not require incarceration. However, LSA-R.S. 46:2604(D)(3) says the Children's Cabinet shall terminate on January 1, 1997.

Recommendations

- 1. OYD should develop a comprehensive plan that addresses the issues identified in this report. This plan should address the following issues:**
 - ♦ Provide more space and rehabilitative opportunities for female offenders in non-secure residential settings**
 - ♦ Minimize the number of transfers and premature releases of juvenile offenders**

- ♦ **Reserve secure placements for offenders charged with the most serious offenses**
 - ♦ **Use less costly placements for those offenders charged with less serious offenses**
 - ♦ **Identify and make use of local resources that attempt to deter juvenile crime (In areas where these types of resources are not available, the department should implement such programs.)**
2. **OYD should develop and implement performance measures for all of its rehabilitative programs, especially those related to education. This data would be used to evaluate the effectiveness of rehabilitative efforts.**
 3. **OYD should develop performance measures to measure the effectiveness of contractors who provide non-secure services. These measures could include educational and/or vocational progress of juveniles in their care.**

Matters for Legislative Consideration

1. **The legislature may wish to re-enact legislation providing for the Children's Cabinet. Then, the legislature may wish to require better coordination, communication, and cooperation among the Children's Cabinet, OYD, the courts, and other state agencies that provide services to children. Along with other children's issues, the re-created Children's Cabinet should ensure that juvenile offender issues are addressed. Among those issues should be the following:**

- ♦ **Provide input on the promulgation of general guidelines for juvenile offender sentencing**
 - ♦ **Assist OYD with developing a comprehensive plan for better use of the state's scarce housing and rehabilitation resources**
- 2. The legislature may wish to fund more OYD probation and parole services, which are less costly than non-secure and secure environments.**

Chapter Three: Prevention, Intervention, and Aftercare

Chapter Conclusions

Certain risk factors and population trends may affect juvenile crime rates. The link between juvenile crime and teenage population growth should be of special concern. By the year 2005, the number of teenagers in Louisiana between the ages of 15 and 19 is expected to increase by 17 percent.

Louisiana has been responding to increases in the juvenile crime rate by placing greater emphasis on public safety and incarcerating more juvenile offenders. However, the costs of incarceration are high and the effectiveness of rehabilitation programs is limited. Thus, the state should examine alternative, less costly methods of preventing juvenile crime. The state should adopt a proactive approach to juvenile crime by instituting programs that will deter children and adolescents from beginning or returning to lives of crime.

Risk Factors and Population Trends Affect Juvenile Crime Rates

Numerous risk factors contribute to the frequency and severity of juvenile crime. Most of the juvenile offenders in our sample of closed files experienced many of the individual, family, social, and educational problems identified as factors that contribute to delinquency. Several entities and groups have worked to identify factors that lead to juvenile delinquency. Those entities include the Communities That Care program, federal Centers for Disease Control, National Research Council, and the Annie E. Casey Foundation.

Studies published by the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) and National Institute of Justice have tied the juvenile crime rate directly to age and population trends. The link between juvenile crime and teenage population growth is of special concern to our state. Population projections based on federal census data indicate that the number of teenagers in Louisiana between the ages of 15 and 19 will increase by 17 percent by the year 2005.

Studies that we reviewed have identified a number of interrelated “risk factors” in childhood and early adolescence that may contribute to delinquent behavior. According to a 1993 National Research Council report, youths placed “at risk,” usually by a combination of factors, are more likely to commit status offenses or delinquent acts than juveniles who are not exposed to these risk factors.

To generate an “at-risk” profile for Louisiana youths, we compared the file histories of juvenile offenders in our sample of closed files with a checklist of known risk factors identified by the groups cited previously. Although case files did not contain comprehensive information on the backgrounds of juvenile offenders, our file reviews indicated that at least 50 percent of the juvenile offenders had one or more of the following conditions:

- ♦ Raised in a single-parent, female-headed household
- ♦ Separated at an early age from one or both natural parents
- ♦ Manifested aggressive, violent, or antisocial behavior at an early age
- ♦ Failed at least one grade in elementary or middle school

At least 33 percent of the juvenile offenders had one or more of the following conditions:

- ♦ Experienced poverty or significant economic deprivation
- ♦ Witnessed criminal behavior or substance abuse by parents or siblings
- ♦ Neglected or physically abused
- ♦ Exhibited substandard intelligence (as measured by IQ)
- ♦ Failed at least two grades in elementary or middle school
- ♦ Abused drugs or alcohol

Although case files contained little information on the juveniles' environments, the National Research Council and Annie E. Casey Foundation's KIDS COUNT Data Book indicate that children raised in neighborhoods characterized by high unemployment, poverty, and crime rates are more likely to become juvenile offenders than youths raised in other settings.

Studies published by OJJDP and the National Institute of Justice have tied the juvenile crime rate directly to age and population trends. Offenders are more likely to commit crimes during their younger years; robbery and burglary rates peak at age 17, murder rates at age 18. Appendix B shows that 69 percent of the juveniles in secure care and 51 percent in non-secure care are between the ages of 16 and 21. A recent National Center for Juvenile Justice study warns that juvenile arrests for violent crime for the nation may double by the year 2010.

Louisiana Has Not Invested Sufficiently in Programs That Deter Juvenile Delinquency

Louisiana has not invested significantly in programs to prevent or mitigate juvenile delinquency. The Louisiana programs identified by our audit are unrelated, treat small numbers of at-risk or delinquent youth, and are limited primarily to the Baton Rouge and New Orleans areas. As a result, Louisiana's prevention, intervention, and aftercare efforts reach only a small portion of the at-risk and delinquent populations.

OJJDP states that properly designed and implemented programs can play a key role in deterring juveniles from entering or returning to a life of crime. By targeting the causes of juvenile crime, OJJDP says that delinquency prevention programs can offer a cost effective means of deterring criminal behavior by targeting the causes and by limiting the future costs of juvenile crime to the state. The following types of programs needed are:

- ♦ **Prevention Programs** are designed for at-risk children (and their families) from infancy through adolescence who have not yet manifested dysfunctional or delinquent behavior. These programs address the various individual, family, socioeconomic, and educational risk factors that contribute to delinquent behavior and reinforce factors that discourage delinquency, such as family cohesion and social interaction skills.

- ♦ **Intervention Programs** focus on children and adolescents (and possibly their families) who have exhibited dysfunctional or delinquent behavior. These programs address needs that are likely, if unaddressed, to contribute to further delinquent behavior.
- ♦ **Aftercare Programs** include the range of services and supervision provided to juveniles (and possibly their families) following their release from physical custody. Aftercare is designed to safeguard public safety as well as facilitate the juvenile's reintegration into the community. Aftercare also addresses the needs identified during incarceration through continued education, treatment, and other rehabilitative services while addressing the risk posed by the juvenile through advanced monitoring and supervisory techniques.

According to OJJDP and several judges that we interviewed, other factors such as home, community, and individual factors may affect whether a juvenile will commit an offense or return to custody after release; therefore, incarceration alone may not deter juvenile crime. Juveniles often resume criminal behavior when they are exposed to the same influences that contributed to earlier acts of delinquency. If the risk factors that contribute to delinquency and recidivism among juveniles are not addressed, the projected growth of the adolescent population may be paralleled by further increases in juvenile crime.

According to an official with the Children's Cabinet, there is no coordination of prevention programs and rehabilitative services for juvenile offenders between the Children's Cabinet and the juvenile justice system. We requested OYD to provide us with titles, basic descriptions, and cost data on programs in Louisiana aimed at preventing juvenile delinquency. OYD responded to our request by providing information on programs in other states, requests for proposals for OYD services, cost data on OYD's non-secure providers, and a one-page summary briefly describing some alternatives to incarceration in Louisiana.

Data gathered from other sources suggest that Louisiana has relatively few deterrence programs. For example, the Partnerships Against Violence Network (PAVNET) catalog, an Internet-accessible on-line catalog jointly authored by the federal Departments of Agriculture, Education, Health and Human Services, Housing and Urban Development, Justice, and Labor, lists more than 600 federal and local violence prevention programs, but only seven of the listed programs operate in Louisiana. These seven programs are listed below. We did not determine the effectiveness of these programs.

- ♦ **Tri-Lateral Committee to End Violence in the Black Community.** Coalition of educators, social workers, psychologists, physicians, and other individuals for violence prevention targeting African-American youths and low-income families in New Orleans. The annual budget was not provided in the PAVNET catalog. Funding is provided by the New Orleans Organization of Black Social Workers, New Orleans Chapter of Association of Black Psychologists, New Orleans Chapter of the National Medical Association, and Cox Cable Access.
- ♦ **ChalleNGe.** Military-based, education, and life-skills program targeting high school dropouts ages 16-18 who are unemployed, drug-free, not on parole or probation, and free of felony convictions.

This program begins with a five-month residential phase followed by a year-long mentoring phase with a specially trained National Guard member from the youth's community. The program operates in several states including Louisiana. The annual budget for Louisiana was not provided in the PAVNET catalog. Funding is provided by United States Congressional appropriations.

- ♦ **Horizon Program.** Collaborative effort between 4-H and other youth-serving agencies in Orleans Parish that target at-risk youths ages 4-18 in public housing in New Orleans. Its annual budget is \$101,200. Funding is provided by the U.S. Department of Agriculture.

- ♦ **Louisiana State Youth Opportunities Unlimited (LSYOU).** School dropout prevention program involving summer and year-round, school-based programs targeting at-risk youths in East Baton Rouge, Jefferson, Tangipahoa, and Terrebonne parishes. According to the federal OJJDP, 65 percent of the economically disadvantaged 14-to 16-year-olds who have participated in the summer program remained in and graduated from high school. Its annual budget is \$659,954. Funding is provided by the U.S. Department of Labor, Employment and Training Administration through the Job Training Partnership Act, Title IIA, IIB, and eight percent funds.
- ♦ **Baton Rouge Marine Institute.** Alternative sanctions and career development opportunities program based on life-skills and vocational training targeting juvenile offenders ages 14-17 and post-high-school youths having problems adjusting to employment in Baton Rouge. This program serves approximately 100 youths annually. According to the PAVNET catalog, 80 percent of juvenile offenders who entered the program have not had any further contact with the criminal justice system. Its annual budget is \$400,000. Funding is provided by Office of Youth Development contract, United Way, East Baton Rouge Parish School Board, and private donations.
- ♦ **Parenting Center at Children's Hospital.** Parent education, support, and referral services program targeting parents of children ranging from newborn to adolescent in New Orleans and serves approximately 4,000 individuals annually. Its annual budget is \$180,000. Funding is provided by Children's Hospital, local foundations, and membership fees.

- ♦ **Project LAST (Loss and Survival Team).** Counseling program targeting children ages 6-18, and their families, who are victims or survivors of victims of violence in Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, and St. Tammany parishes. Its annual budget is \$154,000. Funding is provided by The Institute for Mental Hygiene, United Way of Greater New Orleans, Louisiana Commission on Law Enforcement, New Orleans Office of Public Health, and Jefferson Parish Human Service Authority.

We also found two other programs operating in Louisiana not indicated in the PAVNET catalog during our audit:

- ♦ **Resolving Conflict Creatively Program (RCCP).** According to the National Association of State Boards of Education, New York City's K-12 RCCP has been adopted by 250 schools in five districts nationwide including New Orleans. This program seeks to create a schoolwide culture of nonviolence by taking a comprehensive approach to violence prevention.
- ♦ **Volunteers in the Court (VIC) Program.** According to a juvenile justice expert at Louisiana State University, the VIC program of Baton Rouge uses juvenile needs assessments to match volunteers with juveniles adjudicated for misdemeanors and placed on probation. The volunteer then monitors and helps the juvenile to complete his or her treatment plan. This program has achieved excellent results; 80 percent of juveniles who complete the VIC program are not rearrested within three years.

Other states are recognizing the importance of prevention, intervention, and aftercare programs and are devoting more resources to these areas. Fifteen of 21 states (71 percent) responding to an NCSL *1995 State Legislative Priorities Survey* identified juvenile crime prevention as a key issue. The states of Colorado, Minnesota, North Carolina, Pennsylvania, Tennessee, and Washington allocated from \$3.6 million (Colorado) to at least \$12 million (North Carolina) to juvenile crime prevention, intervention, and aftercare programs during regular or special legislative sessions in 1994 or 1995.

Successful Prevention, Intervention, and Aftercare Programs Address Causes of Delinquency

The federal OJJDP and research included in the *National Institute of Justice Journal* suggest that successful programs focus upon the multiple risk factors that contribute to delinquency as well as the protective factors that discourage it. According to OJJDP, delinquency is all too often a byproduct of years of individual, family, academic, and social problems. OJJDP further states that the juvenile justice system, public service providers, and local community organizations must work together to offer a continuum of services that will address the long-term needs of at-risk youths and their families.

Factors that protect juveniles from becoming delinquents include individual characteristics, such as:

- (1) good social interaction skills and a resilient disposition;
- (2) cohesive family environments with clear and positive behavioral expectations;
- (3) community and school settings that offer training and opportunities for constructive activity by the at-risk youth; and
- (4) positive reinforcement of the youth's efforts.

To achieve lasting benefit, programs that seek to deter and reduce juvenile crime must identify and build upon the juvenile's strengths as well as help the juvenile to cope with the negative aspects of his or her environment. Although some stand-alone programs show promise, current research and practice suggest that comprehensive approaches to deterrence are more effective.

Early Delinquency Prevention Programs Are the Most Effective Deterrents to Juvenile Crime

According to OJJDP, prevention programs targeting families and children in the first five years of life may be the most powerful delinquency prevention strategies that exist. OJJDP further states that prevention programs aimed at children under age five and their families may be more likely to prevent delinquency than programs aimed at older children or adolescents.

OJJDP suggests that abuse, neglect, and exposure to violence in early childhood are strong predictors of later criminal behavior. Academic failure also contributes to delinquency. Patterns of academic underachievement and failure are often established early in elementary school. Programs that improve parenting skills in at-risk families and prepare at-risk children for elementary school may have a profound long-term impact on juvenile crime rates.

Programs seeking to reduce early child abuse and neglect in high-risk families have shown promising results. A Syracuse University study of one program found that only six percent of preschoolers from poor families who received home visits and child care became adolescent probation cases; 22 percent of preschoolers from an unvisited control group entered the juvenile justice system. In Hawaii, the Healthy Start program recently reported that only 1.9 percent of small children from participating at-risk families were neglected or abused. This was much lower than the five percent reported for non-participating families.

A 1994 OJJDP publication cites the High/Scope Perry Preschool Project for three and four-year-olds in Ypsilanti, Michigan, as having shown positive long-term results. Only 31 percent of participants in a high-quality preschool program had been arrested at least once by age 19. However, 51 percent of a control group of non-participants had arrest records by the same age. Fewer program participants showed a tendency to commit new crimes as adults. Twelve percent of male and no female participants had five or more arrests by age 27, whereas 49 percent of males and 16 percent of females in the control group had five or more arrests by that age.

Other states are introducing or expanding early childhood delinquency prevention programs. Tennessee's Early Childhood Development Act (1994) required the state to draft an education plan for all at-risk three and four-year-olds and funded a home visitation program modeled after Hawaii's Healthy Start. Colorado has expanded existing preschool and parent education programs. The Colorado Legislature expanded preschool programs by 64 percent to reach 1,750 additional at-risk four-year-olds and doubled the number of family development centers.

Prevention programs for older children and adolescents must address a wide range of individual, family, social, and academic needs. According to OJJDP, broad-based programs that use a variety of community resources to address the multiple needs of at-risk juveniles appear to be effective.

Some delinquency prevention programs for older youths have been linked directly to reductions in juvenile crime in other states.

- ♦ Juvenile violence declined 80 percent over three years in six Yakima, Washington, neighborhoods served by Gang Prevention/Intervention Coalition community centers.
- ♦ Introduction of the STARS (Students Taking a Right Stand) academic and recreational youth program in Fort Myers, Florida, was followed by a 27 percent drop in the juvenile crime rate in that city.
- ♦ Dallas, Texas, police reported a 26 percent decline in juvenile arrests following introduction of a community-sponsored gang intervention program.
- ♦ Daytime crime in Oklahoma City, Oklahoma, has declined 30 percent since THRIVE (Truancy Habits Reduced, Increasing Valuable Education), a family intervention and truancy abatement program, began providing services in 1989.
- ♦ According to a Columbia University study, Bureau of Justice Administration-funded Boys and Girls Clubs have reduced juvenile crime rates in targeted public housing projects by 13 percent.

Intervention Programs May Reduce Recidivism and Ease Crowding in Juvenile Facilities

Many intervention programs provide local alternatives to incarceration or probation. In addition, intensive probation services may reduce rates at which offenders commit additional crimes and reduce the demand for bed space.

Intervention programs focus upon pre-delinquent youths with behavioral disorders and first-time or nonviolent juvenile offenders. As a rule, intervention programs offer more intensive services than prevention strategies to a narrower, clearly identified group of participants. Intervention programs address the same needs as prevention programs. Intervention strategies may:

- (1) encourage behaviorally disordered or delinquent children and adolescents to finish school;
- (2) offer anger management and other forms of individual or family counseling;
- (3) treat substance abuse;
- (4) furnish mentoring services; and
- (5) provide positive educational, social, and work alternatives to continuing delinquency or gang involvement.

OYD currently contracts with several providers that have programs that could be considered intervention programs. These include the day programs and tracker programs. Both programs are less expensive than residential settings, as discussed in Chapter One. However, OYD does not measure the effectiveness of these programs. Appendix C includes these programs.

Many promising intervention programs have been introduced in other states. For example, Positive Adolescent Choices Training (PACT), a pilot social skills program for high-risk African-American middle school students, helps adolescents with histories of aggressiveness or victimization to resist peer pressure and develop problem-solving skills. Only one in five participants was jailed or charged with an offense within three years of program completion.

Another example is Aggression Replacement Training (ART). This program is based in New York and used widely in prisons as well as non-residential placements. It employs group sessions to teach social skills, anger control, and moral reasoning. Only 15 percent of juveniles who complete this program return to custody.

Probation services have been restructured in some states and are aimed at keeping offenders from committing additional crimes and easing overcrowding in residential facilities. One Pennsylvania program ensures that behaviorally-disordered or delinquent juveniles remain in the public school system by physically placing probation officers in the schools. This program has reduced absenteeism and suspensions among students on probation. It has steadily expanded since 1990 to serve as many as 3,500 juveniles in more than 100 school districts.

Missouri's Intensive Case Monitoring Program (ICMP) has also reduced case loads by using college students in appropriate fields as "trackers." Each tracker closely monitors a small number of delinquents, checks on school attendance, and serves as a tutor and role model. ICMP has achieved notable short-term success since 92 percent of juvenile offenders who completed the program in fiscal year 1993 had not returned to custody by mid-1994.

**Aftercare
Programs
Lower Recidivism
Rates and
Help Juvenile
Offenders
Re-Enter Society**

Our audit did not identify any structured entity that coordinates services to juvenile offenders once they are discharged from secure care. Aftercare programs play a crucial role in reducing recidivism rates by helping juvenile offenders to return to their communities after release from custody. Consistent, regular supervision and monitoring ensure the juveniles' participation in aftercare and minimize the risk posed by these youths to public safety.

OYD provides parole services for offenders released from non-secure residential, long-term secure facilities, and short-term secure facilities. Between July 1, 1996, and December 31, 1996, 899 offenders exited secure care. Of these, about one-third (302) were discharged with no aftercare services such as parole. The remainder were either sent home with some supervision or sent to non-secure care.

Our audit did not identify any state programs that provide services to juvenile offenders once they are released from OYD custody. Aftercare programs continue to address needs identified while the juvenile was in physical custody. Case workers may coordinate with local service providers and schools to ensure that the released juvenile receives continued treatment or vocational training.

Juvenile justice experts agree that effective aftercare programs are necessary for successful rehabilitation of offenders released from boot camps. We interviewed judges from different parts of the state who spoke of the necessary relationship between boot camps and aftercare. One judge stated that boot camps have a therapeutic effect only while the juvenile is in residence. Another judge said that boot camps only help youths from stable home environments who wish to learn self-discipline. Yet another judge stated that negative family environments lead many juveniles to revert to old behaviors two to three months after release from boot camp.

OJJDP has developed an Intensive Aftercare Program model that balances rewards for progress with sanctions that range up to revocation of parole. Early, coordinated planning and continuity of services are key features of the program.

Pennsylvania's Juvenile Court Judges' Commission has also drafted a set of voluntary aftercare standards. The commission's standards recommend:

- ♦ a case load of 18 juveniles per aftercare officer, not to exceed 25
- ♦ a written treatment plan within 30 days of the placement decision
- ♦ periodic progress reports and a post-release plan
- ♦ contact with the juvenile and other interested persons (e.g., parents, schools, employers, service agencies, et cetera) by the aftercare officer regularly during the six months after release
- ♦ monthly review by the aftercare officer and chief probation officer

**Prevention,
Intervention,
and Aftercare
Cost Much
Less Than
Incarceration**

Prevention and intervention programs provide cost-effective alternatives to incarceration. If the state does not invest more in prevention and intervention programs, the overall costs of incarceration will continue to rise, and may become prohibitive, as projected increases in the teenage population are matched by higher levels of juvenile crime.

In fiscal year 1996, Louisiana paid nearly \$26,400 per year to house a juvenile offender in secure care. The state also paid an average of nearly \$25,800 per year to house an offender in non-secure care with the high being \$49,600 per year. Given the large number of juvenile offenders pending secure placements at any one time, the state may need to add still more secure beds to cope with the growing number of serious and violent juvenile offenders. According to the Louisiana Commission on Law Enforcement, incarceration is the most expensive strategy for dealing with juvenile crime.

By reducing juvenile offenses and recidivism rates, prevention programs affect long-term savings in juvenile justice system costs and reduce the costs to society of juvenile crime. Early prevention programs may also reduce current and future demands upon other public agencies.

According to an article in the May 1995 issue of *State Legislatures*, the High/Scope Perry preschool program, mentioned earlier, saves an estimated \$150,000 per program participant in lifetime crime costs. In addition, the Syracuse University study cited previously estimated that juvenile justice costs for infants and toddlers participating in a home visiting program would be 10 times less than costs for children not participating in the program.

Prevention programs for older youths can also be inexpensive. For example, the Fort Myers, Florida, STARS program costs \$158 per participant (no time frame given); the RCCP costs an estimated \$33 per student per year.

Intervention programs reduce the costs of juvenile crime in several ways. Mainly, the cost per participant of intervention programs is much lower than the cost of incarceration. In North Carolina, the Task Force on School Violence estimated that placing a juvenile in a training school (at \$32,000 per year) would cost the state nearly 10 times the additional training and treatment required in a public school setting (\$3,500 per year).

The Baton Rouge Marine Institute is also cost-effective, serving up to 100 youths each year at an average cost of \$16,800 per juvenile, which is less than the \$25,800 per year currently being spent to house non-secure offenders. Intervention and aftercare programs may reduce long-term costs by reducing demands for bed space and additional rehabilitative services in juvenile and adult facilities.

Recommendations

- 1. OYD should work with other state and local entities to define the at-risk population and to develop prevention programs targeted at this population.**
- 2. OYD should play a greater role in the development and implementation of intervention and aftercare programs that offer alternatives to incarceration.**

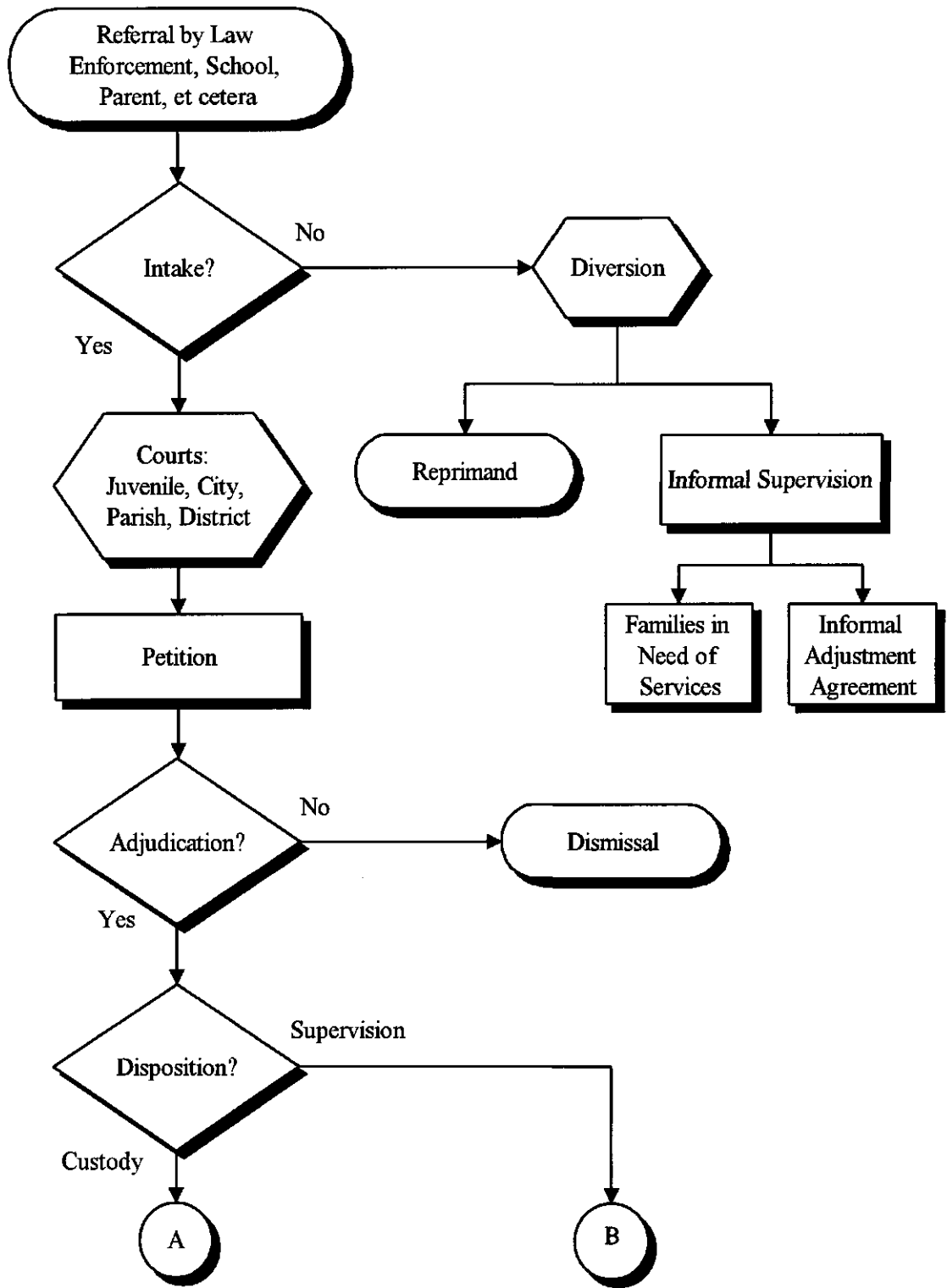
Matters for Legislative Consideration

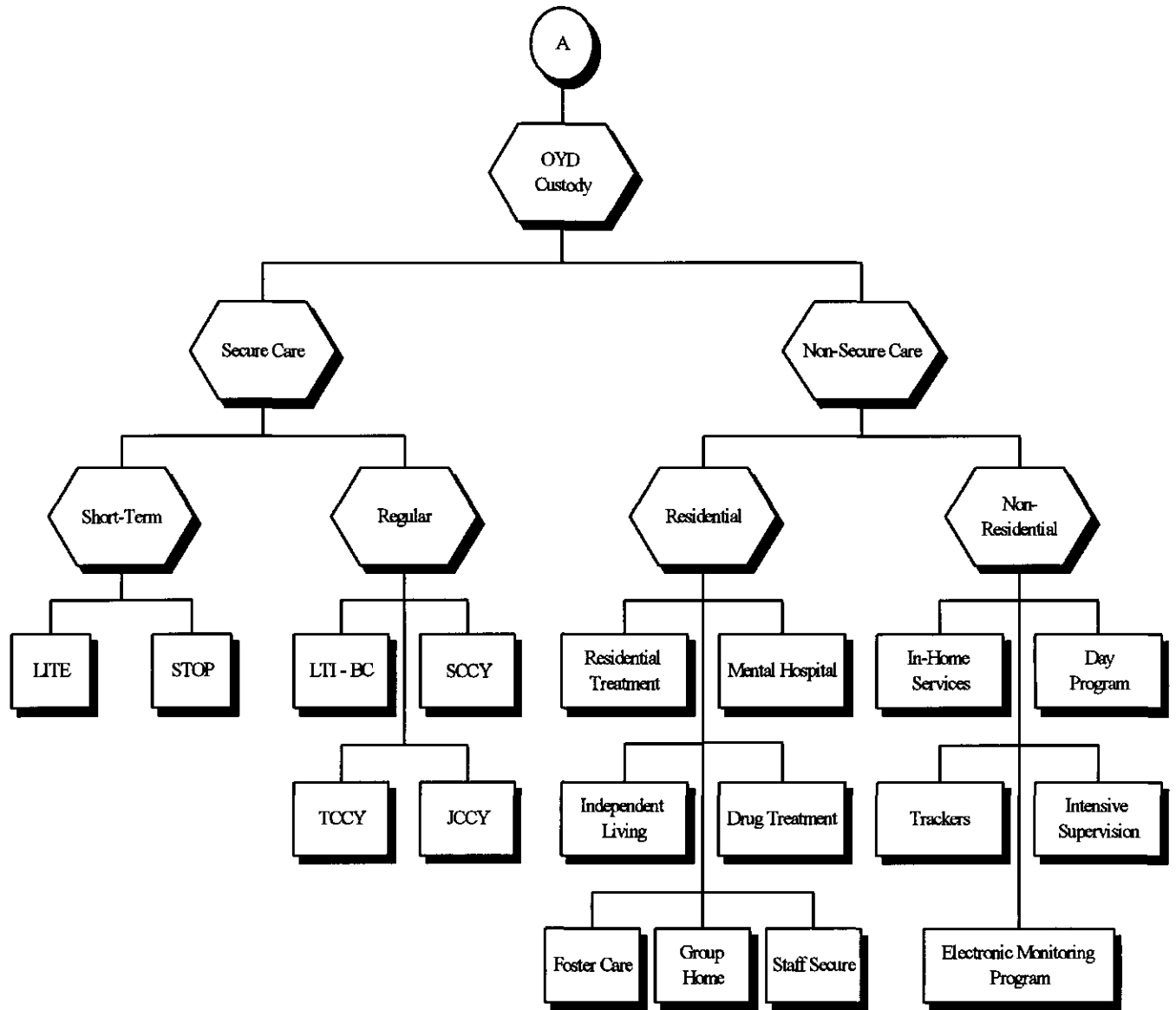
- 1. The legislature may wish to direct the Children's Cabinet to assist OYD in developing a comprehensive prevention, intervention, and aftercare plan. This plan should identify the additional programs needed to provide a continuum of services as well as provide for the coordination of new and existing programs for at-risk juveniles.**
- 2. The legislature may wish to ensure a continuum of services to at-risk youths and juvenile offenders by funding appropriate prevention, intervention, and aftercare programs. The legislature may also wish to fund these programs at levels sufficient to permit periodic and long-term evaluations of program outcomes.**

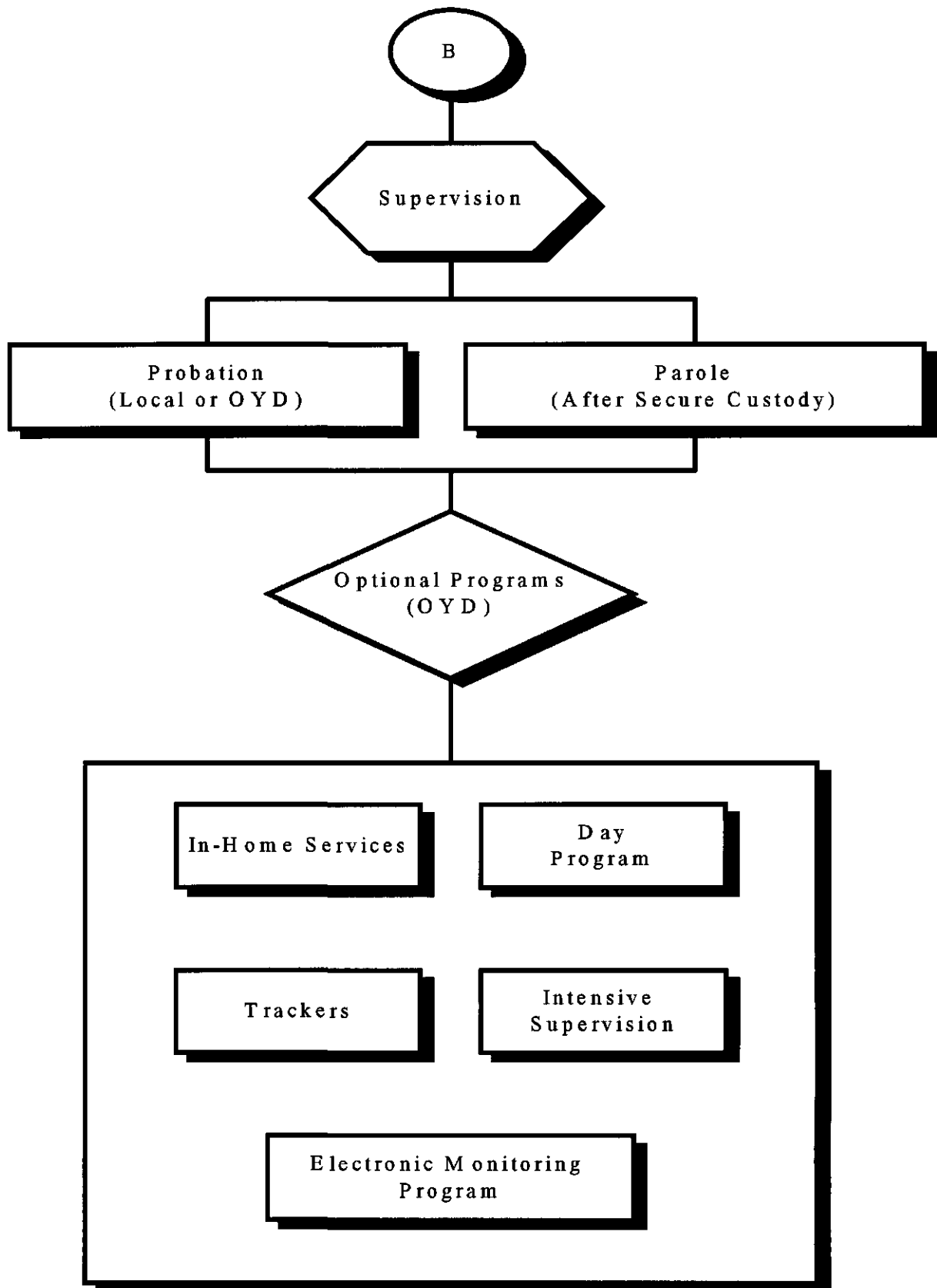
Appendix A

Flowchart of Juvenile Justice System

Appendix A: Flowchart of Juvenile Justice System







Appendix B

Demographics of Juveniles Under OYD Custody and Supervision

Appendix B: Demographics of Juveniles Under OYD Custody and Supervision

This appendix contains exhibits that describe the population of juveniles in OYD custody and those under OYD supervision.

- ♦ **Exhibit B-1** below breaks down the secure population by sex, race, and age.
- ♦ **Exhibit B-2** on page B.2 breaks down the non-secure population by sex, race, and age.
- ♦ **Exhibit B-3** on page B.2 breaks down the probation and parole population by sex, race, and age.

Exhibit B-1
Demographics of the
Juvenile Offenders in Secure Care
As of June 28, 1996

	Number	Percent
Sex		
Male	1,717	92.2%
Female	145	7.8%
Race		
Black	1,509	81.1%
White	332	17.8%
Other	21	1.1%
Age		
10-12	12	0.6%
13-15	562	30.2%
16-17	1,029	55.3%
18-21	259	13.9%
Total	1,862	100.0%

Source: Prepared by legislative auditor's staff from data supplied by OYD.

Exhibit B-2
Demographics of the
Juvenile Offenders in Non-Secure Care
As of June 28, 1996

	Number	Percent
Sex		
Male	927	77.4%
Female	270	22.6%
Race		
Black	779	65.1%
White	390	32.6%
Other	28	2.3%
Age		
10-12	42	3.5%
13-15	540	45.1%
16-17	511	42.7%
18-21	104	8.7%
Total	1,197	100.0%

Source: Prepared by legislative auditor's staff from data supplied by OYD.

Exhibit B-3
Demographics of the Juvenile Offenders
on Probation and Parole
As of June 28, 1996

	Number	Percent
Sex		
Male	5,047	80.4%
Female	1,227	19.6%
Race		
Black	4,339	69.2%
White	1,845	29.4%
Other	90	1.4%
Age		
12 and under	327	5.2%
13-15	2,379	38.0%
16-17	2,908	46.3%
18-21	660	10.5%
Total Population	6,274	100.0%

Source: Prepared by legislative auditor's staff from data supplied by OYD.

Exhibit B-4 shows the population of juveniles under OYD custody and supervision (as of June 28, 1996) by the regional office from which their cases originate.

Exhibit B-4
Juveniles Under OYD Custody
and Supervision by Region
June 28, 1996

Region	Secure	Non-Secure	Probation/Parole	Total
1. New Orleans	363	155	1,752	2,270
2. Baton Rouge	132	82	392	606
3. Thibodaux	146	57	435	638
4. Lafayette	409	170	1,142	1,721
5. Lake Charles	63	88	229	380
6. Alexandria	105	65	209	379
7. Shreveport	165	80	315	560
8. Monroe	86	49	480	615
9. Tallulah	61	26	211	298
10. Natchitoches	45	28	218	291
11. Hammond	109	70	435	614
12. Jefferson	178	327	87	592
Out-of-State	0	0	81	81
Unknown	0	0	288	288
Total	1,862	1,197	6,274	9,333

Source: Prepared by legislative auditor's staff from data supplied by OYD.

Appendix C

List of Programs
and Placement Facilities

Appendix C: List of Programs and Placement Facilities

Program Name	Location	Number of Slots (M) = Males (F) = Females	Per Diem	Contract Ends
Group Homes				
Acadiana Shelter for Girls	Lafayette	6-7 (F)	\$ 70.29	December - 1996
Boys and Girls Village - Girls	Sulphur	5-6 (F)	58.81	December - 1996
Cane River Children's Services	Natchitoches	7-9 (F)	78.65	December - 1996
Father Flanagan's Boys Town Bienville Home	New Orleans	4 (M)	74.46	December - 1996
Father Flanagan's Boys Town City Park Home	New Orleans	4 (M)	74.46	December - 1996
Father Flanagan's Boys Town - Magazine Home	New Orleans	4 (M)	74.46	December - 1996
Harmony Center - Hadley	Baton Rouge	12-14 (M)	73.09	July - 1997
Northwest Louisiana Family Crisis Center	Shreveport	3 (F)	101.38	December - 1996
Raintree Services	New Orleans	2 (F)	74.44	December - 1996
Renaissance	Alexandria	14-16 (M or F)	74.23	December - 1996
Sanctuary - Boys	Eunice	10-12 (M)	67.65	December - 1996
Sanctuary - Girls	Eunice	10-12 (F)	67.65	December - 1996
St. Bernard Group Homes Boys	Mereaux	7-9 (M)	69.81	December - 1996
St. Bernard Group Homes Girls	Mereaux	5-7 (F)	69.81	December - 1996
St. Landry Juvenile Services Lagarconniere	Opelousas	10-12 (M)	68.65	December - 1996
Youth House I	West Monroe	7 (F)	71.51	December - 1996
Youth House II	Monroe	10 (F)	70.13	December - 1996

Program Name	Location	Number of Slots (M) = Males (F) = Females	Per Diem	Contract Ends
Residential Settings				
Associated Catholic Charities - Hope Haven Center	Marrero	12-14 (M)	\$ 122.93	December - 1996
Associated Catholic Charities - Hope Haven/Intensive	Marrero	35-42 (M or F)	135.86	December - 1996
Boys and Girls Village - Boys	Lake Charles	14-17 (M)	68.34	December - 1996
Challenge and Development Center	Clinton	Case by Case Approval (M)	100.00	No Contract
David Joe Williams Cool Springs	Logansport	27 (M)	70.65	December - 1996
Hope Youth Ranch, Inc.	Minden	Case by Case Approval (M)	101.62	No Contract
Johnny Robinson	Monroe	21 (M)	60.65	December - 1996
Joy Home for Boys	Greenwood	16-19 (M)	64.65	December - 1996
Lutheran Social Services of New Orleans	New Orleans	3 (M or F)	84.21	December - 1996
Methodist Childrens Home	Ruston	28-34 (M or F)	78.88	December - 1996
Reynolds Institute	Ponchatoula	60 (M)	69.29	December - 1998
Rutherford House	Shreveport	44-53 (M or F)	71.94	December - 1996
Tyche - Briar Hill	West Monroe	12 (F)	88.53	June - 1996
Tyche - Christian Acres	Tallulah	70-72 (M)	74.20	December - 1996
Tyche - Evangeline Oaks	Monroe	16 (F)	69.25	December - 1996
Tyche - Magnolia Ridge	West Monroe	12 (F)	88.53	June - 1996
We Care Inc./Towering Pines	Slidell	18-22 (M)	69.65	December - 1996
Independent Living				
Harmony Center - Supervised Apartments	Baton Rouge	7 (M)	68.30	December - 1996
Halfway House				
Harmony Center	Baton Rouge	11 (M)	68.30	December - 1996

Program Name	Location	Number of Slots (M) = Males (F) = Females	Per Diem	Contract Ends
Foster Care				
Gulf Coast Teaching - Baton Rouge	Baton Rouge	2-3 (M or F)	\$ 39.69	December - 1996
Gulf Coast Teaching - Houma	Houma	4-5 (M or F)	39.69	December - 1996
Gulf Coast Teaching - Lafayette	Lafayette	8-10 (M or F)	39.69	December - 1996
Gulf Coast Teaching - New Orleans	New Orleans	12-14 (M or F)	39.69	December - 1996
Tyche - Christian Acres	Tallulah	2 (M)	49.00	December - 1996
Day Programs				
Baton Rouge Marine	Baton Rouge	33-40 (M or F)	48.22	December - 1996
Children's Comprehensive Services, Inc. (Pricor)	New Orleans	30 (M)	45.00	June - 1996
New Orleans Marine	New Orleans	40-48 (M)	49.73	June - 1997
Prometheus (KIND)	Lake Providence	30 (M)	63.60	December - 1996
Zion Human Services, Inc.	Shreveport	30-36 (M or F)	39.58	October - 1997
Trackers				
Gulf Coast Teaching Trackers	New Orleans	40 (M)	15.35	August - 1996
Gulf Coast Teaching Trackers - Hammond	Hammond	15-18 (M or F)	14.72	December - 1996
Volunteers of America	Lafayette	48 (M)	10.73	August - 1996
Zion Human Services, Inc.	Shreveport	15-18 (M or F)	19.60	December - 1996
Family Intervention				
Children's Comprehensive Services, Inc. (Pricor)	New Orleans	50 Families	*3,500.00	December - 1996
Gulf Coast Teaching Family Intervention/Parenting	Houma	60 Families Per Year	*2,646.27	December - 1996
Kingsley House	New Orleans	50 Families Per Year	*3,323.00	December - 1996
Tangipahoa Youth Service Bureau - Pathways	Hammond	50 Families Per Year	*2,900.00	December - 1996

Program Name	Location	Number of Slots (M) = Males (F) = Females	Per Diem	Contract Ends
Secure Facilities				
Jetson Correctional Center for Youth	Baton Rouge	470 (M) and 150 (F)	**\$71.45	No
Louisiana Training Institute - Bridge City	New Orleans	180 (M)	**86.52	No
Swanson Correctional Center for Youth	Monroe	396 (M)	**70.67	No
Tallulah Correctional Center for Youth	Tallulah	476 (M)	65.40	October - 2019

* Per Family
 ** Per Diem is for fiscal year 1996; average for Juvenile Correctional Institutions is \$72.26.

Appendix D

Department of
Public Safety and Corrections,
Corrections Services'
Response

DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONS

M. J. "MIKE" FOSTER, JR., GOVERNOR



RICHARD L. STALDER, SECRETARY

February 7, 1997

Dr. Daniel G. Kyle, CPA
Legislative Auditor
Office of the Legislative Auditor
P.O. Box 94397
Baton Rouge, LA 70804-9397

RECEIVED
LEGISLATIVE AUDITOR
97 FEB 7 11:13

Dear Mr. Kyle:

Attached please find the Department of Public Safety and Corrections, Corrections Services, response dated February 7, 1997, to the Performance Audit on the Housing and Rehabilitation of Juvenile Offenders conducted by the Office of the Legislative Auditor.

If we can be of any further assistance, please advise.

Sincerely,

Richard L. Stalder
Secretary

RLS:lg

c: Ms. Antoine
Mr. Boudreaux
Mr. Thompson
Mr. White
Mr. Isolani

**STATE OF LOUISIANA
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
CORRECTIONS SERVICES**

RESPONSE TO:

**THE PERFORMANCE AUDIT - HOUSING
AND REHABILITATION OF JUVENILE OFFENDERS**

FEBRUARY 7, 1997

Richard L. Stalder
Secretary

The Department of Public Safety and Corrections, Corrections Services, appreciates the efforts of the Legislative Audit Team in their endeavor to understand the complex and diverse system of juvenile justice, and to provide the legislature with accurate and relevant information. The report correctly identifies a number of pertinent issues which affect the Department, the judicial system, local law enforcement, the legislature, the general public and the offenders under our care and supervision. This report insightfully recognizes that complex issues require complex responses, and that there are no simple solutions. Implementation of all the recommendations would require a considerable investment of state funds. Implementation at current levels of funding could prevent the Department from completion of its primary mission of protection of the public safety. This is not to say that many of the recommendations are not legitimate correctional services options. Many of the recommendations, if adopted, and adequately funded, would provide for an optimum service delivery system.

The Department has long recognized the importance of preventative and diversionary programs for juveniles. We will continue to develop appropriate alternative programming that is consistent with the mission of the department and within financial limitations. It is also important for lawmakers to recognize that the resources needed to fully implement the recommendations contained in the report would be competing directly with other needs of the state including education, highways, hospitals, environmental quality, etc. The state must set the course and take the lead in assigning priorities to allocate its scarce resources on behalf of its citizens.

Reduction of recidivism directly relates to the primary departmental function of insuring public safety. We recognize that efforts to reduce recidivism must continue as a major goal of the department through the provision of effective correctional services. The Department is committed to the continued development and enhancement of policies and programs which will increase our effectiveness and serve to positively impact juvenile recidivism rates.

The report sighted the location of one of the four juvenile correctional centers for youth as a barrier to rehabilitation of juvenile offenders. It indicated that effective services to families was impacted negatively because of the remote location of the facility. The report went on to indicate that some national juvenile justice experts believe that centralized juvenile correctional facilities should be replaced with smaller regional facilities. The report did not acknowledge that each of the four juvenile correctional centers for youth house juveniles from around the state. The demographics of the juveniles at the cited facility are not significantly different from any of the other juvenile institutions. The difficulty in families traveling to the institutions in general will not be any more difficult for offenders at the cited facility than any other institution. The report suggests that smaller regional residential programs would facilitate effective re-entry into the community upon release. Adoption of such a recommendation would require significant outlays of capital in addition to significantly higher operating cost on a per offender basis. Such diseconomies of scale, in our estimation, would create significant hardship for the state in allocating its scarce financial resources.

In conclusion, this report is well received by the Department from a philosophical point of view. The Department will continue to strive to meet the ever increasing demand for its services in the most efficient and effective methods possible that are consistent with the protection of the public safety. Should the legislature allocate additional resources to implement programs presented within the report the Department will enthusiastically pursue them.