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Commentary from The Times-Picayune

Accord on New Orleans juvenile jail: an editorial

By Editorial page staff, The Times-Picayune

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Juvenile offenders and their advocates have decried inhumane treatment and squalid conditions at the detention center where young people charged with serious or repeated crimes are held before trial, a situation that provoked a federal class action lawsuit.

But the city of New Orleans and the Orleans Parish School Board finally seem willing to move forward with reforms at the Youth Study Center, agreeing to changes in an effort to settle that suit. That's a positive development, even though it's taken far too long.

The Juvenile Justice Project of Louisiana filed the suit alleging unconstitutional conditions nearly two years ago. The group took that step only after months of unsuccessful prodding. New Orleans Juvenile Court officials, the League of Women Voters and Citizens for 1 Greater New Orleans also had pushed for reform with no results.

Among other things, the suit alleged that juvenile inmates were kept in lockdown for long periods of time -- as long as 20 hours a day-- and were not provided consistent schooling or medical care. Jerome Walker, a 17-year-old who was detained in the center more than a year ago, described conditions that included inadequate food, spoiled milk, vermin-infested cells and a thin mat on the floor instead of a bed.

"You go to bed, stomach growling," he said.

He received no school while there, he said, and when in boredom he began sliding around in his cell in his stocking feet, three guards beat him. Another young detainee described beating on his cell door, begging for his medication, only to be ignored.

The Juvenile Justice Project filed consent decrees in federal court Monday that address those issues as well as many others. The proposed agreements, which deal with physical conditions, staff levels, training and procedures, are the result of negotiations with the city of New Orleans, which runs the center, and the Orleans Parish School Board, which is responsible for providing education to detainees.

Neither the city nor the School Board acknowledge that detainees' constitutional rights were violated in the decrees. But the decrees do spell out, in great detail, what those parties must do to improve conditions and treatment for juveniles who are detained at the Youth Study Center.

Once those changes are implemented, juvenile offenders detained at the Youth Study Center should have a very different experience. The building will be safe and secure, and they'll have education, medical care and recreation instead of lengthy lockdowns. That's far more likely to help them straighten out their lives.

A number of legal steps remain. U.S. District Judge Ivan L.R. Lemelle is expected to give preliminary approval to the consent decrees next month, which will start a three-month ratification process. All plaintiffs have to be notified of the proposed agreement and given time to file objections before the judge can give final approval.

But the city and School Board should move as quickly as possible to put these needed changes in place. According to Carol Kolinchak, legal director for the Juvenile Justice Project, that is happening. All of the detainees, for example, are getting school now, something that wasn't the case before the lawsuit was filed.

The consent decrees include target dates for the reforms. For example, the center is supposed to implement all recommendations made by the New Orleans Fire Department by Nov. 15 and complete a new policies and procedures manual by Dec. 31, replacing the one that was lost in flooding from Hurricane Katrina. But the agreements provide more time for other changes, including hiring and training. Generally, the consent decrees call for all of the issues to be addressed within two years.

The city and School Board only have to show that they are acting in good faith to meet those deadlines. But there will be independent oversight by consultants who will assess compliance with each issue three times per year for the next two years. That's reassuring.

The City Council and others also have pressed the Nagin administration to follow the advice of national experts in designing the new detention facility that will ultimately replace the building that was severely damaged in flooding after Hurricane Katrina. That needs to happen.

But Deputy Chief Administrative Officer Cynthia Sylvain-Lear admitted last week that she specifically asked the lead architect of the project to skip a Criminal Justice Committee meeting, even though the committee wanted both architects to attend. A national consultant from the Annie E. Casey Foundation wasn't invited, either.

That's troubling. The Nagin administration needs to show that it is committed to reforming the center, not only in meeting the demands on the agreement but in building a model facility for the future.