

# PLATFORM FOR YOUTH JUSTICE

**On November 3, we have the opportunity to elect the most powerful decision-makers in the justice system: the District Attorney (DA) as well as criminal and juvenile court judges. These officials control how children are treated in the system, and their decisions have profound consequences for our kids' futures - and our city as a whole.**

For decades, far too many prosecutors and judges have relied on incarceration alone to respond to children's behavior. This approach hasn't made us safer. Instead, it has harmed our kids, perpetuated racial disparities, and wasted millions of dollars that could be spent supporting children and families.

New Orleans can and must do better. We need to support children who are struggling, rather than arrest and incarcerate them. We need to stop criminalizing Black kids in our schools and neighborhoods. And we need, as quickly as possible, to get youth in the justice system back where kids belong: in their homes, schools, and communities.

This platform for youth justice presents a vision for a safer and healthier New Orleans. It calls on our elected officials to treat kids like kids, end the criminalization of Black youth, and pursue healing instead of punishment. We invite all DA and judicial candidates to sign on if they are committed to enacting this vision. And we encourage voters to choose the candidates who will help make New Orleans a city where all children can thrive.

# TREAT KIDS LIKE KIDS

Hold children accountable in ways that are developmentally appropriate.

Children think and act differently than adults because they're still developing - not only physically, but also emotionally, mentally, and socially. Yet even in the juvenile justice system, 10 to 17-year-olds are treated as if they are just small adults, and funneled into a complicated court process that usually causes more harm than good. It's time we use new, effective approaches to hold children accountable while still helping them develop in positive ways.

- Address common adolescent misbehavior in constructive ways at home, in school, and with community programs.
- If a child is arrested, divert them from formal prosecution as often as possible. Immediate, appropriate consequences are more effective at changing a child's behavior than drawn-out court proceedings.
- If a child is prosecuted and found guilty, hold them accountable in ways that are proven to reduce reoffending and tailored to their individual rehabilitation and treatment needs.

Allow children to enter adulthood without any barriers to their success.

Because they are still developing, children have an incredible capacity to grow and change as they age. Yet, a court record can follow a child for a lifetime, making it difficult to access education, good jobs, and housing – all things needed to thrive. That's true even in Louisiana's juvenile justice system, which doesn't fully protect children's identities. Once a child has been held accountable, we need to allow them to leave the justice system behind for good.

- Do not disclose a child's name or potentially identifying details to the public.
- Keep all court proceedings involving a child confidential.
- Automatically expunge all records once a child's case is closed.

Do not prosecute children in adult court and never incarcerate them in adult jails or prisons.

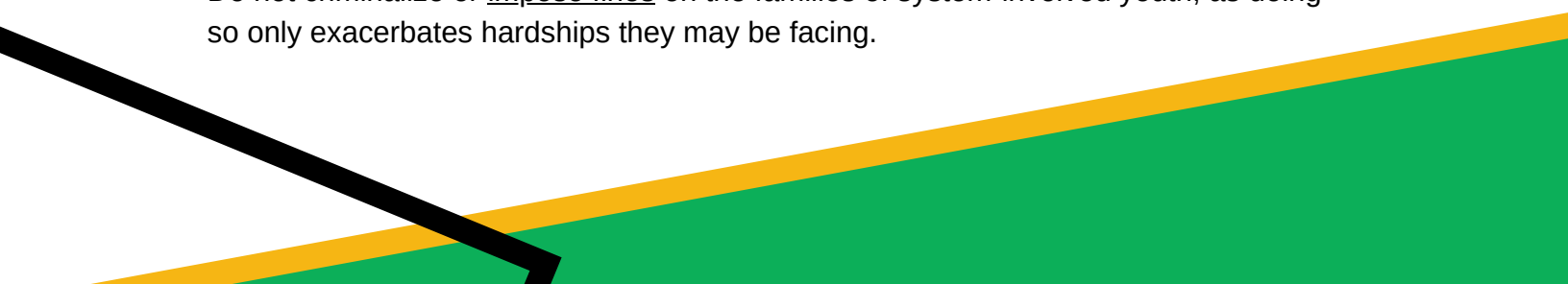
In Louisiana, children as young as 14 can be prosecuted as adults for certain serious charges. This practice - called "transfer" - endangers the safety of children and the wider community. Children prosecuted in adult court are more likely to reoffend than kids who remain in the juvenile system. Those incarcerated in adult facilities are more likely to be sexually abused, physically assaulted, and to die by suicide, as 15-year-old Jaquin Thomas did in New Orleans' adult jail in 2016. We can make our children and communities safer simply by treating kids as kids.

- Never prosecute children as adults.
- Never seek an extreme adult sentence for anyone under the age of 18. Do not pursue juvenile life without parole in retroactive or prospective cases.
- If transfer to adult court is pursued, insist on holding an individualized hearing before a judge, which takes into account a child's age, culpability, life circumstances, and treatment needs.
- Never incarcerate a child in an adult facility.

# END THE CRIMINALIZATION OF BLACK YOUTH

Do not criminalize Black children for normal adolescent behaviors.

While youth of all races engage in minor misbehavior, Black children are criminalized for it while white children are not. The resulting racial disparity is astounding: 98% of kids arrested in New Orleans are Black. We need policies in place that address this disparity and keep law enforcement from acting on their biases, whether implicit or explicit.

- Support continued implementation of the Policing Alternatives for Youth (PAY) ordinance, which requires police officers to issue a warning or summons to children accused of certain minor offenses instead of taking them into custody.
  - Provide regular, meaningful implicit bias and anti-racism training to police officers, prosecutors, and judges.
  - Hold law enforcement officers accountable if they show a pattern of discriminatory behavior.
  - Do not criminalize or impose fines on the families of system-involved youth, as doing so only exacerbates hardships they may be facing.
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## End the over-policing and surveillance of Black neighborhoods and schools.

Black children are constantly being told they are dangerous. Police are more likely to patrol their neighborhoods and use discriminatory tactics like stop-and-frisk. Even educators suspend and expel Black students at a higher rate, increasing the likelihood that a child will end up in the justice system. This all takes an enormous psychological and emotional toll on kids. We need to make our communities and schools safe places for Black children to learn and grow.

- Invest in community services that can meet the needs of people in crisis, rather than using the police to respond to every situation.
- Stop using police cameras to surveil and intimidate Black communities.
- Educate teachers and administrators on the school-to-prison pipeline and advocate for an end to suspension and expulsion practices.
- Cops don't belong in schools. Encourage school administrators to hire social workers, counselors, and other support staff instead.

## Invest in resources that children and families need to thrive.

In New Orleans we spend an enormous amount of money responding to crime, but very little preventing it. About two-thirds of the city's budget is spent on traditional "public safety" entities - NOPD, the District Attorney's Office, and juvenile and criminal court, to name a few. The funding for affordable housing, early childhood development, and other supports that actually make us safer pales in comparison. It's time our elected officials reassess their priorities and reinvest in our communities.

- Advocate for resources and supports that families need to thrive, including a living wage, high-quality education, stable housing, and access to medical and mental health services.
  - Shift funding from traditional law enforcement practices to safety strategies created and provided by the community.
  - Advocate for economic and social policies that benefit Black families and remedy the historic and current divestment from Black communities.
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# PRIORITIZE HEALING INSTEAD OF PUNISHMENT

Recognize and respond to childhood trauma as a public health issue, not a crime issue.

Systemic racism and its byproducts - poverty, violence, and poor health - have caused high levels of trauma among New Orleans' Black children. When left untreated, trauma can manifest in a variety of antisocial ways, including acting out and – for some – engaging in violence. Far too often, we see this behavior as evidence that a kid is “bad” and funnel them into a justice system that only exacerbates trauma. We should instead view their behavior as a symptom, and provide the appropriate treatment. If we hope to prevent future trauma, we must get serious about dismantling the systemic racism that causes it.

- Advocate for resources to provide accessible trauma treatment in the community to any child who needs it.
- To avoid the traumatizing effects of jail, use diversion programs in the community to supervise and support kids who are awaiting trial.
- Train police, prosecutors, and judges in trauma-informed approaches and hold them accountable for implementing these strategies at every stage in the court process.
- Recognize the ways in which the justice system itself is traumatizing to a child and eliminate practices that may create or exacerbate trauma.

## Use restorative justice in lieu of prosecution as often as possible.

Restorative justice is a process in which the survivor of a crime and the responsible party willingly come together to address the harm done and agree on a plan to repair it. In contrast to the traditional criminal legal system, restorative justice requires the child to work with the survivor to make amends. It has been shown to reduce reoffending and increase satisfaction for survivors. Children in particular benefit from learning how their actions affect another person, and how they can make amends.

- Offer restorative justice in all cases, for all offenses, and at any time (ideally pre-trial) if both parties agree.
- Offer restorative justice as soon as possible after the incident. Doing so provides immediate consequences for children and enables them to make reparations in a timely manner.
- Do not prosecute a child if they successfully complete the process and fulfill their agreement with the survivor.
- Ensure that restorative justice services are provided by trained community groups.

## Do not incarcerate children.

Locking up a child puts their physical and mental health at great risk. It is a traumatizing experience that often worsens a young person's behavior and increases the likelihood of reoffending. It's also incredibly expensive for being so ineffective: the amount of money budgeted for New Orleans' juvenile jail in 2020 is nearly three times the amount budgeted for early childhood education. This would not be the case if we reserved incarceration for the rarest circumstances and instead supervised and supported the vast majority of children in the community.

- If a child is arrested, release should always be the presumption. The vast majority of children should either be sent home with a summons or referred to a diversion program.
- Decisions to detain a child should only be made using trauma-informed, objective criteria.
- Support a city ordinance to prohibit the jailing of children 13 years old or younger. While jail is not safe for any child, the youngest are the most vulnerable.
- Do not sentence a child to time in juvenile prison without clear and convincing evidence that the child's treatment cannot be accomplished in a less restrictive setting.
- If a child is incarcerated, either before or after trial, bring them home as quickly as possible. In the meantime, ensure that facilities keep children connected to their families and provide high-quality education, programming, and medical and mental health treatment to facilitate rehabilitation.