

Testimony of
The Honorable David L. Bell

June 20, 2007

Written Statement of Chief Judge David L. Bell, Orleans Parish Juvenile Court presented to the Senate Judiciary Committee.
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To the Honorable Senator Patrick Leahy and Senator Arlen Specter: I am here today on behalf of the Orleans Parish Juvenile Court (OPJC) to discuss juvenile delinquency in New Orleans, where we as a system and a community are in terms of resources, and where we can be more effective in increasing public safety and responding to the needs of young people to ensure their success.

We are confronted with new issues that dramatically impact our ability to respond appropriately to ensure public safety and to address the needs of our young people. We face challenges in educational opportunity, unprecedented mental health needs, the inability to teach young people employable skills and an overall dearth of community-based resources.

OPJC presently has six hundred eighty-nine (689) open delinquency cases. From January 1, 2007 through today, the New Orleans Police Department arrested approximately eight-hundred (800) juveniles and the New Orleans District Attorneys Office Juvenile Division filed two hundred and eighty four (284) new delinquency petitions. Based on the new petitions we are seeing significant drug use, which we believe is a result of unaddressed trauma and mental health needs, a direct result of Katrina. For example, 28% of the cases that come before the court are for possession of narcotics.¹ Most of the youth appearing before the court, eighty-two percent (82%), are fifteen to seventeen years old (15-17) who have unaddressed educational needs and lack the skills to obtain gainful employment.²

We are seeing an increase in disproportionate minority contact even though the population of New Orleans has changed since Katrina³; ninety-three percent (93%) of delinquency petitions filed are young people of color.⁴

I want to assure you that our court and system stakeholders are working to address the needs of the juveniles who come before us. We have a national best practice Youth Advocate Program that literally wraps services around the juvenile and her family. This program has shown a ninety-one percent (91%) success rate with youth who have very high needs and who require intensive supervision pre-adjudication to protect public safety. We have two (2) behavioral health liaisons that connect juveniles and families to limited mental health services in the community. One liaison works with detained youth to provide counseling and assist with re-entry. We have an after-school Report Resource Program that has a fifty-seven 57% success rate helping youth obtain academic success. We have a drug court program that provides eighteen-months (18) of intensive drug counseling. But our resources are stretched beyond capacity and we are at risk of losing critical interventions.

I also want to assure you that we received considerable assistance from the Federal Government, for which we are grateful; however the assistance was structured in such a way as to limit our responsiveness to the new issues with which we are confronted. Specifically, we were unable to apply for funding for anything other than what we had pre-Katrina. Our system was broken prior to Katrina and the restriction to ask for what we had was our greatest impediment to success. In 1997, the New York Times called OPJC "the most troubled juvenile court system in the country."⁵ We were unable to create new programs based on the needs of the young people, which national research demonstrates is best practice. We were unable to increase the salaries of critical positions leaving us in an untenable hiring position - we sought qualified talented and creative staff that enjoys working with children at a salary well below market rate.

We have done the best we can with what we have. A recent article in The Gambit highlighted OPJC and its stakeholders work noting that OPJC has gone from "what was once described as one of the worst [juvenile courts] in the country" to working towards a model court by instituting major reforms in the eighteen (18) months since Hurricane Katrina through judicial leadership.⁶ We made significant strides in reform; however we find ourselves at a crossroads.

So where are we now? Our current caseload of six hundred eighty-nine (689) far exceeds our capacity. Presently, our Youth Advocate Program, one of our most successful programs, will be reduced in the next week from six (6) mentor advocates to three (3) because there is not enough funding to continue. It is currently on a freeze to reduce the number of youth in the program. We have only two (2) behavioral health liaisons that are overwhelmed by a caseload of six hundred eighty-nine (689). The Report Resource after school program is run by one (1) full-time person and two (2) part-time teachers. We have little to no mental health resources, which for us, has resulted in tragedy. About one month ago, a young person who had mental health needs that we could not address, shot and killed someone.⁷ We do not want another tragedy to befall on our system. We need help.

In order to reduce crime in New Orleans, the Orleans Parish Juvenile court needs the following:

- Reinstate the Weapons and Violent Crime Elimination Program (WAVE Court)
9% of the juveniles petitioned in court are for weapons;
- Create a rapid response team of mental health professionals to address mental health needs of youth in crisis;
- Provide additional funding for Youth Advocates;
- Provide additional funding for Behavioral Health Liaisons;
- Provide additional funding for Report Resource teachers;
- Create a felony Drug Court Program
- Provide funding for Educational Liaisons
- Create a diversion program for first-time offenders
- Create non-traditional education including industry specific training

I thank you for the time and opportunity to present this information to you. I hope it sheds light on our where we are in addressing juvenile delinquency and how we can partner with you to confront the barriers to success.

1 25% burglary/theft/trespass; 15% abuse/assault/battery; 11% robbery; and 9% weapons.

2 0.5% are 8 yrs old; 2% are 11 yrs old; 3.9% are 13 yrs old; 12% are 14 yrs old; 18% are 15 yrs old; 26% are 16 yrs old; 38% are 17 yrs old, 0.5% are 18 yrs old.

3 47% African American; 43% White

4 79% African American male; 14 % African American female; 2.8% White male .08% White female.

5 Fox Butterfield, Few Options of Safeguards In a City's Juvenile Courts. New York Times, July 22, 1997.

6 Found at http://www.bestofneworleans.com/dispatch/current/cover_story.php.

7 Found at <http://pqasb.pqarchiver.com/timespicayune/access/1274272701.html?dids=1274272701:1274272701&FMT=FT&FMTS=ABS:FT&type=current&date=May+21%2C+2007&author=Bob+Ussery&pub=Times+-+Picayune&desc=N.O.+boy%2C+15%2C+held+in+shooting>