

# REPORTS ON JUVENILE CRIME

**An Analysis Of Juvenile Crime And The  
Juvenile Justice System In New Orleans, Louisiana  
April, 1991**

**Juvenile Agenda:  
Reducing Juvenile Violence In Our Community  
March, 1992**

**Juvenile Crime In New Orleans:  
An Analysis of Weapons Use Among Our City's  
Juvenile Offenders  
June, 1992**

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Orleans Parish Criminal Sheriff**

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**CHARLES C. FOTI, JR.  
ORLEANS PARISH CRIMINAL SHERIFF**

**APRIL 1991**

**U.S. Department of Justice  
National Institute of Justice**

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APRIL 1991

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## FOREWORD

Everyone in New Orleans talks about juvenile crime and many feel that it is the most serious threat to public safety today. Yet, what are the facts?

Is juvenile crime increasing and at what rate? Is it public perception or reality that the types of crimes committed by juveniles are becoming more serious? How does New Orleans fare when compared to other regions in terms of juvenile crimes? Why do we know so little about juvenile crime and the juvenile justice system?

Unlike the adult justice system with its headline-making arrests and sensational public trials, the juvenile justice system maintains a low profile. According to a report on juvenile offenders, the National Institute of Justice states that the principal features that distinguish current juvenile delinquency proceedings from adult criminal proceedings can be summarized as follows:

1. **Absence of legal guilt.** Legally, juveniles are not found guilty of crimes but are "found to be delinquent." Juveniles are not held legally responsible for their acts.
2. **Treatment rather than punishment.** Whatever action the court takes following a finding of delinquency is done in the name of treatment or community protection, not punishment, as is the case for adult felony offenders.
3. **Absence of public scrutiny.** Juvenile proceedings and records are generally closed to the public. What goes on in court is presumed to be the business only of juveniles and their families. This position clearly has its roots in the early child-saving mission of the court.
4. **Importance of a juvenile's background.** Juvenile's needs and amenability to treatment can, it is widely presumed, be deduced from their social history, prior behavior, and clinical diagnosis. This presumption is used to justify the wide range of discretionary powers of the court in deciding fitness and making dispositions, and to youth correction agencies in deciding when a ward should be released.
5. **No long-term incarceration.** Terms of confinement for juveniles are considerably shorter than those for adults.

6. **Separateness.** The juvenile system is kept separate from the adult criminal justice system at every point, from detention at arrest to the identities of the officials who handle the case in court, and in subsequent placements as well.

7. **Speed and flexibility.** Delinquency cases are disposed of more quickly than comparable adult criminal cases, and the juvenile court judge has a broader range of disposition alternatives.

Louisiana is 1 of 6 states where an individual is legally considered a juvenile until the age of 17. There are 40 states that hold the majority at age 18; 3 states consider a juvenile until the age 16 and 1 state at 19 years old.

Part of the problem is lack of information as to the number and types of crimes committed by juveniles. How many active juvenile delinquents are there in New Orleans? What efforts are being made to deter first offenders from becoming repeat offenders? What is being done to rehabilitate repeat juvenile offenders? What can be done by criminal justice agencies, by elected officials and by concerned citizens?

This report seeks to answer those questions.

PART ONE

A. DESCRIPTION OF JUVENILE CRIME IN NEW ORLEANS

Although little attention has been given to the growth of juvenile crime in relation to adult crime, actual police statistics show that juvenile crime has increased at a more rapid rate than adult crime. This increase can be noted both in terms of numbers and in the seriousness of crimes committed. Juvenile crime in New Orleans can be measured in the following ways:

1. BY THE NUMBER OF ARRESTS AND CHARGES AGAINST JUVENILES

Between 1985 and 1990 the number of juvenile arrests increased by 19% and the number of charges increased by 82%. The upsurge in charges against juveniles is due to the fact that more and more frequently juveniles are found to be in possession of either weapons or drugs when arrested on another charge.

<u>YEAR</u>	<u>ARRESTS</u>	<u>CHARGES</u>	<u>AVG PER PERSON</u>
1985	4,783	5,135	1.07
1986	5,092	5,404	1.06
1987	4,499	4,887	1.08
1988	4,810	5,968	1.24
1989	5,659	8,870	1.57
1990	5,713	9,358	1.64

Source: New Orleans Police Department, 1985 - 1990.

2. BY THE TYPE OF CHARGES AGAINST JUVENILES

Juveniles can be charged with either a status offense or a criminal offense:

\* A status offense can be defined as an offense that would not be considered if committed by an adult. Examples would be:

- loitering on streets after midnight
- running away
- truancy
- unruly & uncontrollable behavior

\* A criminal offense is any violation of municipal or state law.

Approximately 72% of all charges against juveniles in New Orleans are criminal offenses, with only 28% classified as status offenses. The following chart details status offenses while the charts on pages 3 and 4 detail criminal charges.

TOTAL STATUS CHARGES AGAINST JUVENILES

<u>CRIME</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>1989</u>	<u>1990</u>
Local runaways/parent or guardian	229	243	179	169	207	232
Out of city runaways	63	44	55	44	34	23
Out of state runaways	44	29	49	29	25	17
Truancy	37	29	64	83	148	202
Unruly and uncontrollable	41	15	13	17	12	12
Loitering on street after midnight	24	4	3	378	554	643
<hr/>						
Total	443	364	363	720	980	1129

Source: New Orleans Police Department, 1985 - 1990

In addition to these charges, Juvenile Court receives approximately 2000 inquiries annually from family and neighbors regarding unruly and uncontrollable youths. These are direct referrals and are not processed through the Police Department's arrest process. Of the 2000 referrals, approximately 10% - 15% result in a court hearing.

TOTAL CRIMINAL CHARGES AGAINST JUVENILES

CRIMES	1985	1986	1987	1988	1989	1990
<u>VIOLENT CRIMES</u>						
MURDER	9	15	18	24	48	44
MANSLAUGHTER	0	0	1	0	1	0
AGG BATTERY/GUN	17	31	18	35	42	58
AGG BATTERY/KNIFE	33	24	33	28	40	34
AGG BATTERY/OTHER	105	117	111	103	123	136
AGG KIDNAPPING	0	2	1	0	2	0
AGGRAVATED ARSON	8	8	5	6	8	2
AGGRAVATED ASSAULT	98	106	85	89	120	120
AGGRAVATED RAPE	10	26	18	18	20	13
ARMED ROBBERY/GUN	49	69	58	47	103	116
ARMED ROBBERY/KNIFE	7	22	6	4	2	6
ARMED ROBBERY/OTHER	14	12	9	5	14	9
ATT AGG RAPE	0	2	4	2	0	2
FORCIBLE RAPE	4	6	5	5	7	2
NEG HOMICIDE	2	1	3	3	1	1
NEGLIGENT INJURING	5	2	2	14	8	10
SIM ROBBERY/BY FORCE	75	84	60	35	44	45
SIM ROBBERY/PURSE/STCH	45	53	34	41	24	21
SIMPLE ASSAULT	23	24	9	20	14	19
SIMPLE BATTERY	264	290	255	300	387	362
SIMPLE KIDNAPPING	2	2	2	5	7	5
SIMPLE RAPE	2	4	0	0	2	5
<b>TOTAL</b>	<b>772</b>	<b>900</b>	<b>737</b>	<b>784</b>	<b>1017</b>	<b>1010</b>
<u>VICE CRIMES</u>						
CRIME AGAINST NATURE	14	16	22	12	9	8
GAMBLING	8	5	0	0	2	6
IMM CONDUCT/SEXUAL INTER	11	8	7	9	3	1
INDECENT BEHAVIOR	14	16	17	15	18	15
OBSCENITY/EXPOS/LEWDNESS	20	12	8	2	5	6
PROSTITUTION	8	3	5	1	1	1
SOLICITING, PANDERING	3	1	2	0	1	1
<b>TOTAL</b>	<b>78</b>	<b>61</b>	<b>61</b>	<b>39</b>	<b>39</b>	<b>38</b>
<u>WEAPONS</u>						
ILL CARRYING WEAPON/GUN	61	112	99	156	176	261
ILL CARRYING WEAPON/KNIFE	49	53	38	56	46	28
ILL CARRYING WEAPON/OTHER	6	10	9	8	8	7
ILLEGAL USE WEAPON/GUN	18	27	24	25	35	39
ILLEGAL USE WEAPON/KNIFE	4	0	1	2	1	3
ILLEGAL USE WEAPON/OTHER	6	1	2	4	12	3
<b>TOTAL</b>	<b>144</b>	<b>196</b>	<b>173</b>	<b>251</b>	<b>278</b>	<b>341</b>
<u>DRUGS</u>						
DIST OF SCH. I NARCOTIC	0	0	3	2	1	0
DIST OF SCH. II NARCOTIC	4	0	22	101	143	110
DIST OF SCH. III NARCOTIC	1	2	10	2	1	0
DIST OF SCH. IV NARCOTIC	0	0	0	0	1	0
DISTRIBUTION OF MARIJUANA	19	35	29	30	16	7
POSSESSION OF SCH. I NARCOTIC	4	2	0	0	1	0
POSSESSION OF SCH. II NARCOTIC	7	6	26	71	162	172
POSSESSION OF SCH. III NARCOTIC	0	5	5	2	1	0
POSSESSION OF SCH. IV NARCOTIC	0	0	0	0	2	1
POSSESSION OF MARIJUANA	91	69	62	86	58	25
<b>TOTAL</b>	<b>126</b>	<b>119</b>	<b>157</b>	<b>294</b>	<b>386</b>	<b>315</b>

TOTAL CRIMINAL CHARGES (CONT.)

PROPERTY	1985	1986	1987	1988	1989	1990
AGG BURGLARY BUSINESS	1	0	1	2	1	0
AGG BURGLARY RESIDENCE	9	12	4	9	10	11
AGG BURGLARY/OTHER	0	0	0	0	2	1
AGG CRIM DAMAGE PROP	8	13	12	10	11	10
CRIM MISCHIEF	37	28	18	20	20	11
EXTORTION	9	6	3	6	2	3
FORGERY	6	20	9	8	11	9
ILL CARRYING/BURGLAR TOOLS	1	5	9	0	2	2
RECEIVING STOLEN THINGS	268	478	411	529	1425	1390
SIM BURGLARY/BUSINESS	71	83	66	39	56	48
SIM BURGLARY/OTHER	4	2	6	4	6	3
SIM BURGLARY/RESIDENCE	145	198	189	158	161	142
SIM BURGLARY/SCHOOL	25	41	25	22	27	11
SIM BURGLARY/VEHICLE	99	172	135	86	87	76
SIM CRIM DAMAGE PROP	198	204	202	216	209	234
SIMPLE ARSON	3	6	4	4	1	4
THEFT AUTO/MOTOR VEH	53	194	142	164	257	273
THEFT BY PICKPOCKETS	5	17	4	1	3	0
THEFT BY SHOPLIFTING	903	748	668	676	757	743
THEFT FROM EXT/MOTOR VEH	6	6	10	6	8	0
THEFT OF BICYCLE	39	46	43	27	26	15
THEFT/OTHER	122	127	93	115	104	89
UNAUTH USE MOVABLE VEH	13	10	11	12	14	10
<b>TOTAL</b>	<b>2025</b>	<b>2416</b>	<b>2065</b>	<b>2114</b>	<b>3200</b>	<b>3085</b>
<b>OTHER</b>						
AGGRAVATED ESCAPE	24	1	3	0	1	3
ALL OTHER TRAFFIC OFFENSES	144	8	128	140	164	165
CRUELTY TO ANIMALS	6	3	3	7	2	0
DIST PERCE/DISORDERLY CONDUCT	220	311	257	253	247	295
FIREWORKS	4	1	0	0	4	1
HIT AND RUN	20	8	12	15	17	29
DRIVING UNDER INFLUENCE/INTOXICANT	17	11	6	4	6	8
JUVENILE COURT WARRANT	288	227	248	278	456	636
LOC RUNAWAYS/PARENT OR GUARDN	229	243	179	169	207	232
LOITERING AND DRINKING IN ABO	2	2	1	0	0	2
LOITERING IN ABO NOT DRINKING	5	1	2	1	1	2
LOITERING ON STREET/CURFEW	24	4	3	378	554	643
OPERATING MOTOR VEH WHILE INTOX	24	16	13	11	8	8
OUT OF CITY RUNAWAYS	63	44	55	44	34	23
OUT OF STATE RUNAWAYS	49	29	49	29	25	17
RESISTING AN OFFICER	277	320	257	306	627	645
SIM ESCAPE/DETENTION FACLTY	47	58	31	23	22	20
SIM ESCAPE/POLICE CUSTODY	9	11	6	4	6	9
TRUANCY	37	29	64	83	148	202
UNDER INFLUENCE OF INTOXICANT	17	6	1	4	3	2
UNRULY AND UNCONTROLLABLE	41	15	13	17	12	12
<b>TOTAL</b>	<b>1547</b>	<b>1348</b>	<b>1331</b>	<b>1766</b>	<b>2544</b>	<b>2554</b>
<b>TOTAL CHARGES</b>	<b>4692</b>	<b>5040</b>	<b>4524</b>	<b>5248</b>	<b>7464</b>	<b>7428</b>

SOURCE: NEW ORLEANS POLICE DEPARTMENT, 1985-1990

3. BY THE SEVERITY OF CRIMINAL CHARGES AGAINST JUVENILES

We are witnessing an enormous increase in the number of serious crimes committed by juveniles. Five years ago, for instance, juveniles were just as likely to be arrested for illegally carrying a knife as a gun. Today, in arrests for illegal weapons, guns outnumber knives 9 to 1. Additionally the type of gun has changed from a simple Saturday night special to semi-automatics and uzzi machine guns.

1985 - 1990 Percent Increase

Murder.....389%

Aggravated Battery  
with a Gun.....241%

Armed Robbery  
with a Gun.....137%

Illegal Carrying  
of a Gun...328%

The increase in the number of juveniles carrying weapons, especially guns, is measured here in terms of criminal charges. Obviously, these numbers only represent those juveniles apprehended with a weapon. While it can be assumed that there are a far greater number carrying weapons - there is no proof.

The National Institute of Justice chose New Orleans as one of 5 sites across the country to take part in a research project. This study is being conducted by Tulane University's Department of Sociology and is entitled "Firearms, Violence and American Youth". Juveniles who are being held by the Criminal Sheriff's Office will participate in the program. The study seeks to answer the following questions:

- How widespread is the practice of weapons carrying by juveniles?
- When, how and why do juveniles carry guns?
- What are the motivations?

In each site the survey is conducted in a juvenile detention facility and in a public high school. The result, which should be ready by late summer, should reflect the use of guns by both juvenile offenders and non-offenders.

Law enforcement officers report that a juvenile armed with a weapon, especially a gun, is considered far more dangerous than an armed adult for several reasons: juveniles are usually more unpredictable, have less to fear if caught and often feel little compunction for loss of life since they have little value for their own lives.

We are also seeing younger and younger individuals involved in these serious crimes. According to the 1989 arrest records, we find 7 and 8 year old juveniles arrested for carrying concealed guns, 8 and 9 year olds arrested for aggravated battery with a gun, 12 and 13 year olds arrested for murder. The progression is clear; without sanctions, juveniles continue to commit more and more serious offenses.

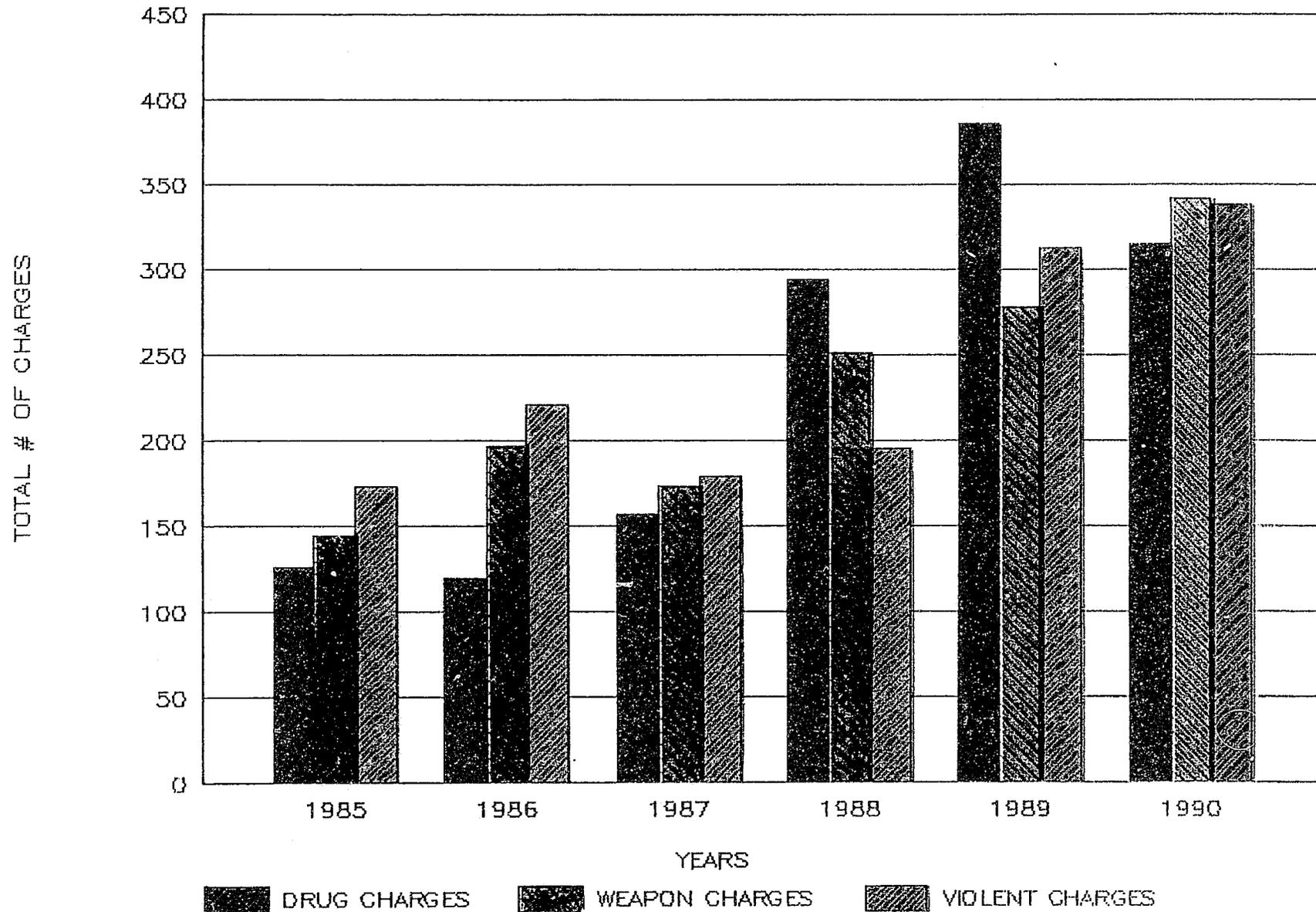
New Orleans ranks higher than the national figures in both the increase in violent and property charges according to a report by the National Institute of Justice for the years 1985 - 1989:

	Nationally	New Orleans
Violent Charges	+ 17%	+ 32%
Property Charges	- 4.8%	+ 58%

The graph on the following page illustrates the increase in serious juvenile charges over the past 5 years.

# JUVENILE CRIME IN NEW ORLEANS

1985 THROUGH 1990



\* DECREASE IN DRUG CHARGES FROM '89 - '90, IS DUE TO DECREASE OF MARIJUANA ARREST'S

4. IN COMPARISON TO ADULT CRIMES

Although juveniles comprised only 11% of the total number of persons arrested in 1990, they accounted for 30% of the murder charges.

	<u>JUV. ARRESTS</u>	<u>ADULT ARRESTS</u>	<u>TOTAL ARRESTS</u>	<u>% JUV</u>
1985	4,783	45,993	50,776	10%
1986	5,042	40,776	45,818	12%
1987	4,499	36,375	40,874	11%
1988	4,810	37,061	41,871	11%
1989	5,659	36,344	42,003	13%
1990	5,713	44,244	49,957	11%

Source: New Orleans Police Department, 1985 - 1990

A 16 year veteran of the New Orleans Police Department reports that:

"In my experience, juveniles are responsible for approximately 50% of the crimes committed in this city. But because they are harder to apprehend, juveniles account for only a small percentage of the total arrests."

The number of arrests do not reflect the number of crimes committed. A far greater number of crimes are reported and remain unsolved.

In a 1990 report, Michael R. Geerken, Ph.D. and Alfred C. Miranne, Ph.D. stated:

"The young offender, and especially the juvenile offender, commits many more serious offenses per year than older offenders. At the same time, the criminal justice system does a very poor job of incapacitating the young offender. Active juvenile burglars spend only 2% of their time incarcerated, juvenile armed robbers 4%."

The chart on the following page documents that serious crime arrest rates are highest in the young age groups.

# Serious crime arrest rates are highest in young age groups

Arrest rate per 100,000  
age-eligible population

4,000

3,000

2,000

1,000

C

Age 10

20

30

40

50

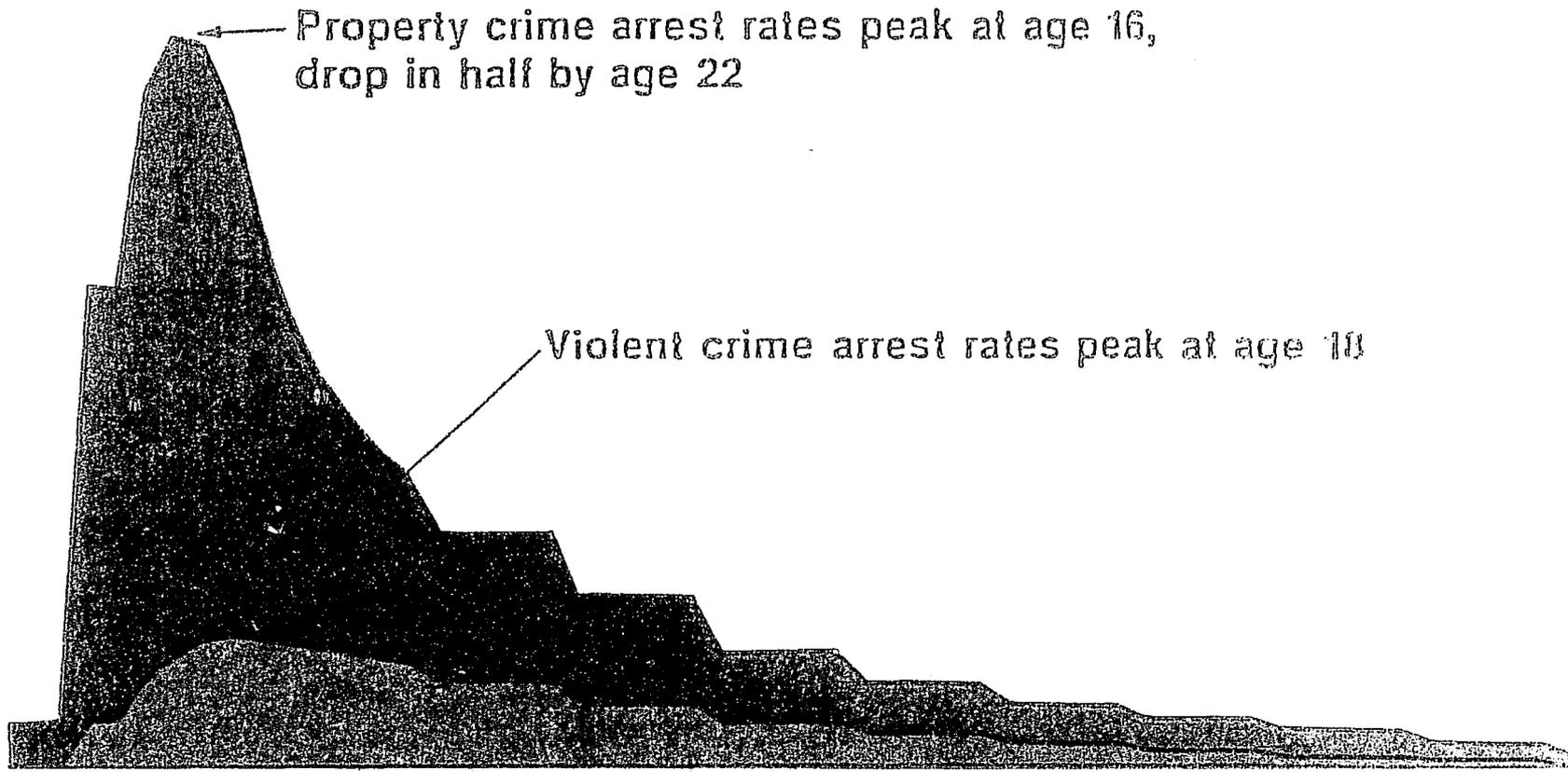
60

65+

Property crime arrest rates peak at age 16,  
drop in half by age 22

Violent crime arrest rates peak at age 10

Source: FBI Uniform Crime Reports, 3-year averages, 1983-85.



5. IN COMPARISON TO OTHER REGIONS

In New Orleans the rate of violent index offense referrals by juveniles aged 10 to 17 was twice the rate of that reported in a study published by the Office of Juvenile Justice and Delinquency Prevention in 1985.

The National Juvenile Court Data Archive analyzed 340,254 juvenile court records submitted from 12 states. The twelve states were Arizona, California, Florida, Hawaii, Iowa, Maryland, Mississippi, Nebraska, Ohio, Pennsylvania, South Dakota, and Virginia. These courts had jurisdiction over 29% of the Nation's juvenile population.

The rate of violent offense referrals in the 12 state study showed that there were 2.64 juveniles charged with violent offenses for every 1000 youths. Below are violent offense referral rates for New Orleans:

<u>YEAR</u>	<u>JUVENILES CHARGED WITH VIOLENT OFFENSES PER 1000 YOUTHS</u>
1985	6.6
1986	8.1
1987	6.5
1988	6.2
1989	8.3
1990	8.2

6. BY THE NUMBER OF REPEAT OFFENDERS

Of the 5,659 juveniles arrested in 1989, 67% were repeat offenders. Without sanctions, the Juvenile Justice System has become a revolving door where juveniles are arrested and released only to commit more crimes.

We are seeing 7 and 8 year olds as repeat offenders. By the age of 11 almost half of the juveniles arrested are repeat offenders. By 12, almost 60% are repeat offenders and by 13 almost 70% are repeat offenders.

The chart on the following page gives a breakdown of the juveniles arrested in 1989 by age and indicates the number of first offenders, repeat offenders and total offenders in each age group.

BREAKDOWN OF JUVENILE OFFENDERS BY AGE, 1989

FIRST OFFENDERS

	(1-6)	7	8	9	10	11	12	13	14	15	16	+16	TOTAL
MALE	9	5	10	40	47	91	118	148	239	266	323	7	1,303
FEMALE	4	1	4	2	13	22	41	87	141	133	122	2	572
TOTAL FIRST OFFENDERS	13	6	14	42	60	113	159	235	380	399	445	9	1,875
% OF TOTAL OFFENDERS IN AGE GROUP	100%	67%	64%	81%	56%	51%	41%	34%	34%	28%	29%	13%	488%

REPEAT OFFENDERS

	(1-6)	7	8	9	10	11	12	13	14	15	16	+16	TOTAL
MALE	0	3	8	10	47	96	198	377	630	920	995	58	3,342
FEMALE	0	0	0	0	1	12	27	77	102	120	98	5	442
TOTAL REPEAT OFFENDERS	0	3	8	10	48	108	225	454	732	1,040	1,093	63	3,784
% OF TOTAL OFFENDERS IN AGE GROUP	0%	33%	36%	19%	44%	49%	59%	66%	66%	72%	71%	88%	985%

TOTAL OFFENDERS

	(1-6)	7	8	9	10	11	12	13	14	15	16	+16	TOTAL
MALE	9	8	18	50	94	187	316	525	869	1,186	1,318	65	4,645
FEMALE	4	1	4	2	14	34	68	164	243	253	220	7	1,014
TOTAL OFFENDERS	13	9	22	52	108	221	384	689	1,112	1,439	1,538	72	5,659

## B. DESCRIPTION OF THE JUVENILE JUSTICE SYSTEM IN NEW ORLEANS

### 1. JUVENILE COURT

There are 5 juvenile judges in Orleans Parish who handle all juvenile delinquency cases as well as all juvenile traffic cases, dependent or neglected children and non-support cases. Over half of all new cases, however, are delinquency cases. The Court accepted 8,211 new cases in 1990, bringing the total number of open cases to over 21,000. Like their counterparts in the adult system, the Orleans Parish Juvenile Judges have the heaviest caseload in Louisiana.

The judges spend 3 days on delinquent and abuse or neglect cases and 2 days on non-support. In addition each judge serves on a rotating basis as the Detention Hearing judge.

For the purpose of this report, attention will be focused only on the juvenile delinquency aspects of the juvenile court system. Although it should be noted that quite often a juvenile may be involved in a abuse/neglect case or a traffic case as well as a delinquency case.

### 2. ARREST AND RELEASE PROCESS

On an average day, 15 to 30 juveniles are arrested and brought to the New Orleans Police Department Juvenile Bureau. The Juvenile Bureau, which has only 2 short term holding cells, evaluates each juvenile based on the arresting officer's report and arrest history. Typically, 5 to 10 of the juveniles arrested are first offenders and 10 to 20 are repeat offenders.

The majority of juveniles are released to a parent or guardian and told to return for the detention hearing which must take place within 72 hours of arrest. Those juveniles who are judged to be a danger to the community or themselves are held in one of the two juvenile detention facilities (providing space is available) until the detention hearing.

### 3. JUVENILE FACILITIES

In 1986, the Youth Study Center was the city's only detention center for juveniles. A backlog of adjudicated juveniles meant that less beds were available for arrestees. When it's capacity of 62 youths was reached, the kids on the street knew it. They knew that they could commit all but the most serious crimes and get away with only a lecture because there was no room for holding them.

The result was a "juvenile crime spree" that rocked the city. It was during this period that the Criminal Sheriff's Office was asked to help by holding 10-12 juveniles. That number steadily grew and by the summer of 1990, the Criminal Sheriff's Office was holding approximately 100 juveniles while the Youth Study Center still held 62 at maximum.

Realizing that the need for still more pre-trial juvenile beds was probably the single greatest need in the entire criminal justice system, the Sheriff's Office proposed opening 100 new beds at the Mayor's Crime Summit last fall. The Council funded 75 new beds to be operated by the Criminal Sheriff's Office. The number of juveniles in custody now total almost 240, 62 (maximum) are held at the Youth Study Center, another 180 are held by the Criminal Sheriff's Office .

The juvenile population changes daily as new offenders are brought in, as others are released or placed on probation or as sentenced youth are transferred to a state facility. Because of the lack of bedspace on the state level, 100 sentenced juveniles are held while awaiting transfer to a state facility.

#### 4. DETENTION HEARING

By law a detention hearing must be held within 72 hours of arrest. Presently, each of the 5 judges rotate on a monthly basis as the detention judge. The detention judge presides over detention hearings, held weekdays at 1:00 p.m., to determine if an arrested juvenile should be held in detention until the time of his or her adjudication hearing.

Before the Sheriff's Office provided the additional bed space, over 90% of all juveniles coming before a detention judge were released to await their adjudication hearing. Records show that the majority of these youth committed additional crimes while awaiting adjudication because there were no sanctions against them.

#### 5. ADJUDICATION HEARING

The purpose of the adjudicatory hearing is to determine whether a child is delinquent. Present at this hearing is either private counsel or a Public Defender, the parent(s) and an Assistant District Attorney.

The judge has several options: the child be found delinquent, the case be dismissed, adjudication can be withheld and the child placed on probation or referred to another agency or the judge can find the child to be delinquent but released, given a suspended sentence or placed on probation. The disposition hearing is the sentencing point of the juvenile. Sentencing possibilities are far different than those for the adults. For example, if a juvenile is sentenced to life, this means that he is incarcerated only until the age of 21.

The U.S. Supreme Court decision In Re: Gault (387 U.S. 1 (1967)) guarantees juveniles the right to adequate notice of charges, the right to counsel, the right to confront and cross-examine witnesses, and the privileges against self-incrimination. After explaining these rights to the juvenile and his or her parent(s), the judge hears testimony and then makes a finding in the case.

According to Article 14 of the Louisiana Code of Juvenile Procedure, "Juvenile cases shall be docketed and handled separately from regular criminal and civil cases, and juvenile case records shall be confidential and kept separately. Except as provided by law, juvenile proceedings shall not be public."

## 6. PROBATION OFFICE

The Office of Juvenile Probation is a state funded office that is separate from adult probation. A juvenile probation officer must have a Bachelor's degree in one of the social sciences and have experience with children. Currently, Orleans Parish has 20 in-field juvenile probation officers handling a case load of about 2,000 juveniles. The parishes of Jefferson, St. Bernard and Plaquemines have their own probation officers, but Orleans handles the after care (parole and placement) programs of all 4 parishes. Obviously the need for more probation officers is urgent with the number of arrests exceeding 5,700. This breaks down to about 120 to 130 cases per juvenile officer. The national standard case load is about 50 cases per officer.

Cases handled by a juvenile probation officer are either delinquency or children in need of supervision. The court makes the decision as to when the probation officer enters the juvenile process; this may be at or after the adjudication hearing. To list a few examples the probation officers provide pre-sentencing reports, evaluations, placement recommendations and have parole responsibility as well.

7. DISTRICT ATTORNEY'S OFFICE

The Juvenile Division of the District Attorney's Office screens every juvenile arrest which occurs in Orleans parish and every arrest that occurs outside the parish if the juvenile is a resident of Orleans Parish. At present, there are a total of 8 Assistant D.A.'s in this division.

If the juvenile is charged with a felony, he is scheduled to come before a juvenile judge within 72 hours. The Juvenile Division screens these cases within 24 hours of arrest on weekdays and within 48 hours of arrest on weekends and holidays. This division handles 3 kinds of cases: Juvenile Delinquencies, Status Offenses and Child Abuse/Neglect Cases.

The D.A.'s office has the authority to decide whether a juvenile should be tried in Juvenile Court or as an adult in Criminal District Court.

The decision to transfer youth from juvenile court to criminal district court, is under LA R.S. 13:1570 which states:

"....Who violates any law or ordinance, except a child who, after having become fifteen years of age or older is charged with having committed first degree murders, second degree murder, manslaughter, aggravated rape or a person who after becoming sixteen years of age or older is charged with having committed armed robbery, aggravated burglary, or aggravated kidnaping. Once such a child has been charged with having committed any offense listed in this Paragraph, the district court shall retain jurisdiction over his case, even though the child pleads guilty to, or is convicted of, a lesser offense, and a plea to, or conviction of, a lesser included offense shall not revert the court exercising juvenile jurisdiction of such a child."

C. PROFILE OF JUVENILE OFFENDERS IN CUSTODY

1. NUMBER IN CUSTODY

a. JUVENILES HELD ON JUVENILE CHARGES

On the particular day this information was compiled, March 7, 1991, the number of juveniles in custody was 223, with a total of 325 charges against them. Of the six categories of crimes the list of charges reads as follows:

<u>Violent</u>	<u>Vice</u>	<u>Weapons</u>	<u>Drugs</u>	<u>Property</u>	<u>Other</u>
73	0	26	58	116	52

These charges range from simple escape to murder; one charge being feticide.

Youth Study Center

There were 42 juveniles housed at the Youth Study Center, ranging from ages 9 - 16, 30 boys and 12 girls. Their charges ranged from aggravated burglary to 2nd degree murder to simple escape.

Criminal Sheriff's Office

The Orleans Parish Criminal Sheriff's Office had 181 juveniles ranging from ages 13 - 17. Their charges range from murder to narcotics possession to simple escape. Of these 223 juveniles, approximately 70% have been adjudicated and 30% are awaiting their adjudication hearing.

Approximately 39% of these 181 incarcerated have between 2-4 open charges ranging from simple escape to possession of narcotics to forcible rape. In exact numbers, that means 72 juveniles have a total of 168 charges against them. Please note that these are the amount of charges filed against the juvenile; these are not the number of crimes committed.

b. JUVENILES HELD ON ADULT CHARGES

On the day this information was collected, there were 11 juveniles pending acceptance for trial as adults. The crimes are as follows: Armed robbery - 6; Murder - 4; Aggravated Burglary - 1. These 11 juveniles not only have previous records but they have been arrested a total of 70 times. The 11 juveniles are awaiting the decision by the District Attorney on whether to be tried in Juvenile Court or as an adult. The District Attorney has 60 days from the day of arrest to make this decision.

PREVIOUS ARRESTS OF THE 11 JUVENILES HELD ON ADULT CHARGES

Attempted murder/murder	7
Aggravated burglary/burglary	2
Attempted armed robbery/armed robbery	13
Weapon possession	3
Auto theft	5
Possession of Stolen property	6
Possession of drugs	4
Disturbing the peace/resisting arrest	7
Simple assault/aggravated battery	2
Status offenses	4
Criminal trespassing/criminal damage	4
Court warrants	<u>13</u>
	70

c. PROFILE

A profile of one juvenile in particular, illustrates that his first arrest was at the age of 12 for criminal trespassing. He is now 17, held by the Sheriff's Office on 6 counts of armed robbery. Within a period of 5 years, he has been arrested a total of 29 times. The arrests ranged from a status offense such as curfew violation, to multiple criminal offenses such as possession of narcotics and murder.

2. JUVENILES IN ADULT COURT

On the particular day this information was collected, there was a total of 33 juveniles who were either awaiting trial or had been tried and sentenced in Criminal District Court. Of these 33 juveniles, 5 have already been tried and sentenced on state charges. Out of these 5, 2 were each sentenced to 3 years for 2nd degree murder, 1 was sentenced to 6 years for armed robbery and 2 were each sentenced to 45 years for armed robbery.

## PART TWO

### A. ANALYSIS: IS THE JUVENILE JUSTICE SYSTEM WORKING?

No. The juvenile justice system, as it presently operates in New Orleans, does not serve the best interests of either the juveniles or the community. In fact, it may be said that the present system actually contributes to the problem of juvenile delinquency. This statement is not a reflection on any of the hard working professionals in the Juvenile Criminal Justice System. It is merely a statement of fact.

The juvenile justice system does not work because it does not provide adequate sanctions against juvenile offenders. New Orleans is not alone in this predicament; it is a national problem. Commander Raymond Goth of the Los Angeles Sheriff's Office expressed the following views at a meeting of juvenile experts in Washington, D.C.

"I firmly believe that the juvenile justice system in California and in this country is totally ineffective. The only youngster who is concerned or afraid...of the juvenile justice system is the youngster who has never experienced it. Once they have been involved in the juvenile justice system, they soon recognize that there is absolutely nothing to be concerned about, that there are very few sanctions available in juvenile justice."

The key word is sanctions. Undoubtedly, drugs, unemployment, poor self-esteem, deteriorating family life, lack of strong role models and illiteracy all play a part in the increase in juvenile crime. But the main reason there has been an increase in juvenile crime is the lack of sanctions against juvenile offenders. The Juvenile Justice System does not hold juveniles or their parents accountable for their actions. Their freedom is not curtailed in any way whatsoever which sends a clear message: crime does pay.

In a 1990 report, Michael R. Geerken, Ph.D. and Alfred C. Miranne, Ph.D. stated:

"...diversion, probation and other mechanisms of release should be applied to juveniles only in the very early stages of their criminal careers, for the first or second non serious arrest. Once they are identified as active offenders, however, the system should concentrate on providing services - education, counseling, vocational training - in a secure, incapacitative environment."

The Office of Juvenile Justice and Delinquency Prevention reported the following in a Juvenile Justice Bulletin:

"Currently, the system gives the least amount of attention to the youngest kids who have committed the least serious offenses. Conversely, the greatest amount of attention is given to the older kids who have committed the more serious offenses. The juvenile justice system has unwittingly, but affirmatively, nurtured several generations of young habitual criminals."

Clearly, we can no longer afford to ignore the operations of the Juvenile Justice System or the juveniles who are affected by this system. If the Juvenile Justice System is to serve the interests of our community and our young people, then it must be changed. Attention must be given to the younger juveniles as they enter the system if we want to prevent them from becoming career criminals.

## B. RECOMMENDATIONS FOR CHANGE

In order to make the Juvenile Justice system work, sanctions must be created to deter juveniles from committing crime and to keep the dangerous juveniles off the street. The dictionary defines sanction as "a detriment, loss of reward, or coercive intervention annexed to a violation of a law or a means of enforcing the law."

Sanctions must be created and utilized at every step of the Juvenile Justice process in order to be truly effective at the point of arrest, before and after the detention hearing, before and after the adjudication hearing.

A juvenile offender should not be released back to a parent or guardian without loss or curtailment of freedom in some way. Programs are needed to closely monitor the juvenile's activities.

Repeated offenders cannot continue to be released while awaiting their hearings. Additional facilities are needed to detain them.

### 1. CREATE A MULTI-TIERED SYSTEM

Undoubtedly, more detention space is needed to provide effective sanction; but simply adding more juvenile bedspace is not the answer. A multi-tiered system should be created to detain and provide treatment for juveniles at different points. The chart on the next page outlines the recommended processing of juveniles in this system.

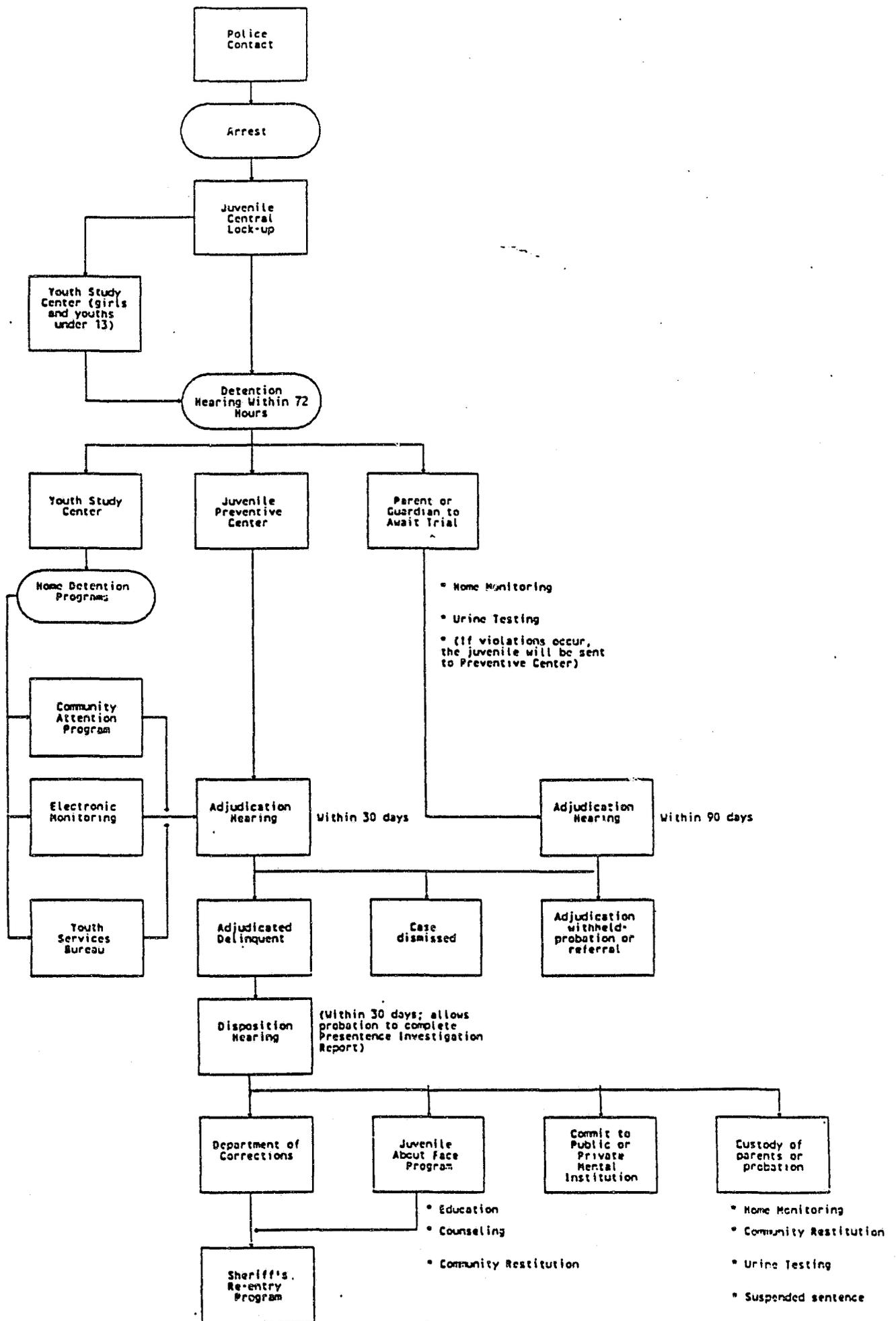
#### a. NEW... Juvenile Central Lockup

Purpose: short term detention only for holding

- \* all arrestees until their detention hearing
- \* curfew violators

Length of stay: 12 to 72 hours

Number of beds: 50 - 60



b. Juvenile Preventive Center

Purpose: intermediate detention for holding

- \* repeat offenders from time of Detention Hearing to Adjudication Hearing
- \* any first time offender who was released to family but violated conditions of release.

Length of stay: 30 days

Number of beds: 150

c. Youth Study Center

Purpose: intermediate detention for holding

- \* special populations (young children, girls, and mentally or physically handicapped) after detention hearing.

Length of stay: 30 days

Number of beds: 62

d. Juvenile About Face Program

Purpose: long term detention for holding

- \* those juveniles who have been adjudicated

e. NEW...Juvenile Re-Entry Center

Purpose: to facilitate re-entry process

- \* juveniles with 4 months or less

Length of stay: 2 months in-house and 2 months intensive probation

Number of beds: 100

2. CHANGE POLICY OF DETAINING JUVENILES AFTER ARREST

a. After being arrested, all arrestees (with priority given to violent, armed, repeat offenders or those arrested on court warrants) would automatically be held at the Juvenile Central Lockup until their Detention Hearing, which must take place within 72 hours.

This would accomplish two purposes:

- \* ensure that the offender shows up for the detention hearing
- \* impress upon the juveniles that there are consequences for their actions.

3. CHANGE POLICY OF DETAINING JUVENILES AFTER DETENTION HEARING

a. After the Detention Hearing all juvenile repeat offenders, would continue to be held at the Preventive Detention Center until their Adjudication Hearing (within 30 days). Girls, youths under 13, and those with a mental or physical handicap who are repeat offenders would be held at the Youth Study Center.

b. After the Detention Hearing those juveniles considered not a danger to the community would be released to their parents or guardians with the stipulation that until their Adjudication Hearing (which must take place within 90 days) they will adhere to the following conditions:

1. If in school, they must attend daily or be subject to revocation.
2. If employed, they must report on their job daily or be subject to revocation.
3. They must report for random urine testing weekly and pay for the cost of testing.
4. Weekends would include 5 hours of programming.

The idea behind this is to reduce the number of first offenders who become repeat offenders. Particular emphasis should be placed on youth in the 11 to 13 year old bracket since this age group shows the most promise to become repeat offenders.

4. APPOINT A MAGISTRATE OR AD HOC JUDGE TO HANDLE DETENTION HEARINGS AND ANOTHER FULL TIME JUVENILE JUDGE

A magistrate or ad hoc judge to handle detention hearings and another full time juvenile judge should be appointed to help the present 5 juvenile judges with their heavy caseload.

This would accomplish 2 things:

- \* free up more time for juvenile judges to handle their already heavy workload;
- \* detention hearings could be scheduled in both morning and afternoon sessions.

5. CREATE A JUVENILE DATA BASE

One of the greatest needs in the Juvenile Justice System is accurate information on who is actually committing crime. Juvenile arrests are maintained on the police department's MOTION system. Incarceration records are maintained in the STAR system operated by the Criminal Sheriff. Court records are not linked to either of these systems. There is no centralized data base on school attendance, records of abuse or neglect, other family problems.

A juvenile data base should be created using input from all relevant sources: the courts, D.A.'s office, police department, Criminal Sheriff's Office, School Board, Office of Family Services, Probation Office, and Welfare Department. Information will only be available to authorized personnel and should include among other things:

- prior delinquency
- curfew violations
- educational status
- family status
- psychological evaluations
- history of abuse or neglect

6. ADD MORE JUVENILE PROBATION OFFICERS

Additional probation officers are needed to:

1. Monitor those juveniles who are released to their parents or guardians while awaiting their detention or adjudication hearing.

2. Monitor those juveniles who have been adjudicated, found delinquent and placed on parole or probation in lieu of detention.

With the addition of 10-15 more probation officers, the present case load would be dramatically lower. Also, probation officers could be separated to either specifically handle delinquency or children in need of supervision cases. This would allow opportunities for intensive training of these officers in their related areas. At present, there are 20 in-field juvenile probation officers handling about 2,000 juveniles on probation. With the national standard case load being around 50 per officer, our 100-120 per officer seems unconscionable.

7. IDENTIFY CHRONIC CRIMINAL BEHAVIOR AND TAKE STEPS TO INTERVENE

Identifying those juveniles who are at the greatest risk of becoming chronic or repeat offenders is vital. Scarce dollars and resources could then be focused on this "at risk" group to develop intervention programs.

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) funded a research study to examine the delinquent careers of chronic juvenile offenders from the court's perspective. The findings from this project have important implications in identifying those juveniles who are at the greatest risk of becoming chronic or repeat offenders. Resources could then be used to develop intervention programs or strategies for this at risk group.

The following is an excerpt from the OJJDP study which was entitled "Court Careers of Juvenile Offenders".

The younger a juvenile was on entering the court system, the greater the likelihood that the youth would later be referred for a violent offense. For example, a youth whose first court referral was at age 13 was twice as likely as a youth first referred at age 16 to have a violent offense referral.

- \* Youth most likely to commit a subsequent violent offense were first referred to court for robbery; more than half of these youth recidivated.
- \* The second group of youth most likely to be referred for a subsequent violent offense were those whose first referral was for aggravated assault or burglary.

- \* Juveniles who were first referred for underage drinking, truancy, drug law violations, or shoplifting were least likely to commit a subsequent violent offense.

#### 8. EXPAND ELECTRONIC MONITORING

Under Electronic Monitoring, the juvenile will be in his home and family members will be involved in helping him live up to his agreement with the court. The Electronic Monitoring devices can be an anklet (active) or wristlet (passive). The decision of which type depends on the amount of monitoring needed. The juvenile counselor will know the whereabouts of the juvenile at all times, if necessary. Electronic Monitoring is a tool that can help strengthen existing programs by adding flexibility and security. Electronic Monitoring can be used as either a part of an "early release" program or for pre-trial juveniles. This program should be expanded.

#### 9. ENFORCE THE CURFEW LAW

Instead of releasing a curfew violator back to their parents immediately, they should be detained overnight in Juvenile Central Lockup. The parents or guardian will be notified but the juvenile would not be released until the next morning. The juvenile will only be released to the parent or guardian. Repeated violations of the curfew will result in the use of a home monitoring program.

According to arrest records the number of curfew violations increased from 37 in 1985 to over 202 in 1990. Obviously, the number of curfew arrests depends on the priority placed on this by the police department.

#### 10. TARGET JUVENILE GANGS WITH SPECIAL UNIT

Recognize that there is the beginning of a gang problem and marshal the resources of the entire community as well as the entire criminal justice system in tackling this problem before it gets out of hand. Create a special unit within the police department to identify various gangs, their members and their activities.

Despite the fact that the police department does not acknowledge the presence of gangs, there is plenty of evidence to prove otherwise by the explicit graffiti used to mark their territory and by reports from the juveniles themselves who recount gang-related stories.

Since 1987, the City of Shreveport has been battling an explosive juvenile gang situation. The city has had to acknowledge the presence of gangs as well as their heavy involvement in the cocaine market. Many of these gangs originated in the Los Angeles, Portland and Houston area.

A Gang intelligence Unit was developed specifically to handle the 18 official gangs. The Caddo Parish Sheriff's Office in conjunction with the Shreveport Police Department and the Bossier City Police Department maintain one central computer that has the names of the gang members and their affiliation. There is also a specialized unit of deputies that are in constant contact with the gang members and their dealings.

Michael Genelin, Head Deputy with the Los Angeles District Attorney's Officer, warns:

"If you have a gang problem, the first thing you have to do is acknowledge it. Then you can start examining it and come up with solutions. We waited too long; we didn't focus adequate resources soon enough. Don't let your city get in that position."

#### 11. INSTITUTE DRUG TESTING AT THE TIME OF ARREST

Although we know that drugs play a role in the increase of juvenile crime, there are no statistics on drug usage among juvenile offenders in New Orleans. Drug testing at the time of arrest should be implemented in order to determine the percentage of juvenile offenders using drugs and to determine conditions for pre-adjudication release.

In the adult system, approximately 70% of all those tested show that drugs are present at the time of arrest. Almost all available research by the criminal justice system on drug use and drug testing has focused on adults. Although surveys of juveniles have found drug-crime relationships similar to those found in adults, little is known about the correlates of drug use among juvenile offenders.

A "Research in Brief" by the National Institute of Justice, reports on the findings of an extensive 3-year study of almost 400 detained juveniles and the role of drug use in the events that brought them into contact with the justice system. The findings are as follows:

- \* Adult offenders who use drugs are among the most active criminals, and that they report they began using drugs as youngsters.

- \* Drug testing can be used diagnostically to identify high-risk youth before they become established in the cycle of illicit drug use and crime.
- \* Testing also is a valuable tool for assuring that they remain in treatment and remain drug free so they can truly change destructive behavior patterns.

<u>Drug Testing</u>	Age	10-12	13	14	15	16	17+
* Positive for any drug		24%	39%	28%	44%	44%	46%

C. WHAT CAN THE COMMUNITY DO?

The Juvenile crime problem is not just a juvenile justice problem...its everyone's problem. The community must get involved. The following recommendations should be viewed as "stepping stones" in a process that must be community wide with individuals, churches, civic and neighborhood organizations all having a role to play.

1. GET INFORMED

a. Request that the Police Department issue monthly reports on juvenile crime.

b. Request that the Juvenile Judges outline problems giving specifics.

c. Tour the Juvenile Court facilities, the Youth Study Center and the Criminal Sheriff's Juvenile Facility.

2. GET INVOLVED

a. First Offenders

Organizations such as Big Brothers/Big Sisters and the Urban League are working with juveniles who are referred from Juvenile Court. However, the number of juveniles impacted by these two programs is relatively small. CASA, which works with abused/neglected children, is another organization that is successful because of one-on-one involvement. More organizations such as these are needed so that every first offender receives individual attention.

b. Volunteers In Prevention, Probation & Prison, Inc.

V.I.P. is a non-profit organization that enables the courts and community to work together in "partnership" to effectively fight crime and drugs. The purpose and goal of V.I.P. is to assist those who want to involve volunteers and community resources in courts, jails, prisons, probation, parole and juvenile institutions to prevent crime, reduce recidivism and rehabilitate apprehended offenders and delinquent prone youth.

Since 1968, there has been a nation wide total of 5,657,000 citizen volunteers involved in juvenile and criminal justice probation and other rehabilitative programs. The juvenile offender, in particular, needs special attention throughout the processing system. Volunteers have proven to be very effective in well administered and managed programs.

c. Truants

The Sheriff's Office and Orleans Parish School Board should jointly develop a special day-care school for juvenile offenders. Juveniles, who are released to their parents custody or on probation, would be required to attend this special 7:00 a.m. to 7:00 p.m. school. Failure to do so would result in revocation of their freedom.

d. General Juvenile Population

Churches can adopt playgrounds, provide volunteer coaches, supervisors and equipment. If juveniles are actively involved in sports they are less apt to get involved in criminal activity.

e. Neighborhood Participation

Neighborhoods can form their own programs with the help of the Juvenile Probation Office. Cleaning up the neighborhood, helping the elderly with everyday chores and helping at community facilities are some examples of programs that can be developed. This will show the juvenile that he/she is capable of actually helping someone as opposed to causing trouble.

f. Role Models

Individuals are needed as role models. Businessmen, retirees, college students, and anyone interested in doing something about crime should become involved by working one-on-one as a role model.

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**JUVENILE AGENDA:**  
**Reducing Juvenile Violence in Our Community**

**CHARLES C. FOTI, JR.**  
**Orleans Parish Criminal Sheriff**

**March 1992**

155068

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**March 1992**

**Prepared By**

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*Deadly lessons....*

*Kids with guns are setting off an arms race  
of their own across the country. Are schools  
doomed to become free-fire zones?*

*Newsweek: March 9, 1992*

# CRIMINAL SHERIFF

Parish of Orleans - State of Louisiana - New Orleans, Louisiana 70119

CHARLES C. FOTI, JR.  
Sheriff

## PREFACE

*As Criminal Sheriff of Orleans Parish, my interest in the juvenile crime problem is both personal and professional. My office first became involved in the issue of juveniles in 1986 when I was asked by the mayor, police superintendent and juvenile judges to assist the city in holding juvenile offenders. Although I had no legal responsibility to do so, I felt a moral responsibility to help as the city was in the midst of a juvenile crime spree. In 1986, the Criminal Sheriff's Office began holding a half dozen juveniles; today we average between 140 and 180 juveniles - two to three times as many as the city's Youth Study Center.*

*As the number of juvenile offenders escalated, so did our concern. We developed a Juvenile About Face Program, combining aspects of a boot camp and a regular school. We worked with the Orleans Parish Public School Board to develop individualized testing and a year round school curriculum for the juveniles in our custody.*

*Instead of becoming enured to the constant growing number of juvenile offenders, my staff and I increasingly recognized the need to do something to address this problem.*

### *A. WHAT HAS BEEN DONE TO ADDRESS THIS PROBLEM?*

*Last April, we completed a report entitled "An Analysis of Juvenile Crime and the Juvenile Justice System in New Orleans, LA". In May, this report was released to the public at a citywide forum sponsored by the Citizens Coalition Against Crime. Copies were sent to all city and statewide elected officials as well as all members of the state legislature.*

*The report was notable in that it listed the types and number of juvenile offenses occurring over a six year period. Not only did it note a measurable increase in the number of offenses committed by juveniles, but it also revealed a very distinct increase in the severity of the offenses. While the increase in murder charges for juveniles showed the greatest increase (389%), all crimes involving guns increased significantly. For example, illegal carrying of a gun increased 328%, aggravated battery with a gun increased 241%, and armed robbery with a gun increased 137%.*

*Inadequacies in the juvenile justice system are a national problem. This was pointed out in a report from the Office of Juvenile Justice and Delinquency Prevention which states: "Currently, the system gives the least amount of attention to the youngest kids who have committed the least serious offenses. Conversely, the greatest amount of attention is given to the older kids who have committed the more serious offenses. The juvenile justice system has unwittingly, but affirmatively, nurtured several generations of young habitual criminals."*

## B. WHAT IS BEING DONE TO ADDRESS THIS PROBLEM?

### 1. "Word to the World"

In February, we printed 5,000 copies of a booklet entitled "Word to the World". This booklet is a compilation of 46 letters written by juvenile offenders here in New Orleans.

The juveniles' letters paint a picture of their world, a world that is sometimes shocking, sometimes mocking as they describe hustling, breaking into cars and homes, playing the dope game, doing it all - even murder. They tell how they progressed from simple transgressions at the age of 7 or 8 to becoming a "stone cold criminal" by the age of 15 or 16. Several expressed the thought that if they had not been incarcerated, they would be dead by now. They realize that in jail they still have a chance to change, to turn their lives around. On the streets, they don't have that chance.

### 2. Juvenile Anti-Violence Committee

In response to a request from the Chamber of Commerce, we formed a Juvenile Anti-Violence Committee to provide leadership in reducing juvenile violence in New Orleans. Representatives from the Chamber, the Orleans Parish Public School Board, the Archdiocese School Board, the Interfaith Ministry, the Citizens Coalition Against Crime, and the Juvenile Judges make up this committee.

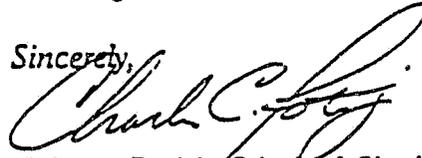
The committee members agreed to support the proposals outlined in this report and to work together to create a consensus for reducing juvenile violence and for legislative changes needed. The Juvenile Anti-Violence Committee will focus on positive steps to take in order to reduce the number of juveniles who are victims of crime as well as the number of juveniles who are offenders.

## C. WHAT NEEDS TO BE DONE TO ADDRESS THIS PROBLEM?

This report, "Juvenile Agenda: Reducing Juvenile Violence in Our Community", is an effort to galvanize the community by describing the effects of juvenile violence and offering a number of proposals to target this problem. It is organized in such a way as to encourage as much community involvement as possible. Schools, churches, businesses, neighborhood groups and civic organizations all have a role to play in helping implement the proposals outlined here and in helping to pass the legislative changes contained in the Addendum of this report.

I hope that this report provokes thought, action and a strong commitment to helping the youth in our community.

Sincerely,



Charles C. Long  
Orleans Parish Criminal Sheriff

## I. MEASURING JUVENILE VIOLENCE

Violence has become a fact of everyday life in today's society. And within the ranks of society, juveniles are more likely than adults to experience some form of violence.

### A. NATIONALLY

The level of violence in the United States far surpasses that of other nations. As one example, the Center for Handgun Violence reports that in 1988 handguns were used to murder 8 people in Canada, 13 people in Australia, 19 people in Sweden, 25 people in Israel, 53 people in Switzerland and 8,915 in the United States. By 1990, the number of people murdered by handguns in the United States had grown to 10,567.

The Bureau of Justice Statistics reports that teenagers are the victims of violent crime at rates more than twice that of adults. On an average, there were 67 violent crimes for every 1,000 teenagers as compared to 26 violent crimes for every 1,000 persons age 20 and older.

Juvenile violence is not limited to a socio-economic range or to a particular region; it has become a problem of national importance. The Centers for Disease Control report that homicide is now the leading cause of death among black males under 35. While juvenile violence does not always equate to the use of guns, the incidents of juveniles using guns are increasing rapidly.

Consider these facts:

- Gunshot wounds to children ages 16 and under nearly doubled in major urban areas between 1987 and 1990.  
(National Pediatric Trauma Registry)
- Every day, 10 American children ages 19 and under are killed in gun accidents, suicides and homicides. Many more are wounded.  
(National Center for Health Statistics)
- More than 1.2 million elementary-aged, latch-key children have access to guns in their homes.  
(Centers for Disease Control)
- Almost 3 million crimes occur on or near school campuses every year - 16,000 per school day, or one every 6 seconds.  
(National Crime Survey)

\* An estimated 135,000 boys carried handguns to school daily in 1987 and another 270,000 carried handguns to school at least once.  
(National School Safety Center)

## B. LOCALLY

As a community, we are just beginning to measure the extent of juvenile violence and its effects.

1. The Coroner's Office, headed by Dr. Frank Minyard, reports that juvenile homicides have almost doubled since 1987. In the last five years, 252 youth in the 0 to 19 age group were homicide victims. Firearms were the instruments of death in 80% of the juvenile homicides in 1991.

### Juvenile Homicides

1987	29
1988	40
1989	57
1990	72
1991	58

The number of juvenile homicides in New Orleans in 1991 was greater than the total number of homicides in Austin, Texas, which is a city of comparable size. So far this year, eight juveniles have been killed in New Orleans: seven were killed with guns and one was a stabbing.

Dr. Minyard points out that because of the greater caliber weapons and more frequent use of automatic weapons, a person shot with a gun today is less likely to survive than previously. Saturday night specials are no longer the weapon of choice. Today's youth are armed with .357 magnums, 9-mm semi-automatics and even Uzi machine guns.

For every homicide listed there are many more juveniles who are wounded by gunfire, raped, assaulted with another weapon, or just plain beaten-up. Oftentimes, these incidents are not reported to the police. A major study in Northeastern Ohio reveals that the total ratio of all kinds of assaults to homicides is about 100 to 1. Using this formula, we can estimate that there were 5800 assaults to juveniles in New Orleans last year.

Juvenile violence is not limited to major cities like New Orleans. The Times-Picayune reported that "half of St. John the Baptist Parish's homicides last year were committed by teenagers."

2. "Chronic Community Violence: What Is Happening To Our Children?" is a research paper prepared by members of the LSU Medical Center and the National Institute of Mental Health. The paper, which will be published in the August 1992 issue of Psychiatry, studied the effects on children who grow up in environments where they are repeatedly exposed to significant levels of violence.

The study group consisted of fifth graders from Lockett Elementary School, located near the Desire/Florida Housing Development, and their mothers. Police records show that in 1989 in this area, the Fifth district, there were:

72 murders  
91 rapes  
1521 assaults  
1114 armed robberies

(Other, less violent crime, was reported as 8944. Total reported crime was 11,742.)

The results of the survey of 5th graders and their mothers showed that:

Almost the entire group had heard about some form of a violent episode, 91% had witnessed violence, and over half had been victims of some form of violence. Twenty-six percent of the sample had witnessed a shooting and 19% had witnessed a stabbing. Three children had experienced personally the most severe forms of victimization, stabbing or rape. In addition to exposure to the various forms of violence, 40% of the parents reported that their children had seen a dead body, 72% had seen weapons used, and 49% had seen someone who was wounded.

Survey data also showed strong and significant relationships between exposure to community violence, the incidence of family violence, and the overall stress symptoms observed in the children.

The mothers reported teaching their children to sit in their homes or watch television with their heads below the window sills in order to avoid random bullets. Children learn to dive or run when they hear shots. Very early in their lives, children must learn to deal with loss and cope with grieving over and over for family members or friends who have been killed.

From this study we can clearly see that for these 5th graders violence has become a part of daily life. The authors conclude with: "We must not only raise awareness about the magnitude and urgency of the problem, but continue with more intensive research to refine our understanding of the outcomes of such exposure and facilitate intervention efforts."

3. The Tulane University Gun Study was conducted in the spring of 1991 and is part of a larger, multi-city survey on gun use by juveniles. In this survey, 110 juvenile offenders in Orleans Parish ages 14 to 17 were surveyed in a self-administered test to gather information on specific weapons usage. From the preliminary information derived from this study the following profile of gun users emerged:

Education: only 26% had completed the 9th grade

Rap Sheet: 76% had been arrested before the age of 14

Drugs: 28% admitted to using hard drugs  
50% admitted to selling drugs

Gun Use: 53% admitted to using a gun in a crime by the age of 15

Almost 70% reported that they would have little difficulty in obtaining a gun upon their release from jail.

The bottom line is these kids are young, well armed and quite dangerous.

4. The Criminal Sheriff's Juvenile Offender Survey was conducted in January and February of 1992 and consisted of 30 minute face-to-face interviews with 203 juvenile offenders. This survey found that the age, education and criminal history profile of the interviewees closely matched the profile derived from the Tulane Study. In addition, this survey provides insight and information on the types of offenses first committed, the age at which they began committing criminal offenses and the extent to which these offenders had themselves been victims of crime.

First Offense - Sixty-three percent reported that they had committed their first criminal offense between the ages of 12 and 15 and that the most frequently reported first offenses were:

burglary	12%
auto theft	16%
theft	35%

Associations - In their family relationships, 60% of the juveniles reported at least one of their siblings had been arrested for a crime.

Victims - The majority of these juvenile offenders also reported being victims of crime themselves: 82% reported being victims of theft, 58% reported being victims of robbery, and 51% reported being victims of assault with a gun.

Offense Rate - When the offense rate for this group of juvenile offenders was compared to an adult group of inmates in a similar survey in 1986, the results indicated a much higher offense rate for juveniles overall. For example, juveniles commit an average of 576 assaults and 73 auto thefts per year, compared to adults who commit an average of 4 assaults and 11 auto thefts annually. Overall, with the exception of drug deals, the number of crimes committed by juveniles is 5 times higher than the number committed by adults annually.

#### Mean Estimates of Offense Rates

	Juveniles - 1992	Adults - 1986
Burglary	22.4	25.1
Robbery	35.4	26.5
Assault	575.8	4.1
Auto Theft	72.6	11.4
Other Theft	57.9	111.7
Forgery	1.8	28.6
Fraud	110.8	85.7
Drug Deals	6259.3	6806.3
All Offenses including Drug Deals	3746.2	2788.2
All Offenses excluding Drug Deals	420.3	87.0

## II. PROPOSALS FOR REDUCING JUVENILE VIOLENCE

The following proposals are suggestions for reducing juvenile violence in our community. Some of the suggestions are short term and can be implemented quickly. Others are long term and will require more effort.

### A. REDUCE THE NUMBER OF JUVENILES MURDERED OR INJURED IN OUR COMMUNITY.

The U.S. Department of Justice's National Crime Study states that "almost half of all violent crimes against youths aged 12 to 19 occurred in school buildings, on school property or on the street. Of the violent crime on the street, 37% involved an offender with a weapon. A weapon was present in 12% of crimes in school buildings."

#### 1. Eliminate Weapons In Our Schools

"Caught in the Crossfire: A Report on Gun Violence In Our Nation's Schools" focuses on the increasing gun violence occurring in and around our schools. Among the findings are:

- \* School children aged 14 to 17 are most at risk of gun violence at school
- \* Handguns are the overwhelming choice of firearms (75%) for those who committed gun violence in schools
- \* Males are more frequently the offenders (93%) as well as the victims (76%)

The root causes for gun violence in schools, according to this report, were:

<u>Cause</u>	<u>Percentage</u>
Drugs/gangs	18%
Long-standing disagreements	15%
Playing with or cleaning guns	13%
Romantic disagreements	12%
Fights over material possessions	10%
Depression	9%
Vendetta against society	6%
Racial	5%
Name calling	4%
Vendetta against school employee	4%
Undetermined	4%

National figures show that while the majority of gun violence took place in high schools (63%), incidents also took place in junior high schools (24%) and elementary schools (12%).

The same report shows that within the school setting, gun incidents took place in the following locations:

Hallways	25%
Classrooms	19%
School grounds	15%
Adjacent property	9%
Athletic facilities	8%
School buses	7%
School parking lot	5%
Cafeteria	4%
Restroom	2%
Auditorium	1%
Undetermined	5%

Bill Martin, spokesman for the National Education Association tells us that: "Teachers are much more fearful in the middle schools and upper elementary grades - fifth and sixth grades - than they ever were before." In Washington D.C., parents and teachers protested recently because a 13 year old boy was allowed to return to his elementary school after being arrested for carrying a gun.

Nearly one-fourth of all major urban high schools use metal detectors. "Newsweek" magazine reports on a program in Chicago called "SAFE: Schools Are For Education". This program combines mobile walk-through metal detectors with special police patrols in the schools. Since the program began in 1990, reportedly there has not been one shooting during school hours in the 410,000 student district.

There is no place in our schools for guns. We must, as a community, decide to eliminate guns in our schools. Metal detectors should be provided to every school.

Paul Kingery, Director of Health Promotion at Texas A&M University, says that: "The kids are the victims of violence, and the schools are not creating safe environments. Law enforcement is not adequately involved." Kingery believes that schools need more adults on campus to provide supervision and urges parents to get involved in every aspect of their child's school activities. He advises that principals and parents can form volunteer "safety watches" to provide additional adult supervision at ball games, dances and other potentially tense school activities. Businesses can cooperate by giving time off for employees who want to participate in school activities.

## 2. Promote the "Cease Fire " Campaign Throughout Our Community.

The easy availability of guns is one of the main factors contributing to the increase in juvenile violence. In previous years, juveniles used to "duke it out" as a means of settling a disagreement; today, disagreements - sometimes minor ones - are settled by a shoot out.

In order to reduce the number of illegal guns, a concentrated media campaign entitled "Cease Fire" will begin shortly. The campaign will include videos, school posters, billboards, signs at bus stops, public service announcements, etc. The phone number for the Bureau of Alcohol Tobacco and Firearms (ATF) used to report an illegal gun will be an integral part of this campaign. Too often, citizens and even parents know of kids with guns but do not know how to disarm them and feel powerless in dealing with them. This campaign will provide citizens with a method of reporting an illegal gun and having an outside authority disarm the youth.

A "Safe School hot-line" will also be set up for students, teachers and other school personnel to report any sort of trouble at school or in their neighborhood. This will provide a method of reporting problems at school or on the way to and from school. Having the ability to report specific problems and having action taken on those problems can teach the juveniles two lessons. One, it provides the juveniles with a much-needed sense of empowerment; and two, it teaches them that there are other ways to protect themselves without resorting to a weapon.

The "Cease Fire" campaign will focus on what can and should be done to reduce the amount of gun violence in our community.

- Illegal guns must be removed from our schools and street
- Students must be educated about the danger involved in carrying a gun
- Parents must make sure that their children do not have access to guns in the home
- Law makers, judges and law enforcement officers must work together to make sure that those who carry guns or commit gun violence on school property receive swift and severe punishment
- Everyone - principals, teachers, parents and juvenile justice agencies must work together to ensure a safe environment at school and on the way to and from school.

### 3. Establish STUDENT CRIME WATCH PROGRAMS in all schools

With the increase in school violence, Student Crime Watch Programs should be implemented in all schools in the New Orleans area. Similar to neighborhood watch organizations, the Student Crime Watch program will assist schools in New Orleans and elsewhere in developing student organizations to monitor and prevent:

- \* violence
- \* alcohol and drug abuse
- \* youth gangs
- \* thefts and other crimes
- \* teenage student dropouts

The motivation to make the program work comes from within the students themselves. It is their own program; they set it up, they run it, direct it, take responsibility for it, and are the primary beneficiaries of it. It works because it is a program for students by students.

Student Crime Watch appeals to students' natural desires to form alliances and clubs. Not only can organizations be formed within schools and districts, citywide councils can also be formed with representatives from each school. A Student Crime Watch newsletter would be a perfect way to share information and inform parents and teachers as well as other students.

Elementary schools can have poster contests, write essays and perform skits in conjunction with this program. Older students can produce videos on safety topics which can be shown throughout the school system and even on cable television.

An active Student Crime Watch program will promote school loyalty and provide a means for kids to protect their school which should also reduce the amount of vandalism common to so many of our schools today.

Businesses throughout the city are encouraged to assist the schools in their neighborhoods in establishing the Student Crime Watch programs. Making our schools safe environments will not only reduce violence but will also enable students to learn more in a less stressful atmosphere.

## B. REDUCE THE NUMBER OF JUVENILE OFFENDERS IN OUR COMMUNITY

### 1. Prevention for majority of juveniles

We must not lose sight of the fact that the overwhelming majority of juveniles in our community are not involved in delinquent or criminal behavior. Realistically, the majority of kids are in danger of being victimized by the small number of violent juvenile offenders.

The latest population figures show that almost 30% of the population of New Orleans is under the age of 19. According to Woods & Poole Economics Inc., there are 145,159 youth in this category including:

39,200 youth between 1 and 4 years

37,321 youth between 5 and 9 years

35,282 youth between 10 and 14 years

33,356 youth between 15 and 19 years

What can be done to better protect these kids from being victimized or from emulating the actions of the delinquent or criminal juveniles? Our schools and churches must take the lead by providing training in the following areas:

- \* violence prevention
- \* prejudice reduction
- \* conflict resolution
- \* communication skills
- \* alcohol and drug abuse programs
- \* positive self-image programs

Above all, these youth need positive role models. From infancy through adolescence, children learn social behavior. All too often, misbehavior is a cry for attention. We must give these kids our attention. Afterall, they are our future.

## 2. Intervention for first offenders and non-violent repeat offenders

Identifying and quantifying the number of juveniles "at risk" is difficult. On an average, 6000 juveniles are arrested each year in New Orleans. Approximately 2000 are first offenders. According to police reports these first offenders fall into the following age categories:

Age	7	8	9	10	11	12	13	14	15	16
Number	19	14	42	60	113	159	235	380	399	445
Percent 1st Offender	83%	64%	81%	56%	51%	41%	34%	34%	28%	29%

Added to that number are another 2000 juveniles who are not arrested but who are reported directly to the Juvenile Court by family or neighbors because of unruly or uncontrollable behavior. Obviously, these juveniles should also be included in the number targeted for intervention.

There are approximately 4000 youth who can be identified as first offenders and another 3000 to 4000 who are termed seriously "at risk" by the juvenile justice system. These are the youth who should receive immediate attention in order to prevent them from becoming repeat offenders. By age 11 almost half of the juveniles arrested are repeat offenders. By age 12, almost 60% are repeat offenders and by 13 almost 70% are repeat offenders. This progression is compelling. Without intervention, first offenders rapidly graduate to become repeat offenders with property offenses escalating to violent crime.

Probation officers with case loads of 120 to 130 are not the answer. These juveniles need one-on-one attention. The "Intervention Volunteers" program outlined on page 14 targets this segment of the juvenile population.

## 3. Incarceration for chronic juvenile offenders

There is no shortage of bedspace for juvenile offenders in Orleans Parish, so there is no reason why juveniles who are chronic offenders are not held once arrested. The results from both the Tulane University Study and the Criminal Sheriff's Juvenile Offender Survey show the need to incarcerate chronic, dangerous offenders for their own good and for the public's safety. Ironically, several of the juveniles' letters in "Word To The World" expressed the thought that if they had not been incarcerated, they would be dead by now. They realize that in jail, they still have a chance to change, to turn their lives around. On the streets, they don't have that chance.

## C. MAKE CHANGES IN THE JUVENILE JUSTICE SYSTEM

### 1. Improve the Juvenile Data System

The National School Safety Council, in its report "The Need To Know: Juvenile Record Sharing", brings home a telling point. "Our juvenile justice system protects the privacy of the serious youthful offender to such an extent that the rest of society often is at risk. When a juvenile has been actively involved in criminal behavior, all agencies working with the offender have a right to know. The practice of keeping juvenile records confidential, which is intended primarily to respond to individual privacy and other rights, has not kept pace with the vast changes in the juvenile justice system and the rapid expansion of serious juvenile crime."

Currently, there is no integrated data system for juvenile offenders. Juvenile histories are maintained by NOPD, the Criminal Sheriff's Office, Youth Study Center, the Probation Department and Juvenile Court. Problems arise because final dispositions are not included in any but the Juvenile Court records. Nor does the school system have access to vital information regarding the status of a student.

A further complication is that juvenile fingerprints are sent to the central fingerprint repository maintained by the State Police and must be separated from adult fingerprint records and are not included in the State Automated Fingerprint Identification System (AFIS).

The legislative package contained in the Addendum details the legislative changes that need to be made. These include:

1. Juvenile Court should submit the final dispositions on criminal offenses by juveniles to local and state law enforcement agencies.
2. Juvenile fingerprints for criminal offenses should be included in the central repository along with adult fingerprints and should be included in the State Automated Fingerprint Identification System (AFIS).
3. School authorities should have access to the criminal history, disposition and status of a student.

Ideally, a computerized data base would provide access to interagency information while maintaining some level of confidentiality. Sharing information will not only assist in developing appropriate strategies for educating and rehabilitating these youthful offenders, it will also prevent further juvenile crime and related violence.

## 2. Institute Drug Testing At The Time Of Arrest

The only information we have on drug use by juvenile offenders in Orleans Parish is self-reported from the Criminal Sheriff's Juvenile Offender Survey. Of the 203 juveniles surveyed, 42% reported using drugs before being incarcerated. (Experience with the Drug Use Forecasting Survey for adults, which uses urine screening to confirm self-reports, shows many users do not admit use.)

Of the 84 juveniles who reported using drugs, the following analysis was obtained:

Cocaine	every day	10	28%
	a few times a week	9	25%
	a few times a month	4	11%
	every once in a while	5	14%
	once or twice	8	22%
Marijuana	every day	23	30%
	a few times a week	17	22%
	a few times a month	10	13%
	every once in a while	18	23%
	once or twice	10	13%
Crack	every day	4	17%
	a few times a week	7	29%
	a few times a month	4	17%
	every once in a while	2	8%
	once or twice	7	29%
Other Drugs	every day	2	20%
	a few times a week	2	20%
	a few times a month	2	20%
	every once in a while	1	10%
	once or twice	3	30%

Drug testing at the time of arrest should be implemented in order to determine the number of youth actually using drugs and the type of treatment needed. In addition, drug testing can be used diagnostically to identify drug abusing youth before they become established in the cycle of illicit drug use and crime.

Mandatory drug testing can also be used as a condition for release until the offender's adjudication hearing ( which can be up to 90 days) or as a condition for probation once the offender has been adjudicated.

### 3. Set Up An "Intervention Volunteers" Program To Work With The Juvenile Justice System

The "Intervention Volunteers" Program would be a non-profit organization to work with the juvenile justice system. The intent of this program would be to use volunteers and community resources to prevent juvenile crime, reduce recidivism and rehabilitate delinquent prone youth.

The program would entail a paid program coordinator who would be responsible for recruiting volunteers, establishing a computerized network of community resources and interacting with the various elements of the juvenile justice system. During the juvenile's initial contact with the court, he/she would be tested and evaluated by professional volunteers in order to determine their educational level, proficiency, physical or mental problems. The coordinator would use these reports to determine if the offender needs a particular kind of help, i.e. special education classes, counseling, etc.

Each juvenile would be assigned his/her own individual volunteer to provide constant one-on-one attention. The volunteer, in turn, would make sure this youth was attending school and involved in productive activities such as sports, scouts and church youth groups.

The underlying goal of this program is not only to provide constant attention to the juvenile so that it would be nearly impossible for him/her to return to a delinquent way of life; but also to give the people of our community an opportunity to help delinquent-prone youth where the juvenile justice system has had little effect.

## D. KEEP PROBLEM KIDS IN THE SCHOOL SYSTEM

### 1. Implement "Plan For Parental Involvement"

The following plan was developed by Barbara Ferguson, Associate Superintendent for the New Orleans Public Schools, and was summarized from a report entitled "From The Courthouse To The Classroom: Mandating Parental Involvement In The Treatment Of Juvenile Offenders."

Parents of delinquent youth can be compelled by the courts to be active participants in their child's education. School success lessens the child's chances for becoming delinquent. Mandated parental involvement provides a "linking mechanism" between the schools and courts. This mechanism or the Plan for Parental Involvement (PPI), is explained further in the following three parts: The Orientation Phase, the Implementation Phase and the Supervision Phase.

The Orientation Phase: Once a child has been adjudicated a delinquent, and the parent has been adjudicated as in "need of supervision", {if: (1) a child under the parent's control is a delinquent, a child in need of care, or a child in need of supervision; and (2) the habitual conduct of the parent has substantially contributed to the condition of the child.} the court orders the parent to adhere to the PPI.

The Implementation Phase: Essentially, the parent will be expected to implement two actions: 1) Make an initial contact with the school, and 2) Monitor the child's progress. The parent will be directed to meet with the child's school counselor once a week to discuss the monitoring of attendance, academic progress and conduct.

The Supervision Phase: At the initial meeting with the administrator, the administrator will sign and submit the school notification form either directly to the court, or the court's designee, to indicate that the parent made the initial contact. At these weekly meetings, the parent will sign in. If the parent fails to attend a weekly meeting, a letter will be sent by the school administrator to the parent. If the parent misses two weekly meetings, the administrator will notify the court, who in turn, will hold the parent in contempt.

Through the implementation of the PPI program each child would have a responsible parent in his life and court intervention would not be warranted. Responsible parenting techniques can be learned by those whose children are juvenile offenders. Through this plan juvenile courts and schools can become links in developing parental responsibility in order to reduce juvenile delinquency.

## 2. Establish A Military Style School For Expelled Or Suspended Students

The need for a special military style school has long been recognized. Under Louisiana Revised Statute 17:416.1, provisions are made students who have been expelled or suspended to be kept in the school system by attending an alternative education program.

Teachers routinely report that discipline is a major problem at every grade level. Suspending or expelling a student is not something to be feared by the students in many cases. Without other options, schools often pass problem students on to another school with the hopes that he/she will improve.

A student who is expelled from a private school/parochial school usually returns to the educational system by attending a public school. If more trouble is encountered at this point, he/she may be transferred to another school. When these transfers are exhausted, the last resort is expulsion from the school system, whereby the streets become the child's teacher.

This project should be considered a priority. In the event that the entire funding cannot be obtained from either the state or federal government, local funding should be sought. The cost of not having such a school is enormous in terms of lives wasted and crimes committed.

In order to help those juveniles who, for one reason or another, do not have parents or guardians who are able to properly care for them, a special residential hall should be set up. This residential hall would be staffed by trained professionals who would act as teachers as well as role models. Discipline, counseling, physical activity would be combined with education in either a regular school or in the military school in order to prepare these juveniles for a better life.

Juvenile Judges would be able to sentence non-violent repeat offenders to this residential hall where they would receive individual attention. The idea is to use this as another tactic in diverting juveniles from criminal behavior.

### **3. Build A Stadium And Provide Other Much Needed Support**

New Orleans Public Schools' secondary students are significantly disadvantaged in their athletic participation because of a lack of a interscholastic playing field or stadium. In fact, New Orleans is the only public school system in the state without a facility for interscholastic sports.

In our society, education is not limited strictly to the classroom but extends to extra-curricula activities as well. Such activities provide students with an opportunity to acquire social skills, to interact with peers, to develop civic responsibility, to demonstrate school loyalty and to heighten self-esteem. Athletics are an integral part of any extra-curricular program at the secondary level. Interscholastic competition is also important in that it builds character and imparts sound values. Students involved in athletics tend to have better attendance records, lower dropout rates, and fewer disciplinary problems than non-participating students.

The lack of a playing field or stadium has negatively impacted the athletic programs and has limited the opportunities for participants. Throughout its 150 year history, the New Orleans Public School System has been without a stadium and has had to rely on renting other facilities. The costs incurred in renting other stadiums, not to mention the psychological value of never having a "home game" seriously jeopardize the continued status of the athletic program.

In February 1992, a Stadium Committee composed of senior high school principals, teachers and community leaders received permission from the Orleans Parish School Board to construct a stadium on the grounds of Kennedy High School. The Committee has developed a budget and is currently in the process of obtaining donations to begin preparing the playing field. Sheriff Foti has made a commitment, not only to providing manpower, services and technical assistance wherever possible, but also to spearhead the drive to see this project become a reality.

In the next few weeks, a citywide campaign will begin to raise money and garner materials for the new stadium. This is an example of a project where everyone can get involved and where everyone will benefit.

#### IV. ADDENDUM

##### A. LEGISLATIVE PACKAGE:

#### JUVENILE CRIME CONTROL ACT

Enact Article 412 Section A(6) of the Louisiana Children's Code.

A(6) The final disposition of charges for delinquent offenses shall be submitted to local law enforcement and correctional agencies that maintain records of the arrest, and to the central fingerprint repository maintained by the Louisiana Bureau of Criminal Identification and Information as specified under R.S. 15:597:

Amend and Reenact Article 818 Sec.D of the Louisiana Children's Code.

~~D. Fingerprints and photographs taken pursuant to Paragraph A or B of this Article shall be maintained and indexed separately from those of adults. They shall be made available only to law enforcement and correctional agencies for purposes related to their official functions. They shall not be sent to a central state, regional, or federal bureau of criminal identification unless the child is adjudicated delinquent.~~ Fingerprints taken pursuant to Paragraph A shall be submitted to the central fingerprint repository maintained by the Louisiana Bureau of Criminal Identification and Information as specified under R.S. 15:590, et.seq., and to the fingerprint repository, if any, maintained by the local law enforcement agency.

Amend and Reenact Article 412D of the Louisiana Children's Code.

~~D. Reports and records concerning matters of proceedings under the juvenile jurisdiction of the court may also be released to a peace officer, probation officer, district attorney, employee of the office of community services or office of juvenile services or employee of the local school board in connection with the performance of his duties.~~

Amend LA R.S. 13:1570

"... Who violates any law or ordinance, except a child who, after having become fifteen years of age or older is charged with having committed first degree murder, second degree murder, manslaughter, aggravated rape, ~~or a person who after becoming sixteen years of age or older is charged with having committed~~ armed robbery, aggravated burglary, aggravated kidnapping, aggravated battery, distribution of narcotics or violation of R.S. 14:95.2. Once such a child has been charged with having committed any offense listed in this Paragraph, the district court shall retain jurisdiction over his case, even though the child pleads guilty to, or is convicted of, a lesser offense, and a plea to, or conviction of, a lesser included offense shall not re-vest the court exercising juvenile jurisdiction of such a child."

Amend LA R.S. 14:95.2(A)

A. Carrying a firearm or other weapons by a student or nonstudent on school property is unlawful and is the intentional possession of any firearm or other weapon, on one's person, on a school campus ~~during regular school hours~~ at anytime or on a school bus as well as at any school-sponsored event, such as athletic competitions, dances and parties.

(Proposed additions to existing law are underlined while proposed deletions are lined through)

NOTE: for information on how to contact your legislator call or write

Orleans Parish Criminal Sheriff's Office  
2800 Gravier Street  
New Orleans, LA 70119

(504) 827-8501

B. RESPONSE CARD

(tear out and mail your comments to the following address)

Orleans Parish Criminal Sheriff's Office  
2800 Gravier Street  
New Orleans, LA 70119

Dear Sheriff Foti,

YES, I am interested in volunteering to help in the following areas:

- \_\_\_\_\_ "Cease Fire" citywide campaign
- \_\_\_\_\_ "Safe School" hot-line for students and teachers
- \_\_\_\_\_ Student Crime Watch for schools
- \_\_\_\_\_ Intervention Volunteers program
- \_\_\_\_\_ Stadium construction project

I would also like to offer the following ideas or suggestions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Occupation \_\_\_\_\_

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**JUVENILE CRIME IN NEW ORLEANS**

**AN ANALYSIS OF WEAPONS USE AMONG OUR CITY'S  
JUVENILE OFFENDERS**

**CHARLES C. FOTI, JR.  
Orleans Parish Criminal Sheriff**

**June, 1992**

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**JUVENILE CRIME IN NEW ORLEANS: AN ANALYSIS OF WEAPONS  
USE AMONG OUR CITY'S JUVENILE OFFENDERS**

**CHARLES C. FOTI, JR.**

**Orleans Parish Criminal Sheriff**

**June, 1992**

**Prepared by**

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*I did it all from shoplifting to Murder....  
Big timer That was my Name Dope  
Dealing That was my game. Making  
Dollars getting paid Keep the money and  
getting Laid. Dollars in my pocket and  
I'm ready to score But this is what goes on  
in The Mind of a Criminal.*

"One Eye" (Dedeaux, 1991)

## EXECUTIVE SUMMARY

This study, fourth in a series of studies being conducted by my office on juvenile crime, focuses on juvenile gun use. We examine the prevalence of juvenile crime on both national and local levels in light of recent events around the country and in our own city.

- Recent events around the country and in our city indicate that juvenile crime is on the rise. The age of offenders is decreasing and the severity of their offenses is increasing. One of the consequences of a rising crime rate has been an increase in fear of crime. Residents of our city are markedly more fearful of crime than they were a few years ago.
- National statistics from the FBI indicate that the severity and violent nature of juvenile crime are on the rise. Between 1960 and 1990, the number of juveniles arrested for murder increased 283 percent and the number of juveniles arrested for aggravated assault increased 529 percent.
- Violent, juvenile crime is on the rise in New Orleans, as well. Between 1980 and 1990, the number of juveniles arrested for murder or attempted murder increased 183 percent, the number of juveniles arrested for aggravated battery with a gun increased 160 percent, the number of juveniles arrested for armed robbery with a gun increased 40 percent. Juvenile drug arrests have also increased. Between 1980 and 1990 the number of juveniles arrested for *possession* of a schedule II narcotic (which usually involves cocaine or crack cocaine) increased 4,725 percent, and the number of juveniles arrested for *distribution* (selling) of a schedule II narcotic increased 6,600 percent.
- Survey data gathered from 110 juveniles held at the Juvenile Detention Center at Orleans Parish Prison indicate that the attitudes and perceptions about gun use harbored by juveniles are very far removed from those of the law-abiding majority. For example, 65 percent of those surveyed *agreed* that "It's OK to shoot a person if they have done something to hurt or insult your family"; another 59 percent *agreed* that "It's OK to shoot a person if they have done something to hurt or insult you."
- These survey data also indicate that the types of weapons juvenile offenders are using are more sophisticated and dangerous: kids are becoming *extremely well-armed*. Of those surveyed who reported

ever owning or possessing a gun, 42 percent said they had owned or possessed a "military-style automatic or semi-automatic rifle," 57 percent said they had owned or possessed a sawed-off shotgun, and 72 percent said they had owned or possessed an automatic or semi-automatic handgun.

- Survey results also indicate that juveniles obtain their weapons quite easily. For example, of the 36 juvenile inmates who reported paying cash for a gun, 11 paid someone off the streets and 15 paid a junkie. More interesting is the relatively low cost of those guns. Approximately 78 percent of those who reported paying cash for a gun paid \$100 or less.
- These survey data also indicate that the juvenile inmates who reported using guns did so for protection from a violent and brutal environment. When asked to rate the importance of several possible reasons someone might carry a handgun, 92 percent of the juvenile inmates surveyed rated "to protect myself" as important. Another 80 percent felt that "all my enemies were carrying guns" was an important reason to arm themselves with a handgun, and 66 percent felt that "to use in my crimes" was an important reason to carry a handgun.
- When asked in what situations they were likely to carry a gun, 92 percent of the juvenile inmates surveyed said they were likely to carry a gun "at night"; 88 percent were likely to carry a gun whenever they thought they might need to protect themselves; 86 percent were likely to carry a gun when going into a strange part of town; 82 percent were likely to carry a gun when doing a drug deal.

The possible reasons why kids in our society are becoming more violent are complex. While we may never fully understand the process that eventually propels a youth into delinquency, we do believe that this report brings us a little closer to understanding the depth and breadth of the juvenile crime problem in our city, as well as our country. We have also tried to provide state legislators, policy makers, and school officials with the information they need to more effectively combat the increasing juvenile crime problem. Finally, we have offered several recommendations we feel should be implemented to help us end the ominous cycle of juvenile violence in our city.

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## *PREFACE*

In April of 1991, my office released a report entitled "An Analysis of Juvenile Crime and the Juvenile Justice System in New Orleans, Louisiana". The report chronicled the number and type of offenses committed by juveniles over a six-year period and showed that there has been an overall increase in juvenile crime and a very distinct increase in the severity of offenses. Some of the more startling findings from that report include the following: between 1985 and 1990, juvenile arrests for murder increased by 389%, juvenile arrests for aggravated battery with a gun increased by 241%, juvenile arrests for armed robbery with a gun increased by 137%, and juvenile arrests for illegal carrying of a gun increased by 328%. Also, more and more juveniles are getting involved in drug crimes -- from dealing to using drugs. Juvenile arrests for drug offenses involving schedule II narcotics (which include cocaine or crack cocaine) increased from 4 arrests in 1985 to 110 arrests in 1990. This report also examined the various stages of the juvenile justice system and concluded that the lack of adequate sanctions, especially for the very young first- and second-time offenders, is a major reason why the system is ineffective in deterring juvenile crime.

Copies of this report were sent to all elected officials: state legislators and elected city and parish officials. Copies were also made available to the public at a citywide forum sponsored by the Citizens' Coalition Against Crime. The real significance of this report is that it served to focus attention on the growing problem of juvenile crime.

In February of 1992, we began distributing 5,000 copies of a booklet entitled "Word to the World" which is a compilation of 46 letters written by juvenile offenders here in New Orleans. The booklets were widely distributed

to not only elected officials, but also to all principals and teachers in Orleans Parish. The requests for this publication soon surpassed the supply. The booklets are now in their third printing which brings the total to 30,000 copies.

In March of 1992, we released another report entitled "Juvenile Agenda: Reducing Juvenile Violence in Our Community". This report focused on the fact that juveniles are twice as likely as adults to be victims of violent crime. Local statistics show that juvenile homicides have almost doubled in the last 5 years and that in 80 percent of these cases, gun shot wounds were the cause of death. Initial survey results showed that, overall, with the exception of drug deals, the number of crimes committed by juveniles is 5 times higher than the number committed by adults annually.

After documenting the extent of juvenile violence and the prevalence of violence on or near school grounds, the report listed a series of proposals for reducing juvenile violence. These proposals included suggestions for improving school security, for increasing community involvement, and for improving the effectiveness of the juvenile justice system by modifying several laws pertaining to juveniles.

In April of 1992, my office presented a proposal to the Orleans Parish School Board entitled "A Joint Venture: Making Our Schools Safe". This proposal included a variety of suggestions for creating a safer school environment including a Student Crime Watch, a citywide Cease Fire Campaign, additional school security patrols, and the use of student identification cards and metal detectors. The need for a military school, for those students who have been expelled or repeatedly suspended, and a stricter truancy program were also highlighted to target seriously "at risk" juveniles.

We offer this report as fourth in a series of studies being conducted by my office on the nature of juvenile crime in New Orleans. This study centers

on the nature of juvenile *weapons* offenses. We have assembled data from several sources, including the Federal Bureau of Investigation's Uniform Crime Reports, the Bureau of Justice Statistics, the Orleans Parish School Board, the Orleans Parish Coroner's Office and our own official records. We have also included additional self-report data from interviews with 313 juvenile inmates housed here in early February of this year and April of last year. Our purpose here has been to gather additional information on the juvenile crime problem and to provide state legislators, policy makers, School Board officials, the media and the general public with an unbiased, objective description of the severity of juvenile weapons offenses in New Orleans. A better understanding of the problem will allow us to articulate potentially viable solutions to the ever increasing amount of violence in our city's schools and streets.

*RECENT EVENTS: Kids are killing*

In early March of this year, Khalil Sumpter, a fifteen year old student at Jefferson High School in Brooklyn, New York, was shot to death on school grounds. The incident made national headlines, and Khalil Sumpter was added to the rapidly increasing number of juvenile homicides in this country. Later that week Newsweek magazine reported the incident and went on to describe other similar incidents in other parts of the country. Some of these included the shooting of a high school student in Crosby, Texas: population 1,811. While the obvious disparity between these two shooting incidents lies in geographical region, the common nature of these incidents is the motive behind the disputes that led to the shootings: something relatively trivial, a derogatory statement made by one of the victims to the perpetrator, or a disagreement between the victim and offender.

In early April of this year we witnessed the shooting of an O. Perry Walker High School student in our own city (Times-Picayune, April 1, 1992; April 4, 1992). Here, too, the motive was seemingly trivial: a disagreement between two groups of boys. During the first week of May of this year, there were three more gun-related incidents. At Wicker Elementary School, a 13 year-old girl brandished a .357-magnum revolver. Also, at Valena C. Jones School, a 12 year-old boy brought a loaded .38 caliber revolver to class to show his friends. Finally, a 14 year-old boy fired several rounds at a man while chasing him down a lower Garden District street (Times-Picayune, May 7, 1992, B-2). The man was grazed with one of the rounds, and the boy was arrested for attempted murder. The gun, however, disappeared (Times-Picayune, May 7, 1992, B-6).

How do kids of elementary and high school age obtain weapons which are eventually contributing to the deaths of so many juveniles? In March of this year the New York Times, responding to several events in early 1992, published a series of reports on gun availability and the American gun culture. Fear of crime and victimization has resulted in a dramatic increase in gun sales over the past several years. Furthermore, recent studies show that people do have sound reason to suspect that owning a gun may deter crime. Wright, et al. (1983:141, original emphasis) state the following: "In general, such evidence as exists on crime deterrence by private weaponry does *not* support the argument that guns are useless in deterring crime." It seems that people in our country are becoming less confident about the ability of policing agents to protect them from the increasing numbers of criminals in our society and perhaps for good reason. Figures released by the Federal Bureau of Investigations's Uniform Crime Reporting System for 1991 show that crime is still on the rise. The violent crime rate rose more than fifty percent in nine U.S. cities with populations of 300,000 or more (Time-Picayune, April 27, 1992). While not included among those cities with significant increases in the murder rate, it is important to note that New Orleans saw forty-one more murders in 1991 than in 1990, resulting in a 14 percent increase.<sup>1</sup> Overall, the violent crime rate rose by five percent nationally.

Fear of crime is on the rise as well. In a recent review of criminological literature, Mark Warr (1991) reported that between 1972 and 1987, forty-three percent of the Americans surveyed by the annual National Opinion Research

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<sup>1</sup>Percentage gains are smaller when based on larger figures. For example, Omaha had the highest percentage increase in the number of murders from 1990 to 1991 (192%). However, this increase is based on a total of 35 murders for 1991, up from 12 murders the year before. New Orleans witnessed 304 murders in 1990 and another 345 murders in 1991.

Center (the General Social Survey)<sup>2</sup> said that there were places within a mile of their homes in which they would be afraid to walk alone at night. Warr also noted that forty-six percent of all respondents of the National Crime Survey reported that they "limited or changed their activities because of crime" (Warr, 1991:6). Susan Howell of the University of New Orleans' Political Science Department (1992) surveyed 498 registered voters from Orleans Parish and 353 registered voters in Jefferson Parish on attitudes about perceived quality of life.<sup>3</sup> She found that residents in both Orleans and Jefferson Parishes perceive crime to be the biggest problem facing them today. Indeed, the number of Jefferson Parish respondents reporting that they believed crime was on the rise increased by 66% from 1986 to 1992 -- 44% perceived an increase in crime in 1986 compared with 73% in 1992 (Table 1).

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<sup>2</sup>The General Social Survey is conducted annually on a national, random sample of American households. The survey gathers information on a wide range of topics, from political attitudes to criminal issues. The data obtained from these surveys are used by sociologists and political scientists, as well as other professionals and are regarded as reliable and valid.

<sup>3</sup>The quality of life surveys (1986, 1988, 1990 and 1992) provide data on the attitudes and perceptions of voters on various issues ranging from governmental services to general quality of life.

Table 1. Perceptions About Crime in Orleans and Jefferson Parishes (%)<sup>4</sup>

	1986			1988			1990			1992		
	Jeff	NO W	NO B									
Crime increased	44	71	66	39	63	78	66	87	86	73	87	89
Remained same	38	20	23	41	27	14	24	11	9	21	12	5
Crime decreased	9	5	8	14	7	7	5	1	3	5	1	4
Don't know	9	4	3	6	3	1	5	1	2	1	0	2
Total	100	100	100	100	100	100	100	100	100	100	100	100

Source: 1992 Quality of Life Survey: Orleans and Jefferson Parishes, April, 1992 (Table 3, p. 10).  
 Jeff = Jefferson Parish; NO = Orleans Parish; W = Whites (216); B = Blacks (282)

In discussing the attitudes of residents in Orleans and Jefferson Parishes concerning their quality of life, Dr. Howell concludes the following:

The most startling figures in our survey describe perceptions of trends in crime. Overwhelming majorities in both parishes believe that crime is increasing. Voters in Orleans are virtually unanimous in their belief about increasing crime, and in Jefferson three-quarters hold that view.... It is clear that crime is the focus of the decreasing optimism about life in both parishes. (Howell, 1992:8)

The number of people purchasing handguns and other weapons for self-protection is steadily increasing. Estimates of the prevalence of gun ownership indicate that at least one gun can be found in about half of all households in the United States (Wright, et al., 1983; New York Times, March 8, 1992). If recent trends in gun sales are indicative, a growing number of people are electing to purchase more sophisticated and powerful weapons. For example, the New York Times reported in early March of this year that a semiautomatic,

<sup>4</sup>Survey question: "Would you say that the amount of crime in New Orleans/Jefferson Parish has increased, decreased or remained about the same over the last several years?"

9-millimeter pistol that accommodates a 32-round magazine and is affectionately referred to by gun enthusiasts as the "fun gun" (the Tec-9S) is rapidly gaining in popularity. The reason seems to lie in the gun's cost and power. One can purchase the Tec-9S for as little as \$260 (New York Times, March 10, 1992).

With approximately 200 million guns in the hands of Americans and a powerful gun lobby (the National Rifle Association) working hard to make sure that any legislation designed to limit gun ownership be defeated (New York Times, March 12, 1992), it is unlikely that the flow of weapons in our society will ebb anytime soon. The fact is that guns are extremely easy to obtain both for the average, law-abiding citizen and the adult or *juvenile* criminal. To highlight this fact we can take the words of a Chicago gang member as illustration:

"We get half our guns through trade-ins with dope fiends. If you wanted a gun right now, we could put in an order and you'd have it. It's like going through the drive-through window. 'Give me some fries, a Coke and a 9-millimeter'" (New York Times, March 11, 1992).

## ***THE PREVALENCE OF JUVENILE CRIME***

### *National Statistics*

Violent crime committed by young people has been an increasing social problem in this country for decades. To highlight the increasingly violent nature of juvenile crime, we looked at the percentage of juvenile arrests for specific index offenses.<sup>5</sup> We found that juveniles' involvement in murder and

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<sup>5</sup>FBI Index offenses include murder, non-negligent homicide, forcible rape, aggravated assault, robbery, burglary, theft, auto theft.

non-negligent homicide, as well as aggravated assault has steadily increased since 1960 (see Table 2). The number of juveniles arrested for murder or non-negligent homicide has increased 283 percent from 1960 to 1990 (from 572 arrests in 1960 to 2192 arrests in 1990). The number of juveniles arrested for other violent offenses has increased as well. For example, there was a 527 percent increase in the number of juveniles arrested for assault from 1960 to 1990. Trends in the number of juveniles arrested for other index offenses are sporadic. The number of juveniles arrested for forcible rape, robbery, burglary and theft have all risen since 1960 but have decreased since 1980. It is unclear whether the number of juveniles arrested for these crimes will continue to decrease during this decade or whether it is presently rising.

We also examined adult arrests. When compared to juvenile arrests, the percentage increase from 1960 to 1990 is more impressive for all index offenses, with the exception of murder, however. The percentage increase in the number of adult arrests for murder or non-negligent homicide is 203 from 1960 to 1990, compared with a 283 percentage increase in juvenile arrests. Despite the relative gains adult offenders are making in the sheer number of crimes they are committing, it is important to note that, overall, there has been a consistent percentage *increase* in the number of *juvenile* arrests from 1960 to 1990 for *all* index crimes.

Table 2. Number of Juveniles Arrested for Specific Index Offenses in the United States

<i>Index Offense</i>	1960	1970	1980	1990
Murder and non-negligent homicide	572	1589	1742	2,192
Aggravated assault	6,739	20,756	33,135	42,240
Forcible rape	1,406	3,205	4,346	3,563
Robbery	8,582	29,289	41,957	30,204
Burglary	66,673	148,296	215,387	85,010
Theft	111,864	312,066	421,092	324,533
Auto theft	38,157	71,456	58,792	60,092

Source: Uniform Crime Reports

### *Local Statistics*

Data from the New Orleans Police Department are more illustrative of the severity of the juvenile crime problem in our own city. The NOPD's Research and Planning Division collects data on the number of juvenile arrests for serious crimes (Table 3). From 1980 to 1990, juvenile arrests for murder have increased by 183 percent, arrests for aggravated battery with a gun have increased by 160 percent, arrests for armed robbery have increased by 40 percent, arrests for auto theft have increased by 311 percent, and arrests for illegally carrying a gun have increased by 710 percent. Much more dramatic are the trends in juvenile drug offenses. From 1980 to 1990, juvenile arrests for possession of a schedule II narcotic (which usually involve cocaine or crack cocaine) have increased by 4,725 percent (from 4 arrests in 1980 to 193 arrests in 1990), and juvenile arrests for distribution of a schedule II narcotic have increased by 6,600 percent (from 2 arrests in 1980 to 134 arrests in 1990).

TABLE 3. NUMBER OF JUVENILES ARRESTED FOR SERIOUS  
CRIMES DURING 1980 AND 1990 IN ORLEANS PARISH

CHARGE	1980	1990	1980 to 1990 <sup>a</sup>
MURDER & ATTEMPTED MURDER	18	51	183%
AGGRAVATED BATTERY WITH GUN	25	65	160%
ARMED ROBBERY WITH GUN	106	148	40%
POSSESSION SCHEDULE II	4	193	4,725%
DISTRIBUTION SCHEDULE II	2	134	6,600%
ILLEGALLY CARRYING GUN	37	300	710%
TOTAL JUVENILE ARRESTS	192	891	364%

Source: New Orleans Police Department Research and  
Planning Division; Reported in the Bi-Annual Report of the Orleans Parish Juvenile Court.

Data from the Orleans Parish School Board provides some indication of the severity of juvenile crime in our city's schools. The Orleans Parish School Board's Security Department reported that there were 162 weapons incidents (weapons or weapons-related) during last *fiscal* year. Seventy-four (46%) of these involved a gun. During the current fiscal year (through April 6) there have been 139 weapons or weapons-related incidents: seventy (50%) of these involved guns (Orleans Parish School Board's Security Department).

#### *Juvenile Victimization*

Another pressing problem related to juvenile crime is juvenile victimization. In a recent survey by Tulane University's Sociology Department of 110 juvenile inmates housed here at the Juvenile Detention Center, 66 percent of those surveyed reported being shot at with a gun at least once in their lives,

<sup>a</sup>Percent change from 1980 to 1990.

and another 67.3 percent reported being seriously beaten up at least once. However, a smaller percentage (28.3%) reported being stabbed with a knife at least once (Table 4). The results of our own survey of 203 juvenile inmates conducted early this year show that 51.2 percent reported being shot at with a gun in the past, 22.7 percent said they had been stabbed with a knife, and 36.0 percent said they had been seriously beaten up in the past.

Table 4. Percentage of Juvenile Offenders Reporting Victimizations

Victimization offense	Tulane <sup>1</sup>	Sheriff's Office
	%	%
Shot at?	66	51
Beaten up?	67	36
Stabbed with a knife?	28	23

<sup>1</sup>Source: Wright et al., 1991.

While there are no local statistics on the number of high school students that are victimized by the use of guns or other weapons,<sup>7</sup> the Bureau of Justice Statistics reports on the survey findings of a *national* sample of high school seniors from the graduating classes of 1978 through 1990. The percentage of students reporting that they had been injured with a weapon like a gun or knife at least once varied from 4.6 percent in 1979 to 5.6 percent in 1990. An even greater percentage of students reported being threatened with a gun or knife or some other weapon without actually being injured. Approximately 16 percent of all high school students sampled from the class of 1978 reported being

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<sup>7</sup>Our office is currently working on a study of self-reported victimization among high school students in New Orleans. The results of this research will provide better estimates of the degree of victimization occurring in our schools, the types of victimization experiences students are having and the security needs of students in our city.

threatened at least once with some type of weapon. This percentage increased to 18.1 percent in 1990.

Information about the victimization of high-school students is telling in and of itself. However, the degree to which the inmates surveyed here at the juvenile facility is patently more severe. It is possible that students who attend high school regularly are less inclined to become involved in the delinquent activities that characterize the behaviors of the juvenile inmates we surveyed. It is also possible that being delinquent increases one's chances of being victimized. Therefore, we should expect a lower degree of victimization among high-school students who are not involved in delinquent activity to the same degree as juvenile inmates. Nevertheless, it is important to note that victimization among high-school students in our country and, probably, in our city is on the rise.

The relevance of this victimization analysis centers on the development of the delinquent behavior of juvenile offenders. Osofsky et al. (1991) found that delinquent behaviors in children who have witnessed or experienced violence developed *after* they were exposed to violence. That is, children who observed violence or were the victims of violent acts were likely to develop aggressive behaviors later in childhood. Therefore, it is likely that the juvenile offenders surveyed here came from violent environments themselves.

Young people in our country are indeed becoming more vulnerable to violent crime. The New York Times and other sources have consistently reported that homicide is rapidly becoming the leading cause of death among young, black males in our country (Newsweek, March 9, 1992). A recent study published in the Journal of the American Medical Association (JAMA) reported that firearm homicide continues to be the leading cause of death among black males age 15 to 19 (Fingerhut, 1992a, 1992b). The study also showed that

Orleans Parish ranked fifth among 80 U.S. counties in the number of firearm homicides among black males age 15 to 19 from 1987 to 1989 (Fingerhut, 1992b).

In terms of the sheer number of juvenile homicides, regardless of type, data from the Orleans Parish Coroner's Office showed that the number of homicide victims age 19 or younger increased from twenty-nine in 1987 to seventy-two in 1990. This constitutes a 148 percent increase in the number of juvenile homicide victims from 1987 to 1990. Furthermore, the percentage of all homicides involving a juvenile victim increased from 17% in 1987 to 22% in 1991. If these trends hold the percentage of young homicide victims in calendar 1992 will continue to rise.

## **KIDS WITH GUNS: A LOOK AT JUVENILES' ATTITUDES ABOUT GUN USE AND THE TYPES OF GUNS JUVENILE OFFENDERS ARE USING**

### *Attitudes about Guns*

We have already discussed some of the findings of the Tulane study that was conducted in early 1991 at the Juvenile Detention Center. Here, we present the results of that study in more detail. These data are important in the sense that they capture a subjective component of juvenile crime -- attitudes and beliefs about criminal offending. Rarely are such data available to criminal justice researchers.

We were particularly interested in the kinds of guns juvenile offenders are carrying and the kinds of attitudes juvenile offenders harbor about gun use. Table 5 presents the responses to several questions about gun use. The most

startling finding, we think, is that almost two-thirds of the juvenile offenders surveyed agreed that "It is OK to shoot a person if they have done something to hurt or insult your family" (65.3%). Also, more than half agreed that "It is OK to shoot a person if they have done something to hurt or insult you" (59.4%). Finally, these kids tell us that guns are readily available in their neighborhoods. More than two-thirds agreed to the following statement: "Where I come from, there are lots of guns on the streets; they are easy to get." Indeed, 65% reported that they would have "no trouble at all" getting a gun once they left the juvenile facility.

TABLE 5. ATTITUDES ABOUT GUN USE AMONG A SAMPLE OF JUVENILE OFFENDERS (N=97)

	AGREE %
Where I come from, there are lots of guns on the streets; they are easy to get	71.1
It's OK to shoot a person if they have done something to hurt or insult your family	65.3
It's OK to shoot a person if they have done something to hurt or insult you	59.4
Guns are fun; I like guns	38.8
It's OK to shoot a person if that's what it takes to get something you want	30.6
In my crowd, if you don't have a gun, people don't respect you	14.4
My friends would look down on me if I did not carry a gun	11.5
If you have been wounded by a gun, it shows you are a man	11.5
It's OK to shoot some guy if he doesn't belong in the neighborhood	9.2

Source: Wright et al., 1991.

*The Types of Guns Kids Are Using, How They Use Their Guns, and When They Carry Guns*

We were also interesting in learning more about the types of guns these kids are carrying. When asked if they had ever *owned or possessed* one of several different types of guns, 41.7 percent said they had owned or possessed a "military-style automatic or semi-automatic rifle," 49.5 percent said they had owned or possessed a regular shotgun, 56.7 percent reported having owned a sawed-off shotgun, 70.2 percent had owned a revolver or regular handgun, and 72.0 percent had owned a automatic or semi-automatic handgun.<sup>8</sup> These data seem to indicate that juvenile offenders in our city are indeed very well-armed. Furthermore, our findings are consistent with those of a survey conducted by the Center for Disease Control which show handguns to be the most popular weapon of choice among juvenile offenders (Nugent, 1992).

Apart from their sheer experience with guns, juvenile offenders seem to be using weapons in committing a large percentage of their crimes. When asked "about how often were you armed with some sort of weapon" when committing a crime, 73.6 percent of the juvenile offenders surveyed said they were armed at least some of the time. Specifically, 29.1 percent said they were armed some of the time; 9.1 percent said they were usually armed; 35.5 percent said they were *always* armed. When asked about guns only, similar responses were obtained which may indicate that the weapon of use is generally some type of gun. Approximately 25 percent said they were armed with a gun some of the

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<sup>8</sup>We bear one caveat in mind when analyzing these data. Recall that information on gun use was obtained through *self-reports*. Such data are susceptible to errors in recall (where the respondent is unable to give accurate estimates of his past behavior) and errors of intentional deception (where the respondent may intentionally inflate or deflate estimates of the frequency of a certain behavior). Nevertheless, self-report data are useful in gaining a better understanding of the *perceptions* juvenile offenders have about gun use and crime.

time; 19.1 percent said they were usually armed with a gun; 28.2 percent said they were *always* armed with a gun.

Confirming our suspicions about the pervasiveness of gun use among juvenile offenders are the responses to the following question: "About how many guns, altogether, did you own or possess just before you came to this facility?" Approximately 80 percent reported that they had owned at least one gun before coming to our facility. Based on the responses to a question asking about what specific types of guns they had "owned or possessed" just before coming to the Juvenile Detention Center, more than half reported owning a revolver (56.9%) or an automatic handgun (61.5%).

Where are these kids getting guns? A large percentage (47%) of those who recently owned a handgun reported that they had paid cash for it. However, of those who said they bought a gun, only three juvenile offenders bought their gun from a gun shop. Several chose to buy their guns either from off the street<sup>9</sup> or a junkie (34%). It is also interesting to note how relatively little these kids are paying for guns. Of those who reported that they had paid cash for a gun, 78.4% paid \$100 or less.

Because *handgun* ownership was pervasive among this sample of juvenile offenders (61.5% owned a handgun before coming to our facility), we examined other specific questions about handgun ownership. The type of handgun that most of the offenders seemed to own before their incarceration was either a revolver (29.7%) or an automatic pistol (25.7%). Also, 32.2% reported that their most recent handgun was a 9 millimeter automatic. The other popular calibers were .357 (11.1%) and .38 (12.2%). All of these types of handguns rank among the top five handguns being used by criminals today (Cauchon,

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<sup>9</sup>"Off the street" can be interpreted to mean a gun dealer.

1992).<sup>10</sup> Thus, it seems that these offenders were not only very well-armed, but also they were armed with very powerful weapons.

Table 6 presents the responses to a question that asked how offenders rated the importance of a series of reasons for why they got their most recent handgun. Self-protection (92.1%), "enemies were carrying guns" (79.9%), "to use in my crimes" (65.6%), and to get somebody" (61.4%) were the most common reasons given. If we take a closer look at Table 6, it becomes clear that the reasons kids carry weapons are for a sense of survival and not for recreation. These kids seem to come from an environment where gun use is rampant, and the only logical recourse they may have is to learn to become deft users of lethal weapons.

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<sup>10</sup>USA Today reported on the findings of 56,509 gun traces conducted by the Federal Bureau of Alcohol, Tobacco and Firearms for law enforcement agencies in 1990 and 1991. The 18 most frequently traced guns in descending order are: 1) .38/.357, Smith & Wesson; 2) MP-25, Raven Arms; 3) P-380, P-32, Davis Industries; 4) 9mm, Smith & Wesson; 5) .45-cal., Colt; 6) .38/.357, (Magnum), Ruger; 7) .38/.357 (Magnum), Colt; 8) 9mm, Beretta; 9) TEC-9, Intratec; 10) 9mm, Ruger; 11) RG, Rohm; 12) .357 Magnum, Taurus; 13) Titan .25-cal., FIE; 14) .22-cal., Jennings Firearms; 15) Mac 11/Streetsweeper, SWD; 16) 9mm, Taurus; 17) .38-cal., Rossi; 18) Glock 17, Glock.

TABLE 6. IMPORTANT REASONS KIDS CARRY HANDGUNS (N=88)

	Important %
To protect myself	92.1
All my enemies were carrying guns	79.9
To use in my crimes	65.6
Needed a gun to get somebody	61.4
Just wanted one	53.3
It was better than my previous gun	45.5
All my friends were carrying guns	44.8
Got it to trade for something	28.5
To impress people	23.6
It was a gift	18.2
Got it to sell for money	16.1
For hunting or target shooting	8.3

Source: Wright et al., 1991.

Perhaps Table 7 provides an even better understanding of the nature of juvenile gun use. The juvenile offenders surveyed were asked how likely they were to carry a gun in several different situations. Consistent with the results presented in Table 6, the results in Table 7 indicate that these kids are very likely to be armed at night (91.7% likely), when they thought they may need a gun to protect themselves (88.2% likely), or when they were going to a strange part of town (86.1% likely). Again, a sense of survival seems to be the key reason these kids are armed.

TABLE 7. SITUATIONS IN WHICH KIDS ARE LIKELY TO CARRY GUNS

	Likely %
At night	91.7
Whenever I thought I might need to protect myself	88.2
When I knew I would be going to a strange part of town	86.1
When I was doing a drug deal	82.2
When I was going to be hanging out with my friends	75.0
When I knew I would be with other guys who would be carrying guns	64.3
When I was planning to do crimes	62.3
When I was out drinking or raising hell	49.2

Source: Wright et al., 1991.

Survey Question: "How likely are you to carry a gun in the following situations?"

The descriptive statistics we have presented thus far indicate the degree of juvenile involvement with guns. If the responses of the 110 juvenile inmates housed at the Juvenile Detention Center last Spring (1991) are representative, then we may conclude that gun use among teen-age offenders in our city is indeed pervasive and problematic.

## WHY ARE OUR KIDS KILLING?

Our society is beginning to experience one of the most dreaded consequences of moral decay: *kids who kill with guns*. We may ask ourselves what is happening in our society when a *child* takes a .357 magnum and ends the life of a classmate because the victim had nice tennis shoes, for example. Perhaps the words of some of the offenders will give us a little perspective. The following are the *words*<sup>11</sup> of some of the juvenile offenders housed here at the Juvenile Detention Center extracted from letters published in Word To The World. The letters are unedited, and, in them, the kids tell us a little about themselves; their family, their friends, their regrets, and about growing up in an increasingly violent world.

"People don't care and the judges don't understand some people don't have any choice." (Lil Ronald)

"All the system have for Juveniles are summer jobs and they ain't paying good enough. Summer comes around once a year. We sell drugs all year round." (Lil'D)

"The next works i would like to spread is to the Adults. Please trust your children when they are young because they need you more than ever coming up in today's world. They need love, caring, understanding, and also ATTENTION. i end my worlds (words) of Knowledge and incourgements by saying "Train up a child in the right way and when he grow old he will not depart." (Big TANK)

"Every day I was scared I had to carry a 357 on me every day because I was robbing." (Big Laou)

"When I was 7 years of age I was known as a street husler running with the wrong people robbing people shooting at people for no reason..." (Duck)

"I Lived a Dangerous life since Day One, I was point blank range to a gun So Many times That It Isn't Funny anymore.... Drugs ran my life I started renting cars Spending Night in hotels and Buying Expensive clothes, To a youngster This is known as rolling big TIME. A Few Months later I started carrying High power Handguns such as 9mm UZIs 44magnum's and SO ON. (Whop)

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<sup>11</sup>Dawn Adair Dedeaux notes that "in their language, 'Word' stands for truth..." (Dedeaux, 1991).

It seems that the reasons kids are killing are rooted in so many areas of our society; the sluggish economy, the inefficient juvenile justice system, the dysfunctional family and the ineffective educational system.

### *Violence, Mental Health and Criminal Behavior*

Violence in schools is having an undoubted negative effect on students' mental and emotional health. Newsweek magazine (March 9, 1992) reported the findings of a recent study conducted by the University of Alabama, Birmingham, which showed that forty-three percent of a sample of inner-city youths between the ages of 7 and 19 reported that they had actually witnessed a homicide. Locally, Joy Osofsky and her colleagues at the Louisiana State University Medical Center interviewed fifty-three children (fifth graders) from the Desire Housing Project and reported that twenty-six percent had actually witnessed a shooting. Also, three of the children interviewed said they had been the victims of either a rape or stabbing. Osofsky et al. concludes the following:

What do these findings mean for the children and their mental health? We are only at the preliminary stages of learning about the effects of chronic community violence on children. However, we do know, based on observations of children growing up in neighborhoods with much violence, as well as children exposed to other types of violence (i.e., sniper attacks), that behaviors which are of concern develop *after* such experiences. (Osofsky et al., 1991:16, emphasis added).

The violence that school-age children witness on almost a daily basis can only be contributing to the unending cycle of juvenile crime and victimization.

## What Can We Do About the Juvenile Crime Problem ?

The information reported here may cause us to speculate about the nature of our society. We may already be asking ourselves how our children are capable of the violent crimes we see them committing over and over again. It seems that the fair fist-fight has been supplanted by the unfair and unjust gun fight -- the violent assault and, increasingly more often, the murder or attempted murder -- as a method of settling disputes. The moral fiber of our society seems to be changing, and our normative and value structures along with it. Because kids are beset with daily problems that only concerned the adults of a couple of generations past (sexually transmitted disease such as AIDS, street violence, drug use and suicide, for example), children today seem to place little value on life.

Perhaps kids are *learning* that life has little value by watching what is happening in their communities (neighborhood decay, dissolution of the family). Over and over they see other kids killed for trivial, material possessions. It is no wonder they place little if any value on life when most have only limited conceptions of the future. Many seem to live for the here-and-now.<sup>12</sup> A sluggish economy has significantly lessened their opportunities for legitimate employment, and in some cases illegal activity is an attractive alternative to abject poverty and hopelessness.<sup>13</sup> After all, drug dealing is a lucrative enterprise. Indeed, some of the inmates we interviewed here at the juvenile

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<sup>12</sup>A report just released by the Office of Criminal Justice Plans and Analysis summarizes the findings of several interviews with youths incarcerated for homicide. The study shows that youths who kill typically have no conception of the future and firmly believe that they were forced to kill because of a lack of viable alternatives to murder. Furthermore, they seemed to have little if any compunction about their criminal charges. In fact, one teenager interviewed for the study reported that he felt he should have been found "not guilty" for murder because there were no credible witnesses to his crime (Johnson and Robinson, 1992).

<sup>13</sup>Young people who commit crime for monetary gain in the absence of legitimate employment opportunities further lessen their chances of finding legitimate work; incarceration obviously reduces one's opportunity to seek work.

facility reported earning thousands of dollars per month through illegal means. The mass media also seems to deliver the message that crime is somehow glamorous. Television and movie media continually portray street criminals as immortal beings to be revered.

What are the consequences of the present situation? We know from other sources that the typical offender begins his criminal involvement sometime in the early teens and drops out of crime altogether by his mid- to late-twenties (Blumstein and Cohen, 1979; Gottfredson and Hirschi, 1986).<sup>14</sup> If we know that juvenile crimes are becoming more severe (as we have sought to demonstrate with this report), and, therefore, that the typical juvenile offender is becoming more violent, then the resultant impact of juvenile crime on an *inefficient* juvenile justice system is likely to be severe. Not only are juveniles, who currently have lower incarceration rates in Louisiana than their adult counterparts (Geerken, Miranne and Hayes, 1992), being adjudicated for more violent offenses, but their sentencing terms do not adequately reflect the increasing severity of their crimes. In March of this year, we offered several proposals to help improve our ailing juvenile justice system. These included:

- improving the juvenile data system to allow *all* components of the justice system, including school officials, to have ready access to juvenile offense histories and other juvenile justice data;
- institute drug testing at the time of arrest so that we may improve our knowledge about the severity of juvenile drug use;<sup>15</sup>

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<sup>14</sup>We should note that while the "average" juvenile offender begins his criminal career sometime during the early teens, first-time offenders are becoming younger. In New Orleans, kids seven to eight years of age were being arrested for weapons offenses and kids eight to nine years of age were being arrested for aggravated battery with a gun, for example (Foti, et. al., April, 1991).

<sup>15</sup>Current data on drug use relies heavily on self-reports which have always been problematic in obtaining accurate estimates of juvenile drug use.

- set up an "intervention volunteers" program to work with the juvenile justice system designed to help prevent juvenile crime, reduce recidivism and rehabilitate delinquent-prone youths.

Here, we offer several additional recommendations that we feel should be implemented immediately. These recommendations include:

- increasing security patrols in and around city schools.
- establishing a gun hot-line so that students can anonymously report guns brought into their schools.
- implementation of student crime-watch programs. These programs are organized and maintained by the students, and program activities include developing viable methods of fighting school crime.
- using metal detectors to guard against students bringing guns into the class room.
- uniformly requiring all students to carry school identification cards.
- establishing a military school/residence hall as an alternative to incarceration for pre- and post-adjudicated youth. The idea behind the military school concept is to provide delinquent youth with some structure and discipline, two things typically missing in their lives.

Other strategies should include the following:

- Stricter penalties should be established for students caught bringing weapons into their schools.
- Visitors to schools should be required to sign in upon entry to better control the flow of non-student traffic.
- Student supervision could be enhanced by increasing the number of hall monitors.
- School lockers should be eliminated and the use of "opaque" book bags should be banned to limit the means by which weapons can be concealed.

- Teachers, bus drivers and administrative personnel should be trained in crisis intervention.
- Students should be required to enroll in violence prevention courses.
- Students should be required to enroll in gun safety courses.

There are absolutely no easy solutions to the juvenile crime problem. Our purpose here has been to highlight the severity of the problem and to make policy makers in our community aware of the growing need for viable solutions. We have also outlined several recommendations that we believe will provide legislators and community leaders with the direction needed to combat and, ideally, end juvenile crime in neighborhoods and schools.<sup>16</sup> We believe that effective and earnest pursuit of these proposals will at least get us a little closer to realizing our goals: *stifling juvenile crime and providing safer schools for our children and safer streets for all of us.*

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<sup>16</sup>In future reports, we will be examining the growing problem of juvenile drug use and how it is related to juvenile crime.

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