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**COMMISSION ON LAW ENFORCEMENT CRIMINAL JUSTICE
STANDARDS AND GOALS**

**LOUISIANA
COMMISSION ON LAW ENFORCEMENT**

**CRIMINAL JUSTICE
STANDARDS and GOALS**

**JUVENILE JUSTICE
and
COMMUNITY
CRIME PREVENTION**

VOLUME VI

State of Louisiana

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LOUISIANA COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF CRIMINAL JUSTICE

October 27, 1975

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Governor

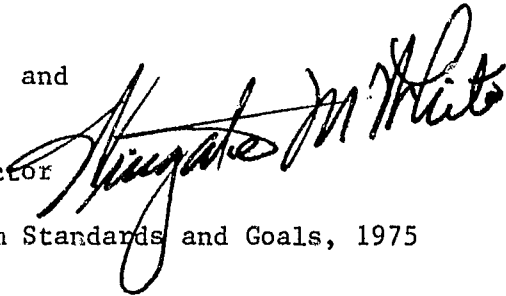
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MEMORANDUM

TO: Honorable Bailey Grant, Chairman, and
Members of the Commission

FROM: WINGATE M. WHITE, Executive Director 

SUBJECT: Louisiana Criminal Justice System Standards and Goals, 1975

It is with a great deal of pleasure that I present to you the final document of Louisiana Criminal Justice Systems Standards and Goals, 1975.

This six-volume publication is representative of the untiring effort put forth by you, the State Planning Agency Staff and the Standards and Goals Project Staff. I believe that the nature of the material herein is reflective of the energy expended by you and our staff and should serve as a tribute to these efforts. The Commission is deeply grateful for the assistance and advice of consultants, advisors, and collaborating agencies whose efforts are also reflected in these Standards and Goals volumes.

WMW:ch

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PREFACE

Through the joint concentrated efforts of numerous law enforcement and criminal justice personnel and agencies, the Louisiana Commission on Law Enforcement has developed and adopted statewide criminal justice standards and goals. With the utilization of federal discretionary grant funding, the Commission set out with the ideals of reducing Louisiana's crime and improving the components of the criminal justice system. Employing numerous resources concerning criminal justice standards and goals, those standards and goals most applicable to the Louisiana Criminal Justice System were selected, studied, and in some cases adopted.

In this volume of Louisiana Criminal Justice Standards and Goals Publication, standards relating to the areas of juvenile justice and community crime prevention are provided. Due to the fact that crime prevention begins with the education and understanding of young people, these two areas of criminal justice have been incorporated into a single volume. Included in the juvenile justice portion are the topics of intake, community-based treatment facilities, codification of juvenile law, detention, and training institutes.

The Community Crime Prevention portion of the volume addresses numerous aspects of criminal justice. Since community crime prevention may be carried out by agencies other than criminal justice agencies, standards which could be implemented by governmental agencies, school boards, and citizens' organizations are addressed. Included in the substantive area of Community Crime Prevention are such aspects of criminal justice as governmental ethics, rape crisis centers, drug abuse, consumer protection, education programs, and employment programs.

This volume is divided into three sections: Louisiana Criminal Justice System Goals and Juvenile Justice Standards, and Community Crime Prevention Standards. Accompanying each standard and goal is a brief description which provides definitions, background, and areas of impact or controversy which are attributable to the standard's or goal's implementation. In addition, index charts offering a cross-referencing of interrelated standards is included in the appendix.

CRIME IN
LOUISIANA

INTRODUCTION

One of the most serious problems confronting society today is the seemingly uncontrollable phenomenon of crime. Through much study and documentation, information regarding the scope and pattern of the Louisiana crime situation has been gathered and compiled. From this information, it has been determined that Louisiana, through its state, federal, and local criminal justice system agencies and through the activities of its citizenry, can reduce the incidence of crime.

In an effort to formulate and direct the strategy to reduce crime in Louisiana, certain quantifiable goals have been established and prioritized. The goals chosen for the reduction of each type of index crime, excluding larceny/theft, are based on forecasts determined by utilization of the trends of crime since 1960. Since the Federal Bureau of Investigations' Uniform Crime Reports are the only source of information available regarding crime in Louisiana during the period of time, 1960-1973, projections to 1980 and each preceding year were computed using a series of mathematical equations. On the basis of

projected trends, measurable quantities for crime and delinquency reduction were selected. Ultimately, the goals were prioritized by the members of the Commission on Law Enforcement.

For other areas of crime considered important by the Commission, another method was employed due to the lack of any valid data on which accurate forecasts could be made. In the case of juvenile delinquency, the major portion of the available data concerns arrest statistics and institutional information. In addition, since there is no uniform system of documentation regarding juvenile offenses, no trend information is available. For this reason, the number of juvenile arrests for 1974 is the basis for the juvenile delinquency reduction goal. In addition, the fact that the number of juveniles is on the decrease, as indicated by a slowing down of the birthrate, was considered. Similarly, the involvement of juveniles in index crime was also a determining factor.

The determination of the goal for larceny/theft

provided another problem. Due to the changes in the definition of theft by UCR, data prior to 1973 is uncomparable to any information concerning 1973 and after. Thus, no reliable forecast could be determined. Information obtained from the Louisiana Criminal Justice Information System (LCJIS), then, was utilized as the base rate of theft occurrences in Louisiana.

Because it is almost impossible to determine the incidence of activities relating to white collar crime, organized crime, and riots and terrorism, no attempt at predicting crime incidence was made. Similarly, no reduction of goal pertaining to volume of crime could be made. Thus, the only indicators available were activities within law enforcement and criminal justice agencies. Goals, then were determined on the basis of criminal justice system response to the occurrences of these types of crime.

In 1974, 184,289 index crimes were reported to LCJIS. Of these offenders reported, property crimes accounted for 86.3 percent of the reported crime. In addition, violent crimes totaled 25,253 offenses. Although the index crimes, murder, rape, robbery, aggravated assault, burglary, and theft, comprise only 31 percent of the total crime in the state, the time, dollars, and lives which they cost Louisiana each year is the factor which demands immediate attention. In order to prevent the continuation of such waste it is necessary for crime to be reduced.

CRIME AND DELINQUENCY

REDUCTION GOALS

CRIME AND DELINQUENCY
GOAL NO. 1

A. From a predicted rate of 1647.4 reduce the rate of burglary 17% by 1980 to 1367.3 burglaries per 100,000 population.

B. By 1980, reduce the rate of theft 10% from the 1974 base year total of 2480.6 thefts per 100,000 population.

C. From a predicted rate of 257.6 reduce the rate of robbery 12% by 1980 to 226.7 robberies per 100,000 population.

BURGLARY

During 1974, a burglary was reported every eight minutes, for a total of 68,708 known offenses. This represents 37.3 percent of the total number of index offenses reported. Although burglary is primarily an urban problem, all of the parishes in Louisiana reported incidence of burglary in 1974.

Between 1968 and 1973, burglary increased in Louisiana at a phenomenal rate of 40.6 percent,

according to UCR data. In addition to the problem caused by volume of crime alone, the monetary expense of burglary to Louisiana citizens has increased at a similar high rate. During the period 1969-1973, the value of property stolen has increased from \$4,284,650 to \$6,755,077, or 58.1 percent. In addition, burglaries of residence during daylight hours proves to be the most expensive type of burglary.

Not only is the crime of burglary recognized as an ever-increasing problem by criminal justice agencies, but it is also considered highly dangerous by the citizenry. According to a Gallup poll conducted late in 1972, one person in six does not feel safe in his own home at night. Although burglary is classified as a property crime rather than a violent crime, such a survey response regarding the crime is indicative of the fact that the fear of being burglarized is a vital concern of many American citizens.

Finally, the crime of burglary is predicted to increase 30 percent on the basis of its existing growth

rate. If such a pattern continues, burglary will attain a rate of 1647.4 per 100,000 population by 1980. For these reasons, burglary is a high priority reduction goal for Louisiana.

THEFT

Theft, according to Louisiana statutory definition, is the misappropriation of anything of value which belongs to another; this definition includes auto theft. In 1974, there were 90,328 reported thefts, accounting for 15 percent of the total offenses reported statewide. Although not considered as serious an offense as other index crimes, theft accounted for 49 percent of index crimes during the year.

Because of the change in the FBI definition of Larceny/Theft, comparisons of data prior to 1973 with 1973 data may be misleading. However, in spite of the alteration of definition, Louisiana experienced a definite increase over 1972--4 percent. Besides its sheer volume, theft places an extremely expensive burden on the citizens of Louisiana. Of the almost twenty-four million dollars of property value stolen in 1973, Larceny/Theft accounted for 66.5 percent. This figure is even more significant in light of the fact that it represents a 37 percent increase over 1966.

Theft, like burglary, is also most heavily concentrated in the state's urban areas. In 1974, according to LCJIS, the parishes of Caddo, Rapides, Lafayette, East Baton Rouge, Calcasieu, Jefferson, and Orleans accounted for 72 percent of the theft offenses in the state. However, other areas of the state do experience the effect of a crime as widespread as theft. Given the fact that 240 thefts occur daily in Louisiana, the Commission places strong emphasis on the crime.

ROBBERY

The crime of robbery, though classified as a violent crime is, in actuality, a transitional crime between property and violent crimes. With a total of 11,687 offenses reported in 1974, robbery represented two percent of the total offenses reported and 6.3 percent of reported index crime. Incidence of robbery in Louisiana impacts severely the citizenry of the state by instilling fear in its potential victim. In addition, projections based on FBI statistics indicate that by 1977 robbery could increase an additional 30 percent.

An additional important aspect of robbery is the lost property value. In 1973, the average value of lost property per robbery was \$333, representing a 53 percent increase over the average value in 1966. On the basis of total dollar value, robberies cost Louisianians \$1,292,286 in 1973, 236.7 percent more than in 1966.

Once again, robbery is a major problem of the urban areas of the state. Of great significance is the fact that Orleans and Jefferson parishes alone accounted for over 83 percent of the robbery offenses of the state in 1974. Four other urban parishes, East Baton Rouge, Calcasieu, Caddo, and Rapides, accounted for an additional 8.3 percent. Thus, over 90 percent of the Louisiana robbery problem is concentrated in six urban parishes.

The problem of robbery is recognized nationwide for its nature of providing for the possibility of offshoot crimes, such as murder. Thus, it is not surprising that in 1968 a Gallup poll indicated that 31 percent of the respondents felt unsafe to walk in their own neighborhoods at night. By 1972, the numbers had increased to 42 percent.

Judging from the 53.5 percent increase in robberies exhibited by Louisiana between 1968 and 1973, an additional increase of 30 percent would bring robbery to a rate of 257.6 per 100,000 population. With such an increased probability of more Louisiana citizens becoming victims of robbery, it is necessary for robbery to share first priority for crime reduction goals in Louisiana.

CRIME AND DELINQUENCY
GOAL NO. 2

A. By 1978, state and local white-collar crime units in Louisiana will double the number of cases initiated against persons involved in white-collar crime activities in the 1974 base year.

B. By 1980, reduce the rate of arrests for index crimes committed by juveniles in major urban areas 10% from the 1974 base year total of 685 arrests per 100,000 juvenile population.

C. By 1980, increase the rate of arrests made of narcotics manufacturers/distributors by 10% from the 1974 base year total of 165.3 arrests per 100,000 population.

WHITE COLLAR CRIME

The term "white collar crime" includes a large range of criminal activities: insurance frauds, computer larceny, embezzlement, corporate crime, consumer and commercial fraud, and combinations in restraint of trade. Although its specific impact has not been accurately determined, it has been estimated that "white collar crime/consumer fraud" costs the

nation \$40 billion annually.

While the public's attention is often directed to overt crimes of a violent nature, the covert crimes are broader in impact with longer lasting effects. In addition, the interaction between white collar crime and organized crime is known to flourish. Even recognizing these two factors, white collar crime remains difficult to detect, and once detected, difficult to prosecute. Thus, the full impact of "white collar crime" cannot be statistically determined nor can it be analyzed.

"White collar crime" is fortunately, being recognized as a major problem by Louisiana citizens. Indicative of this fact is the 30 percent increase in the number of calls received by the state's consumer protection agency in 1974. Such efforts should be continued in order to increase the public's support of the state's fight against "white collar crime."

Because of the difficulty in determining "white collar crime" activities in Louisiana, and because the

cost of white collar crime is certainly greater than economic losses from violent and property index crimes, the Louisiana Commission on Law Enforcement recommends that the reduction of white collar crime be a second priority goal.

JUVENILE DELINQUENCY

Recognizing the multi-faceted nature of juvenile delinquency, the Commission has established the reduction of juvenile involvement in index crimes as a second priority goal. In addition, since urban areas experience a greater rate of juvenile crime, concentrated reduction efforts are directed to these areas.

In 1974, there were over 9000 juvenile arrests for major crimes in Louisiana. Although information relative to these crimes is quite skeletal in nature, it can be determined that, in urban areas, between 30 and 40 percent of all major crimes were committed by the youthful offender. An even bleaker picture of juvenile delinquency is presented in statistics from Jefferson Parish which indicate that juvenile arrests have increased 61% in 1974. Juvenile involvement in the perpetration of index crime is emphasized by the fact that 53 percent of all crime commitments to the Juvenile Reception and Diagnostic Center in 1974 were for property crimes. In general, criminal justice agencies dealing with juvenile delinquents have experienced a 15 percent increase in their caseloads during 1974.

Based on the above information, the highest attention must be given to preventing juvenile delinquency in the area of index crime in Louisiana major cities.

NARCOTICS AND DRUG ABUSE

The so called "drug problem" although not an index crime is constantly in public view and continually surrounded by controversy. For this reason and statistical background provided below, the Commission has established narcotics and drug abuse as a second priority goal. Drugs, as defined by statute, are dangerous substances which possess the following

characteristics: 1) possess a potential for abuse; 2) may or may not have a currently acceptable medical use in treatment in the United States; and, 3) abuse of the substances may lead to psychological or physical dependence.

In 1974 there were 9,983 offenses reported to LCJIS of which marijuana offenses made up 64.4 percent. Overall drug offenses accounted for two percent of the total offenses statewide and four percent of the total arrests. The majority of offenses and arrests reported were for possession of drugs rather than for manufacture or distribution. In fact, 70.4 percent of the offenses reported and 62.6 percent of the arrests were for possession.

There are three important aspects of drug abuse which must be considered. Statistically, the drug problem is heavily concentrated in the major urban areas, with Orleans, Jefferson, and East Baton Rouge parishes accounting for 52.8 percent of the total offenses reported in the state. Another aspect of the problem is the number of juveniles who become involved in narcotics. Thus, the relationship to juveniles and drug abuse must be considered. A third factor to consider is the link between crime and the abuse of some drugs, particularly heroin. Although the relationship is not exactly understood, it was estimated by the National Commission on Marijuana and Drug Abuse in 1973 that a heroin habit costs the user \$7300 per year. Considering the fact that most addicts are from lower income levels, it seems safe to assume that most addicts cannot support their habits without the aid of criminal means. Such a possibility is indicated by the fact during 1974, there were 2,419 occurrences of drug usage in Louisiana's Department of Corrections adult institutions.

CRIME AND DELINQUENCY

GOAL NO. 3

A. From a predicted rate of 391.3 reduce the rate of aggravated assault 8% by 1980 to 360.0 aggravated assaults per 100,000 population.

B. From a predicted rate of 36.9 reduce the rate of rape 2.5% by 1980 to 35.9 rapes per 100,000 population.

C. From a predicted rate of 22.6 reduce the rate of homicide 5% by 1980 to 35.9 homicides per 100,000 population.

AGGRAVATED ASSAULT

In 1974, one aggravated assault offense occurred every 46 minutes, for a total of 11,354 offenses for the year. Of all the violent crimes, aggravated assault ranks second to robbery in terms of incidence rate. According to FBI statistics, aggravated assault has experienced a steady growth rate, 25 percent since 1968. Projections indicate that the rate for Louisiana is accelerating faster than the rate for the Southern Region of the United States. By 1977, Louisiana

could have a rate as high as 329.4 far exceeding the projections for the South, 287.7.

A study of trends for 1968-1973 indicates that Louisiana's SMSA's exhibit the highest rates for aggravated assault and have maintained a constant rate of increase of 17.1 percent over 1968. Another factor to note is that rural areas in the state have exhibited a 50 percent increase in the rate of aggravated assault over 1968. Still, the metropolitan area experiencing the greatest rate of aggravated assault since 1969 is Baton Rouge.

The crime of aggravated assault is one that is difficult to deal with regarding the activities of the criminal justice system, due to the fact that most aggravated assaults occur within family units and among neighbors and acquaintances. Similarly, convictions are very difficult to obtain in cases where the aforementioned relationships exist. Thus, assault as a third priority goal is an area of criminal activity of injury to person which, if ignored, could reach

391.3 per 100,000 population by 1980.

RAPE

In general, information regarding the number of rapes can be very misleading because of the vast number of offenses which remains unreported. Due to the victim's embarrassment, fear of exposure, or unwillingness to testify in a public court, many simply choose not to report the incident.

During 1974, 1372 rapes were reported in the state of Louisiana. This figure accounts for 0.2 percent of the total offenses reported in the state. However, the FBI estimates that two-thirds of the actual rapes remain unreported. Thus, a large gap in the knowledge of criminal justice agencies regarding the true extent of the problem remains.

Since 1968, the rate of rape has increased 36.6 percent, according to UCR information. In addition, estimates of crime to 1980 point to an additional increase of 18 to 20 percent. Thus, disallowing for better reporting, the rate for rape could reach 35.9 per 100,000 population by 1980. With a higher reporting rate for the crime, the rape rate could be considerably higher.

Thus, the Commission supports measures which deter rape incidence and places it as a goal for crime reduction. However, due to the crime's nature, being associated with passion and psychological disturbances, the Commission recognizes the difficulty of dealing with crime.

HOMICIDE

During 1974, there were 840 homicides reported in Louisiana, with a resultant 731 arrests. Even though this represents only 0.5 percent of the index crimes in the state the nature and seriousness of the crime establishes it as a definite problem statewide.

According to UCR data, Louisiana has experienced a higher homicide rate than the United States since 1968. In fact, Louisiana's homicide rate has experienced a 62.1 percent increase since 1968 as compared with a 36.8 percent rate for the nation as a whole.

Another aspect of the crime is its concentration in Louisiana's urban areas. Five major urban areas, Calcasieu, Jefferson, East Baton Rouge, Caddo, and Orleans, accounted for 61.2 percent of the state total in 1974. New Orleans alone accounted for 39.6 percent of the total.

The rate for homicide is expected to continue its upward trend. By 1977, the rate is projected to be 15.5 per 100,000 population as compared with its present 12.9 rate. To slow down this trend, it is necessary to reduce other crimes such as armed robbery, aggravated assault, and rape, from which homicide may be a tragic spin-off. Another aspect of the crime to be considered is the high incidence of homicides which result from deteriorating domestic situations.

The reduction of a crime such as homicide provides a massive task to law enforcement and criminal justice agencies. Due to the fact that the very cause of the crime encompasses many emotional situations, efforts directed at other crime should aid in the reduction of the serious crime of homicide. Through these activities, the crime of homicide can be reduced.

CRIME AND DELINQUENCY

GOAL NO. 4

By 1978 state and local organized crime units in Louisiana will double the number of cases made against persons involved in organized crime activities in the 1974 base year.

ORGANIZED CRIME

Organized crime is defined by Congress in the Omnibus Crime Control and Safe Streets Act of 1968 as "the unlawful activities of the members of a highly organized disciplined association engaged in supplying illegal goods and services, including but not limited to gambling, prostitution, loansharking, narcotics, racketeering, and other unlawful activities of members of such organizations." Because organized crime is a self-perpetuating conspiracy for power and profit which utilizes fear and corruption, and seeks immunity from the law, it is probably the single most threatening source of crime in the nation today.

At the state level, organized crime is, according to the Regional Organized Crime Information Center, carried on by an organized group of crime figures

known as the "Dixie Mafia." Approximately 500 persons have been identified who deal in large scale criminal activities. Although the actual scope of the activities in Louisiana is difficult to determine, estimates indicate that the profits from handbook, coin machine, and lottery operations alone total one billion dollars annually. In addition, there are indications that organized crime and its resources are infiltrating legitimate businesses resulting in losses in revenue to the state's business community.

Because the actual impact of organized crime is difficult to determine, the Commission believes that more persons involved in organized crime activities should be brought into the public's view. For this reason, it supports a goal to double the number of cases made against organized crime figures in the short time frame of four years.

CRIME AND DELINQUENCY

GOAL NO. 5

By 1977, adequately equipped and trained specialized units in all major urban areas will be available to effectively deal with potential acts of riots and terrorism.

RIOTS AND TERRORISM

Due to the public's fear of occurrences of riots and terrorist activities, the Commission supports the acquisition of highly trained and specially equipped units in urban areas to deal with potential acts of riots and terrorism. Although efforts to determine potential targets of persons involved in these activities are on-going the extent of the problem cannot be determined. However, it is known that some dissident groups, both black and white, have taken as their goal

the disruption and destruction of both the patterns of our democratic processes and the social order of the American people.

In Louisiana, Baton Rouge and New Orleans have experienced the violence such groups can invoke. In each case, the activities of just a handful of terrorists managed to tie up almost completely the efforts of local law enforcement agencies. At the present time, the criminal justice system has no unified coordinated approach to determine the activities of those groups which desire to undermine the government of the United States. Only through coordinated efforts can the violence of such groups be averted.

CONCLUSION

Crime in Louisiana provides a multi-faceted problem to law enforcement and criminal justice agencies. However, the Commission believes that, through concentrated efforts, Louisiana can substantially reduce the incidence of overall crime by 1980. In addition, those crimes which are so broad in scope can be better dealt with by improvements in the criminal justice system.

REFERENCES

Louisiana Law Enforcement Comprehensive Plan, Fiscal Year 1976, Volume II, "Crime Analysis"

Report of the Attorney General, Crime Statistics, January 1974 to December 1974.

Crime in the United States, Uniform Crime Reports, 1968-1973.

**SYSTEMS
IMPROVEMENT
GOALS**

SYSTEMS GOALS

CRIMINAL JUSTICE SYSTEMS GOAL NO. 1

By 1980, the State of Louisiana will have a complete criminal justice information system at the State level, supplemented and supported by local information systems. This system will be capable of: (a) tracking the individual offender through the various components of the state's criminal justice system including re-entry within a five year period by use of a statewide Offender Based Transaction Statistics/Computerized Criminal History (OBTS/CCH) System and the Correctional and Justice Unified Network (CAJUN); (b) analyzing statistical data at the state level for use by all criminal justice agencies; (c) providing necessary management and administrative information to state and local agencies and also of providing technical assistance to these agencies; (d) collecting all necessary data on crime and criminals from the various criminal justice agencies, through the Louisiana Uniform Crime Reports (LUCR); (e) providing judicial and prosecutorial information and statistics through the use of Statewide Judicial Information Systems (SJIS); (f) enabling high speed computer interfaces with regional state and national information systems through a statewide communications component.

COMMENTARY

In order to increase the effectiveness and efficiency of law enforcement, Louisiana should continue the development of a comprehensive criminal justice information system. There are several functional components which comprise this system.

The Offender Based Transaction Statistics System (OBTS) will provide data for a truly comprehensive study of the entire criminal justice process. This is done by collecting data using the individual offender as the unit of count and tracking that offender through the entire criminal justice process. In this manner, meaningful statistics can be developed for the entire criminal justice community.

The Statistical Analysis Center will function as the focal point of the criminal justice data for Louisiana. Briefly, the functions of SAC are: coordinate criminal justice statistics within Louisiana; analyze and interpret criminal justice data; provide for publication of data across criminal justice lines; and, provide data to state and local agencies to satisfy their planning and evaluation needs.

The Management and Administrative Statistics System is designed to collect and report criminal justice expenditures, employment, and resource data for state, regional, and local agencies. When fully implemented, the system will provide regular, systematic data on the characteristics of the work forces in law enforcement, courts, and corrections, comprehensive information on the quantity and quality of equipment for criminal justice, and information for the evaluation of the adequacy of the existing facilities.

The Louisiana Uniform Crime Reports component has the overall responsibility of collecting crime statistics from the state's law enforcement agencies. Eventually, LUCR will become the initial step in the OBTS since collected data is used by both systems.

The court subsystems component consists of the Statewide Judicial Information Systems, which will provide judicial and prosecutorial information and statistics.

In conjunction with the development of the total state information system, methods and procedures must be developed to insure the validity and comprehensiveness of the data gathered for storage within the system. This data base must fulfill the needs of the system components for management information such as project design, evaluation, and research materials, as well as provide information which can be rapidly retrieved to augment field operations of local law enforcement agencies.

CRIMINAL JUSTICE
SYSTEMS GOAL NO. 2

(A) By 1980, a minimum of eighty hours of formalized basic training and orientation will be provided all criminal justice personnel, excluding clerical in Louisiana.

(B) By 1980, some form of in-service training will be provided to employees of the criminal justice system, excluding clerical, at intervals of no more than three years.

(C) By 1977, all criminal justice personnel in Louisiana who have the authority to carry a weapon will have received basic weapons training and will be retrained at an interval no longer than three years.

(D) By 1978, revise pay scales for all criminal justice personnel in Louisiana to attract better educated and more competent personnel.

(E) By December 31, 1978, all criminal justice agency recruits, to the greatest extent possible, in Louisiana will possess a high school degree or its equivalent, excluding employees of correctional institutions.

COMMENTARY

In the state of Louisiana, there is a serious lack of training among criminal justice personnel in all areas. Almost half of all the sworn officers in the state (49.3%) have received no formalized basic training (This figure excludes the Louisiana State Police). In addition to this, 62.7% of all local law enforcement agencies do not even require any basic training for their personnel.

In local corrections, only 50% of all local jail and prison staffs have received any form of basic training, while no basic orientation is offered for probation and parole staffs. On the state corrections level, no basic orientation and training is required for 130 adult probation and parole officers or 80 juvenile probation and parole officers. Needless to say, mandatory in-service training programs for both law enforcement and corrections are virtually non-existent.

With regard to educational requirements requisite for employment, many local police agencies as well as corrections facilities do not require a high school education. There are neither any programs in the

secondary education curriculum to promote careers in law enforcement or criminal justice nor any widespread system of recruitment between university criminal justice programs and law enforcement agencies. This problem is compounded by the low pay scales that deter more highly educated personnel from entering the system.

At present, there is no mandatory requirement that criminal justice employees in Louisiana who are

authorized to carry weapons and execute police power have even minimum weapons training. This obviously debilitates the effectiveness and safety of law enforcement pointing to a need for mandatory weapons safety and proficiency training.

CRIMINAL JUSTICE SYSTEMS GOAL NO. 3

By 1980, there will be established in Louisiana a comprehensive communication network utilizing hardware purchased in bulk or at State contract prices, at regional or state level and hardware which conforms to uniform specifications insuring the acquisition of equipment capable of meeting the current and future demands in conforming with the present study underway.

COMMENTARY

There is a statewide need in Louisiana for a comprehensive communication network. The great majority of the law enforcement and criminal justice agencies in Louisiana are not realizing the full benefits which are to be derived through the

utilization of a coordinated communications network. The present system is comprised largely of obsolete hardware, which gives rise to congestion and slow response times. The acquisition of equipment, capable of meeting the present and future communications needs, is a necessary requisite toward developing an effective communications network. Efforts at improvement must be coordinated among all elements of the criminal justice system to insure the creation of networks which successfully interface.

**CRIMINAL JUSTICE
SYSTEMS GOAL NO. 4**

By 1978, a Criminal Justice Institute will be established in the State of Louisiana for the purpose of conducting research in the field of criminal justice agencies.

COMMENTARY

Although over 200 million state and federal dollars are spent annually in Louisiana for law enforcement and administration of criminal justice, not enough research is conducted to analyze the actual needs of the criminal justice system. Often, when research is done, the results are neither

published nor disseminated widely enough to reach the personnel within the system who might have a vital interest in the information. Furthermore, in many instances there is not a valid data base for effective research efforts. Clearly there is a need for research in all areas of the criminal justice system, particularly in those areas where the components of the system have overlapping responsibilities.

**CRIMINAL JUSTICE
SYSTEMS GOAL NO. 5**

By 1978, a list of all available sources of technical assistance at both the national and the state level will have been compiled and disseminated to state and local criminal justice agencies.

COMMENTARY

Louisiana's criminal justice agencies have an extensive need for technical assistance, particularly in the areas of training and the structuring of filing systems. Space management and the design of forms and procedures are other areas in need of assistance.

The Courts have designated major problem areas as those relating to case management, administration, and records and information services. The district attorneys desire technical assistance in the areas of forms design and procedures, development of filing systems, case-time planning, and setting of case priorities while Indigent Defender Boards indicate

similar needs. The Department of Corrections has indicated decentralization as its major problem, with communications and personnel procedures as other areas of need.

There presently exists no central clearinghouse at the state level to coordinate requests for and the delivery of services. In addition, little information is available to criminal justice agencies regarding the scope and source of technical assistance services.

CRIMINAL JUSTICE SYSTEMS GOAL NO. 6

By 1978, the State of Louisiana will have developed the capability, at a state level, for the evaluation and monitoring of criminal justice agency activities.

COMMENTARY

The Louisiana Commission on Law Enforcement awards an average of 550 separate grants each year. During any given month, approximately 1650 projects are active. The determination of project effectiveness and project impact within the criminal justice system is necessary if duplication is to be avoided and positive results realized. In addition, the Commission must be furnished current and detailed information concerning funded projects which will enable them to make decisions relative to continuation funding, implementation of new

projects, and future-year planning. This necessary information relative to project performance can only be generated through the use of modern evaluation and monitoring techniques. In past years, activities in this area have been minimal because of a lack of evaluation and monitoring ability in the State Planning Agency. The evaluation and monitoring capabilities should be designed to provide the information necessary for decision-making in all of the following areas: (1) planning and setting of priorities; (2) continuation funding; (3) new project implementation; and, (4) define necessary changes in ongoing projects.

CRIMINAL JUSTICE
SYSTEMS GOAL NO. 7

By 1978, validated selection and recruitment policies and mechanisms will be completed and in use by Louisiana's various criminal justice agencies at the State and local level for continuing manpower development within these agencies.

COMMENTARY

Recent Equal Opportunity Commission and various federal court rulings have severely affected the ability of criminal justice agencies in Louisiana to recruit and select the most qualified personnel while still providing an active minority recruitment effort.

In addition, these rulings have hampered the ability of Louisiana criminal justice agencies to increase their professionalism by providing incentive promotional and pay benefits for better education and training. Louisiana, therefore, should develop a formalized system of criminal justice manpower development, recruitment, and selection.

CRIMINAL JUSTICE
SYSTEMS GOAL NO. 8

By 1980, the Louisiana SPA and the various components of Louisiana's Criminal Justice System will be provided the capability to carry out comprehensive planning in the criminal justice area.

COMMENTARY

The aim of this goal is to promote coordinated criminal justice planning and research throughout Louisiana. Due to the fact that over 900 criminal justice agencies operate in the state, there are

virtually no existing planning and research efforts in a majority of the parishes. What efforts are ongoing are fragmented and incomplete. Thus through activities associated with accomplishment of this goal, a better directed system of planning and research will be developed.

LAW ENFORCEMENT

GOALS

LAW ENFORCEMENT
GOAL NO. 1

By 1977, it should be required that all commissioned law enforcement personnel empowered to make arrests and carry firearms while performing their duties, should complete a Basic Training Course within the first twelve months of initial assignment.

COMMENTARY

In today's complex society, police officers must receive the best preparation possible. The most efficient way to provide a police officer with the knowledge and skills he will need once he begins his duties is to establish a mandatory Basic Training Course. Presently, 49.2 percent of the sworn police officers in Louisiana have received no formalized basic training; in addition, 62.7 percent of the local agencies do not even require basic training for their officers. It is clear that Louisiana needs a formalized

basic training and orientation program for its law enforcement personnel.

In order that the basic training program be an effective means of training police officers, it is advisable that a permanent committee on Training and Education be established. This committee should be established under the auspices of the Louisiana Commission on Law Enforcement.

In establishing a basic training program, a minimum number of hours of formal training and education should be established. Once this minimum level is achieved, the agencies can continue to build and experiment with further basic training and various educational approaches. The curriculum employed during the basic training should include

such topics as the following: Introduction to the Criminal Justice System, Law, Human Values and Problems, Patrol and Investigation Procedures, Police Proficiency and Administration. These topic areas are by no means complete, but they are intended to guide the development of the basic curriculum within the six principal areas of concentration. As a program increases, and more efficient learning methods are used, the program can introduce additional academic subjects.

Mandatory basic training can assure the public of a minimal training level for all police officers. Additional training and job development can be based on this basic training. The powers of arrest and the potential for injury and death are too great to allow policemen to practice their profession without adequate training.

LAW ENFORCEMENT
GOAL NO. 1B

By 1977, it should be required that all criminal justice personnel authorized to carry weapons while in course of their duties shall complete a firearms use and training course in the proper handling of firearms. Beginning January 1, 1977, all new recruits should be required to demonstrate proficiency in the use of firearms prior to first duty assignment.

COMMENTARY

Although relatively few officers ever have occasion to fire their sidearms in the performance of duty, they must nevertheless always be prepared to do so; their lives or the lives of others may depend on their shooting proficiency.

Presently, there is no mandatory requirement that criminal justice employees in Louisiana who are authorized to carry weapons and execute police

power have even minimum weapons training. Minimum criteria for training in weapons safety and proficiency should be established. The Louisiana State Legislature should be encouraged to adopt formalized criteria.

Although proficiency in the use of firearms is important, emphasis must also be placed on training every officer when he may shoot. Every officer, before he is permitted to carry a firearm, should be thoroughly trained in the law, as it applies to the use of force and the agency's shooting policy.

LAW ENFORCEMENT

GOAL NO. 2

By 1977, eight (8) regional training academies to which all commissioned law enforcement officers will have access should be provided.

COMMENTARY

Due to the high percentage of law enforcement officers in Louisiana who have received no formalized basic training, it is important that basic training is made available within Louisiana to these officers. One way to achieve this is to establish Regional Training Academies. These regional facilities would insure that the officers of the rural areas, as well as those of the urban areas, will receive police training.

For these training facilities to be effective in the statewide training of law enforcement officers, it would be advisable that a state training commission be established. It would be the duty of the commission to certify the training academies, advise

the academy administration on how to maintain high standards, and inspect and evaluate the training academies on a continuing basis. Standardized minimum curricula should be established in the training academies. In adopting these minimum standards of curriculum content, the training academies should award certification only upon successful completion of that curriculum.

Standard 16.2 recognizes the need for police training academies and expresses the need for standardization of the content and duration of the training programs. In line with these suggestions is the adoption of quality control measures recommended by Standard 16.6. This would insure that the training performance objectives are met. Standard 16.7 stresses the idea of regionalism in the establishment of these training academies. These facilities are established in order to provide training programs to

all law enforcement officers, especially those in rural areas who normally would not have access to any type of formalized training.

LAW ENFORCEMENT

GOAL NO. 2

By 1977, 40 hours of compulsory, job-related in-service training will be provided annually through intra-agency programs, professional associations, law enforcement institutes, or other recognized criminal justice training programs.

COMMENTARY

Presently, there are virtually no mandatory and systematic in-service training programs in Louisiana. Very few officers in the State have received any advanced training. Because of the deficiency in this area, formalized and systematic in-service training programs should be developed in Louisiana. In-service training promotes employee effectiveness by providing training to update and improve job knowledge and skills. When this training is made

available and convenient, it is readily sought by police agencies.

The Regional Training Academies should be encouraged to provide in-service training programs, in addition to their basic training programs. These in-service training programs should include a periodic recertification of basic job skills.

Standard 16.5 addresses itself directly to the topic of in-service training. This standard suggests that 40 hours of in-service training annually should be provided by every police agency. It is also realized in this article that there is a need for decentralization training; suggestions are made as to how this may be achieved.

LAW ENFORCEMENT

GOAL NO. 4

By 1979, assistance should be encouraged and provided to all law enforcement agencies serving a population of greater than fifty thousand people (50,000) in developing and implementing a sound information system to generate management data and facilitate crime analysis statistical research and reporting.

COMMENTARY

A majority of all law enforcement agencies within Louisiana lack a valid data base relative to their workload and other internal operational procedures as well as sufficient expertise to provide management and operational procedural revisions in response to available workload indicators. Also, Louisiana's information systems are presently incapable of categorizing raw crime data into modes which can be utilized as management tools. This lack of a comprehensive and valid statistical data base severely limits both planning capabilities and research and

evaluation efforts. Because of these deficiencies, any attempt in improving the entire system through long-range planning in crime control, prevention, and rehabilitation are impossible.

A complete criminal justice information system, supplemented by local information systems, should be established at the state level. This data base should be designed to fulfill the needs of the system components for management information. For this informational system to be fully effective, it is necessary that it provide such management information as project design, evaluation, and research materials. As a valid data base is attained, system analysis capability must be developed for management usage. There should be a coordination of the development of the information systems in the state to allow for rapid retrieval and dissemination of data.

Standards 24.1, 24.2, and 24.3 address themselves to the topic of informational system. These standards recommend the establishment of uniform police reporting of criminal information, the establishment of a record system that collects crime data and

records operational activities, and the establishment of a cost-effective, compatible information system to collect, store, and retrieve information moving through the police agency.

LAW ENFORCEMENT
GOAL NO. 5

By 1980, there should be provided a forensic crime-analysis laboratory with the necessary equipment and personnel to perform complete criminalistic and forensic science evidence analysis. Louisiana should also provide by 1980 one regional or satellite laboratory situated according to equitable agency use, within each law enforcement planning district. The Caddo-Bossier CJCC and the Northwest District, due to their close proximity, should use one regional or satellite laboratory.

COMMENTARY

Due to the increasing sophistication of crime and the complexities of legal requirements, there is a continuing increase in the demand for investigative support in the form of prompt evidence analysis as an identification aid in the apprehension of suspects. The police agencies should be provided with a system which provides for unquestionable evidence collection, analysis and preservation. Presently, Louisiana's existing criminalistic and forensic science

laboratories are inadequate to meet existing and projected demands. The five existing facilities and the one satellite lab located in Louisiana are of such a limited nature that they serve only the immediate urban areas in which they are located. The State Police Crime Lab in Baton Rouge provides services, when possible, to the remaining parishes in the state.

Louisiana needs a geographical distribution of crime labs throughout the state to provide reasonable and timely access to all agencies in the state. There should be established in Louisiana a central laboratory with the technical equipment and scientifically trained personnel to perform all types of criminalistics and forensic science analysis, and with adequate staffing and equipment at satellite labs to provide those services most commonly required by law enforcement agencies.

Standard 12.3 recognizes the need for the establishment of a consolidated criminal laboratory

system. This standard sets out criteria for the establishment of this system. This article sets out requirements as to personnel, requiring employees who deal with scientific analyses or testing to hold a bachelor degree in chemistry, criminalistics, or some related field. This standard also suggests that a

reporting system providing certain information be established. Standard 12.2 provides for the certification of these crime labs. This standard states that minimum standards for certification should be set by an administering agency.

LAW ENFORCEMENT
GOAL NO. 6

By 1977, it should be required that all applicants for a "sworn" law enforcement position, possess a minimum educational level of a high school degree or its equivalent.

COMMENTARY

Presently, in Louisiana there are many local police agencies which do not require a high school education as a minimum requisite for employment. 10.7 percent of all sworn police officers in the state do not have a high school education. Minimum educational criteria for criminal justice personnel in Louisiana should be established. At this time, a high school degree or its equivalent should be established as the minimum education requirement. For a totally effective police officer, it is necessary that he possess a certain degree of knowledge in order to communicate and work in today's society.

Standards 13.4 and 15.1 are cognizant of the need for the establishment of minimum educational requirements for police officers. Both state that a State commission empowered with the development and enforcement of state minimum mandatory standards for the selection of police officers should establish educational requirements in the selection of individuals to serve as police officers.

LAW ENFORCEMENT

GOAL NO. 7A

By 1979, feasibility studies on the possible consolidation of police services in (1) major urban areas, and (2) rural areas where the majority of law enforcement services are provided by the Sheriff's Office should have been completed.

COMMENTARY

It is common in Louisiana for a parish to have one sheriff's office and one or more municipal police departments. As a result, several problems have developed, such as duplication of law enforcement efforts, duplication of equipment acquisition, duplication of data reporting and confusion over jurisdiction in certain instances. This duplication of law enforcement efforts is costly. The result is a utilization of more tax revenues than would be utilized if one agency served each area. Consolidation offers more effective law enforcement at reduced cost. Consolidation seems to be a solution; however, there are realistic, practical political objections to

consolidation. Therefore, a study of the existing law enforcement agencies within the state should be conducted to determine the advantages and disadvantages of consolidation. This study should determine if the best interest of the residents of Louisiana would be served by consolidation.

Standard 5.2 deals with the problem caused by more than one law enforcement agency serving an area. It recommends that there be interagency cooperation with and joint participation in police services.

LAW ENFORCEMENT
GOAL NO. 7B

By 1980, law enforcement agencies will be provided with the requisite manpower and equipment to accomplish the following:

- (1) Provide specialized personnel and units to increase the capability to reduce the incidence of index crimes and increase index clearance rates by 5%;
- (2) To upgrade the effectiveness of the overall law enforcement process to prevent and reduce criminal activities so that response time to emergency calls in urban areas will be three minutes in emergency situations and twenty minutes in routine matters; in rural areas response time to emergency and routine calls will be no more than 45 minutes.

COMMENTARY

According to recent statistics, no more than 50 percent of the total number of sworn law

enforcement personnel available in Louisiana are assigned to deal directly with the volume of offenses reported in the state. As the volume of crime increases, the demand for police services increases, as does the need to expand personnel resources and requisite equipment to meet these demands. To meet these increasing demands, there is a need for the acquisition of personnel and equipment to upgrade the effectiveness of law enforcement services.

The Louisiana clearance rate of index crimes during 1974 was 22 percent. Most law enforcement agencies lack the necessary resources and capabilities to address the existing scope, extent and sophistication of the type of crimes being committed. Evidence requirements of the courts have become more specific and necessitates skillful investigative procedures to attain conviction. Specialized units and equipment are necessary to achieve the capabilities required to cope with specialized crime problems.

Therefore, special enforcement units comprised of well-qualified, trained and equipped officers to augment the work of regular personnel should be provided.

**LAW ENFORCEMENT
GOAL NO. 8**

By 1980, technical assistance to 50 of the state's law enforcement agencies to conduct surveys for the improvement and modernization of agency organization, management, and operation, should be provided.

COMMENTARY

According to a 1975 survey, the Louisiana criminal justice agencies exhibited an extensive need for technical assistance. The consensus of law enforcement departments throughout the state indicated that assistance was most needed in the areas of training, management, and organization. Governmental agencies and private organizations provide many sources of technical assistance; however, no central clearinghouse is available at the

state level to coordinate requests for the delivery of services. A comprehensive plan to provide technical assistance to criminal justice agencies is needed.

Related to this is standard 9.4. This standard recommends that specialists should be provided to assist local police agencies on their request. Standard 11.1 also follows this line of thought in that the standard recommends the use of professionals outside the police service who have special expertise. Standard 12.1 recommends the availability of specially trained evidence technicians to the law enforcement agencies.

COURTS

GOALS

COURTS
GOAL NO. 1

By 1980, the period from arrest to the beginning of trial for those who are denied any form of pre-trial release should not exceed three months. For those who are released prior to trial, the period from arrest to the beginning of trial should not exceed:

- a. Eight (8) months where the defendant is charged with a felony; or
- b. Five (5) months where the defendant is charged with a misdemeanor.

COMMENTARY

Although the great majority of criminal prosecutions in Louisiana do not involve an adversary determination of guilt or innocence that occurs at the formal trial of a criminal case, the trial process remains a matter of vital importance in the state's criminal justice system. However, the present criminal

trial process in Louisiana is inflicted with many problems. One of the most chronic and well-publicized of these problems is the long waiting period a defendant faces between arrest and ultimate disposition at trial.

Chapter 4 of the Courts Volume addresses this problem and seeks to substantially reduce the time delay between arrest and verdict. Particular emphasis is placed on pre-trial delay, delay in actual trial process, and the procedural framework for processing of accused persons to minimize delays. There are several interests served by the prompt processing of criminal cases. In addition to the defendant's interest in obtaining a prompt forum as guaranteed by the sixth amendment, society is also benefited. Prompt disposition serves the public's interests in incapacitating those who have committed crimes by insuring that the pretrial liberty of a defendant is

kept at a minimum. Moreover, the closer that punishment follows the crime, the greater the deterrent effect of the punishment upon the defendant.

The Commission feels that compliance with this goal through implementation of standards will greatly

aid in reducing the delays now inherent in the criminal trial process. The target date of 1980 will allow adequate time for the required legislation and procedural mechanism to be incorporated into the Louisiana Criminal Justice System.

COURTS
GOAL NO. 2

By 1978, a uniform method for the delivery of indigent defense services with adequate compensation for defense attorneys will be in effect on both the trial and appellate level.

COMMENTARY

The task of providing public representation to indigent defendants has increased tremendously in recent years, due, in part, to the increased functions and responsibilities that defense counsel must perform as a matter of constitutional mandate. The right to counsel is no longer limited to any defendant charged with a serious criminal offense; the Louisiana Constitution guarantees the right to counsel in all cases where the defendant may be incarcerated as a result of the charges brought against him.

In addition, the right to counsel is not merely limited to the trial. Indigent defense lawyers are now involved in the investigatory stages of a criminal case, in appeals, and to some extent in collateral attacks upon convictions and proceedings within the correctional process.

Presently, Louisiana lacks an effective, organized indigent defender system although the Constitution mandates the availability of such programs throughout the state. The problems involved in the implementation and funding of statewide defender programs are numerous and complex. However, the Commission feels that the 1978 target date allows an adequate amount of time to establish a uniform method for the delivery of indigent defense services.

COURTS

GOAL NO. 3

By 1980, screening and diversion programs will be in operation in every major urban area throughout the State.

COMMENTARY

Screening and diversion are complementary programs capable of playing a significant role in Louisiana's efforts to reduce crime. Strict definitions have been troublesome, but screening can be defined as a pre-trial decision to permanently halt all formal proceedings against an individual involved in the criminal justice system. Although similar, diversion refers to the utilization of threats or possibility of prosecution for a criminal offense to encourage an accused to participate in some type of rehabilitation program.

To date, most Louisiana jurisdictions have not fully exploited the many benefits to be derived by use of screening and diversion programs. (See 1976 Comprehensive Plan, Statistical Analysis, Prosecution, Table Nine). The goal of the Commission is to change the present situation by requiring all major urban areas in the State to have screening and diversion programs in operation by 1980.

Pretrial diversion represents a substantial step toward expediting the rehabilitation of adult misdemeanants and felons. Likewise, both society and the accused have an abiding interest in having appropriate individuals screened out of the criminal justice system. The Commission wholly endorses the concepts of screening and diversion, and believes that

implementation of these standards and goals will greatly aid in the reduction of crime throughout the State.

COURTS
GOAL NO. 4

By 1980, Release on Recognizance programs will be in operation in one-half of the Judicial Districts in the State, and by 1985, participation by private bail bond agencies in the pre-trial process will be eliminated.

COMMENTARY

Bail historically has been used to insure the appearance of an adult defendant at the time of trial. When bail is used, the court actually delegates the decision about release to a professional bondsman. Although bail may be set, the bondsman is not required to write the bond. If he refuses to do so, the defendant cannot be released.

The Commission feels that attempts to insure appearances at trial by creating a financial incentive

are of little value, other than to provide a source of income for private bondsmen. Research has shown that most defendants can be released on nothing more than their promise to reappear at a designated time and place. Presently, Louisiana law permits the court to release a person in custody based upon his personal bail undertaking without need of a surety or special security (See LCCrP Article 336). The Commission recommends that maximum use be made of ROR programs and that by 1980 such programs be in operation in one-half of the judicial districts in the State. A secondary thrust of the goal is to eliminate, by 1985, reliance on private bail-bonding agencies as a means of securing an accused's release before trial.

Maximum expansion of ROR programs will require the development of criteria for selecting those

who can safely be released in this manner. Adequate facilities must be made available for the obtaining and verification of the necessary information from arrested persons. The Commission strongly favors a

policy of pre-trial release and believes that implementation of this goal will substantially aid in the improvement of Louisiana's criminal justice system.

**ADULT CORRECTIONS
GOALS**

CORRECTIONS
GOAL NO. 1

By 1985, decentralization will have been effectively completed, with the establishment of at least four smaller state correctional facilities, including one for psychiatric evaluation and treatment, located near major urban areas. Each facility will provide both institutional rehabilitative programs and access to community-based programs. This will insure the reduction of the population of Angola by at least 50%.

COMMENTARY

The provisions of this goal are outlined in Chapter 8, as well as in Objective 6.1, Total System Planning. It is hoped this will alleviate the overcrowding at Angola, provide smaller, better equipped facilities with access to community resources and the resultant acquisition of better treatment and training programs and services.

CORRECTIONS
GOAL NO. 2

By 1982, regional multi-parish prisons, with appropriate rehabilitative programs operating within, will be established in each of the eight planning districts. Local jails will be utilized as detention facilities only.

COMMENTARY

Due to the often poor conditions and non-uniform standards which characterize local jails, the development and expanded use of regional or

multi-parish prisons has been encouraged. This would allow for more uniform conditions, better staffing and resources, and limit the local "lock-ups" to short term detention. At present, there are three multi-parish prisons operating, with one under construction to serve the large, metropolitan Orleans Parish area. This goal encourages wider use of these facilities and further construction of others.

CORRECTIONS
GOAL NO. 3

By 1982, a network of community-based treatment facilities will be established in each metropolitan area with a population greater than 75,000. These facilities will serve both state regional institutions and multi-parish prisons.

COMMENTARY

The value of maintaining the offender's ties with his family and the community has received widespread recognition. Community-based treatment centers should receive newly committed inmates as an alternative to confinement and should also serve as a

point of reentry into society for confined offenders in pre-release programs. Where deemed necessary, these centers should provide special purpose programs such as alcohol detoxification, urine surveillance, restitution, work and/or study release, group and individual counseling, and technical and vocational training. Through the intervention of treatment and rehabilitation services, these centers should address themselves to the reduction of the overall recidivism rate within the state.

CORRECTIONS
GOAL NO. 4

By 1979, there will be one properly equipped trained, and supported probation and parole officer for every 50 clients.

COMMENTARY

In addition to the services they provide for offenders, adult officers are responsible for a number of investigative duties, including intake, presentence, pre-release, post-release plans, as well as court reports.

Probation and parole services should be expanded until the increased demand for investigations is satisfied and the caseload per officer goal of 50 is realized. These expanded services should not only utilize the tools of caseload differentiation and specialization in the drug and alcohol area, but should also be oriented toward crime specific investigation and supervision.

CORRECTIONS
GOAL NO. 5

By 1985, the recidivism rate of 50-plus% within the state system will be reduced to 35% or lower.

COMMENTARY

Through the provision of additional institutional rehabilitative services, and non-institutional

rehabilitative services, it is anticipated that the recidivism rate will drop. Through expanded vocational training programs and community programs for reentry, offenders returning to society will be provided viable alternatives to crime.

CORRECTIONS
GOAL NO. 6

By 1978, recidivism rates from local and regional institutions will be available and standardized.

COMMENTARY

In order to evaluate the effectiveness and success of correctional programs, standardized, complete statistical information on recidivism rates is required.

The development of a uniform comprehensive reporting system must include data on recidivism from local and regional institutions in order to complete the correctional picture in planning for the future, judging existing programs, and coordinating state crime statistics.

JUVENILE JUSTICE
GOALS

JUVENILE JUSTICE

GOAL NO. 1

By 1980, there will be a Code of Juvenile Procedure. The Code of Juvenile Procedure will establish the process of adjudicating a juvenile and thereby clarify and provide uniformity in handling juveniles as they move throughout the system.

COMMENTARY

There are gross inequalities of justice in the disposition of juvenile cases. In several cases, the United States Supreme Court has ruled that juveniles as persons are protected by the rights and guarantees

of the Constitution. As such, they are entitled to due process and equal protection of the law. Standard 8.1 recognizes this problem and recommends that a Code of Juvenile Procedure be drafted with the cooperation of the Louisiana Law Institute. A Code of Juvenile Procedure should be drafted in an effort to provide uniformity in the procedures for handling juveniles and to assure juveniles are protected under due process and equal protection, as provided for by the Constitution.

JUVENILE JUSTICE

GOAL NO. 2

By 1980, there will have been established a number of community-based, residential treatment facilities with limited capacity, to provide an additional 400 juvenile offenders with alternatives to incarceration in Louisiana's Training Institutes.

COMMENTARY

Due to recent legislation, only those children alleged to have committed a delinquent act may be held in detention. Also, as of January 1, 1976, only those children under thirteen who have committed a delinquent act that would have been a felony if committed by an adult can be committed to the Department of Corrections. As a result of these laws, a large number of juveniles who are committed to the Department of Corrections and held in detention at LTIs will have to be provided with an alternative to incarceration.

Community-based, residential treatment facilities would provide a place for those juveniles under the

age of thirteen who committed an act that would not be considered a felony in an adult's case (status offenders, and mentally retarded offenders). These facilities would also provide shelter-care for those juveniles who come to the attention of the court for non-delinquent acts.

In the establishment of community-based residential treatment facilities, the Division of Youth Services is required, by statute, to develop or assist in the development of an approved regional system of shelter-care facilities and licensed community-based, residential, child-caring facilities. Additionally, the Division of Youth Services is required to establish comprehensive training programs for employees of public and private agencies providing services for delinquent children, children in need of supervision, and for the prevention of delinquency.

Standard 10.1 addresses itself to the need for establishing community-based, residential treatment

facilities. As expressed in this standard, it is believed that existing structures in the community should be utilized, when feasible, for these facilities. This standard, also, sets up criteria that should apply for newly constructed or renovated facilities.

At the present time, child caring facilities are licensed, but no criteria exist for the variety of programs and personnel involved. It is recommended in Standard 10.2 that a centralized state agency be given the authority to promulgate standards and to

license community-based residential treatment facilities. This would aid in assuring that all of these facilities are provided with qualified personnel and are maintaining effective rehabilitative programs.

JUVENILE JUSTICE

GOAL NO. 3

By 1980, all of Louisiana's Training Institutes will have implemented rehabilitative treatment programs for juveniles. In addition, all of the LTI's will establish special programs for 1) the treatment of juveniles with drug abuse problems; 2) mentally retarded offenders; 3) emotionally disturbed offenders; 4) volunteers; and 5) placement of juveniles leaving the institution.

COMMENTARY

The high recidivism rate at Louisiana's Training Institutes makes it apparent that the LTI's are not providing effective rehabilitative programs. In reducing the recidivism rate, it will be necessary for LTI's to provide special programs to deal with the problems of juveniles relating to drug abuse, mental retardation, emotional disturbance, placements, etc.

In stressing the establishment of rehabilitative programs for LTI's, Standard 4.1 provides for certain modalities of treatment. For these to be effective, it

is necessary that the LTI's be provided with personnel who are familiar with correctional treatment modalities. Also, the staffing of counselors and personnel for psychological/ psychiatric testing and evaluation would be of substantial benefit in providing the modalities of treatment suggested.

As to the care of emotionally disturbed and mentally retarded delinquents, Standard 5.1 provides an alternative to the establishment of special programs for these children. This standard suggests that these delinquents should not be placed in LTI's. In addition, the state should develop specialized facilities to deal with these types of delinquents.

An important area in which LTI's are presently not providing proper services is that of placement of juveniles upon release from institutions. There is a very limited amount of counseling of juveniles when they are released from the LTI's. Standard 4.2 recommends that counseling programs be established

to help ease the transition of the juvenile from the institution to the community.

JUVENILE JUSTICE
GOAL NO. 4

By 1980, Louisiana will have 200 bed spaces available for the non-secure custody of juveniles who are runaways, truants, incorrigibles, or in general, children in need of supervision.

COMMENTARY

As the result of recent legislation, status offenders and children in need of supervision will no longer be able to be held in detention. The state will have to provide facilities for these juveniles. Since these

juveniles have not committed any crime and are not, due to said legislation, to be considered delinquents, they should be provided for in non-secure facilities, which would be more conducive in helping these children return to society.

JUVENILE JUSTICE
GOAL NO. 5

By 1980, there will be a regional system of detention facilities throughout the State with uniform criteria for procedures, personnel, and programs.

COMMENTARY

The Division of Youth Services is required by law to develop or assist in the development of a regional system of approved detention facilities. Standard 2.1 sets out standards for the construction or renovation of these facilities. It is stated in Standard 2.2 that

these facilities should be concerned with the rehabilitation of juveniles in an effort to deter them from future delinquent acts rather than providing "jail therapy." As provided for in Recommendation 2.1, a centralized state agency should be given the authority to promulgate standards and to license these detention facilities.

JUVENILE JUSTICE
GOAL NO. 6

By 1980, one-half of Louisiana parishes (32) will have access to an agency that will provide at least referral and counseling services for juveniles.

COMMENTARY

Standard 3.1 provides for the establishment of Youth Service Bureaus as a central coordinator of community services. In addition, Standards 3.3 and 3.4 state that Youth Service Bureaus should also provide referral services. These bureaus should be

independent locally operated agencies that provide services to all young people in the community, as provided in Standards 3.2 and 3.3. Standard 3.5 states that Youth Service Bureaus should have full-time staff who have qualifications to provide the needed assistance to the juveniles in the community. The funding of the Youth Service Bureaus should be a joint effort of local and state resources, as provided for in Standard 3.6.

JUVENILE JUSTICE
GOAL NO. 7

By 1980, the number of properly trained juvenile probation officers performing field work will be increased by 50% from 132 to 198 and probation and parole services will be provided to 90% of all courts having juvenile jurisdiction in the State.

COMMENTARY

Since juvenile delinquency is an increasing problem and since the recidivism rate is of relatively high proportion, it is necessary to provide for effective care and supervision of juveniles upon their release from juvenile institutions. The Division of

Youth Services is required by statute to provide services for those children placed on probation. One method of providing for increases in the number of juvenile probation officers performing field work and the amount of probation and parole services would be to provide sufficient clerical support staff. To do so would relieve the probation officers of the quantity of paperwork that must be completed, and allow them more time to engage in field work.

JUVENILE JUSTICE
GOAL NO. 8

By 1980, there will be juvenile police officers, or regular officers trained in the juvenile area for all law enforcement agencies with over ten sworn officers.

COMMENTARY

The workload of police officers handling juvenile complaints is of significant proportions. There is a statewide shortage of juvenile police officers, particularly in the rural areas. There has been an

increase in juvenile cases handled by the courts, and, as a result, an increase in the number of juvenile delinquency complaints handled by the police. It is apparent that there is a need to increase the number of trained juvenile police officers, particularly for the rural areas of the state.

**COMMUNITY CRIME
PREVENTION
GOALS**

COMMUNITY CRIME PREVENTION

STATEMENT OF PRINCIPLE

The Commission strongly supports efforts to educate and inform the public about the criminal justice system in order to increase community participation in the fight against crime.

Since few attempts have been made to provide the public with valid information and education relative to the various types of crime, a large segment of the general public is unaware of the methods individuals and communities can utilize in the prevention of crime. The public should be informed of methods of prevention regarding all facets of crime including consumer fraud, drug abuse, and juvenile delinquency. Louisiana Standards and Goals, Community Crime Prevention book, contains a chapter which concentrates on programs for education of adults. The recommendations in this chapter elaborate on several viable proposals which would aid in the educational process of adult citizens.

Recommendation 1.1 suggests that all public facilities be made available to the entire community as centers for human resource and adult education

programs. The proposal in Recommendation 1.2 is that school authorities should take affirmative action to achieve more realistic training and detention policies for the professionals and paraprofessionals they employ. Informing the public is the theme of Recommendation 1.3, which states that local government should permit radio and television stations to cover official meetings and public hearings on a regular basis.

The Commission suggests in Recommendation 1.4 that state and local government agencies encourage, through use of the media, greater participation in public hearings. Recommendation 1.5 maintains that a central office of complaint and information should be established wherever local governments and agencies provide many and diverse services to populations of 100,000 or more. The establishment by local news media, of regularly scheduled and continuing Action Line programs is proposed in Recommendation 1.6.

Standard 3.1 in Louisiana Standards and Goals

Police section states that every police agency should immediately establish programs that encourage members of the public to take an active role in preventing crime. Law enforcement agencies could enhance the possibility of crime prevention by providing information which would lead to the arrest and conviction of criminal offenders. These agencies should also facilitate the identification and recovery of stolen property. Increased liaison between law enforcement agencies and industry in security efforts is expedient to crime prevention.

Louisiana Court Standard 10.3 states that the court should pursue an active role in educating and informing the public concerning the functioning of the court. In order to accomplish the goal of public education, each court should appoint a public information officer to provide a liaison between courts and the news media. The judiciary and bar should also work together to educate the public regarding law and courts.

COMMUNITY CRIME PREVENTION GOAL NO. 1

By 1978, Police-Community Relations Units will be established in metropolitan areas with a population of over 50,000.

COMMENTARY

Police-Community Relations Units should be an integral part of the effort to increase public understanding of the roles and responsibilities of the various agencies of the criminal justice system. Louisiana Police Standards and Goals include several standards and recommendations which focus on increased public education relative to the police role. The importance of communication between law enforcement and citizens is also emphasized in these standards.

Law Enforcement Standard 1.4 stresses that every law enforcement agency should recognize the significance of bilateral communication with the

public and, in addition, should constantly seek to improve its ability to determine the needs and expectations of the public. After needs and expectations are identified, they should be acted upon. The public should then be informed of the resulting policies developed to improve delivery of law enforcement services. The theme of Law Enforcement Standard 1.5 is that every law enforcement agency should immediately take steps to insure that every officer has not only an understanding of his role, but also an awareness of the culture of the community in which he works. Law Enforcement Standard 1.6 also emphasizes public understanding of the law enforcement role by proposing immediate establishment of programs to inform the public of the agency's defined law enforcement function.

Law Enforcement Recommendation 1.1 states that every law enforcement chief executive should

cooperate with the news media in disclosing public information, subject to the necessity to preserve evidence, in order to guard the constitutional rights of the general public and of persons accused of crimes. In addition to cooperating with the news media, every law enforcement agency should implement procedures to facilitate the reception and investigation of complaints alleging employee

misconduct. Law Enforcement Standard 19.2 emphasizes that complaint procedure should insure that the agency's chief executive or his assistant is made aware of every complaint without delay and that complete records of complaint reception, investigation, and adjudication be maintained.

COMMUNITY CRIME PREVENTION

GOAL NO. 2

By 1980, in metropolitan areas with a population of 50,000, programs which aid citizens who come in contact with the criminal justice system such as victims, witnesses, and jurors in understanding their role and the Criminal Justice System in general will be established.

COMMENTARY

One intrinsic facet of an effective public education program is an explanation of the court's function in the criminal justice system. Victims, witnesses, jurors, and public laymen should be informed of their respective roles in the court system. In addition to understanding their specific roles, the public should be supplied with a workable knowledge of the general operation of the courts.

Court Standard 10.2 addresses the need for public

education in stating that facilities and procedures should be established to provide information concerning court processes to the public and participants in the criminal justice system. Information services that would provide explanations about the criminal justice system to the public laymen, witnesses, jurors, and defendants should be established.

Witnesses should be further assisted by allowing them to request information relating to cases or court appearances in which they are involved. Each jury panel should be instructed by the judge, prior to its member sitting in any case, concerning its responsibilities, conduct, and the proceedings of a criminal trial. Each juror should then be given a handbook that restates these matters.

Law Enforcement Standard 3.1 refers to the need

for public understanding of law enforcement and public participation in this phase of the criminal justice process. Since victims and witnesses encounter law enforcement prior to any other entity in the criminal justice system, they should be aware of their role in this area. (See also Law Enforcement Standards 1.4 and 1.6 in Law Enforcement Goal Commentary.)

COMMUNITY CRIME PREVENTION

GOAL NO. 3

By 1980, organized drug abuse education in all public schools will be established.

COMMENTARY

Education must be the fundamental element of any comprehensive drug abuse prevention program. In order to accomplish drug abuse prevention, parents and teachers should assume the roles of educating and informing youth about drugs in the early stages of a child's life. Information should be presented without scare techniques or undue emphasis on the authoritarian approach. Parental efforts should be encouraged before a child enters school and teachers should receive special training in drug prevention education techniques.

There is also a need for schools to develop family life curricula that are not focused on drugs alone. The emphasis here should be enhancing self-understanding, intra-family relationships, and the role of the family in society. If schools deal with these subjects from the earliest grades, drug use and abuse would become just one more area to be understood and thereby would be stripped of its more sensational aspects.

COMMUNITY CRIME PREVENTION GOAL NO. 4

By 1980, Rape Counseling and Assistance Projects will be established in every urban area and any other area with an incidence of rape higher than twenty-five per 100,000 population over a two-year period.

COMMENTARY

Because "Rape Crisis Centers" perform a valid function in dealing with the crime of rape, they should be established in jurisdictions which have a high incidence of rape. These counseling and assistance centers should be staffed by competent personnel trained to give information on the medical, legal, and emotional problems caused by rape.

Rape Counseling and Assistance Projects should offer the following services: 1) information on local

procedures for reporting rape assaults to the police, coroner, and district attorney; 2) over-the-phone counseling for victims and their families and friends; 3) referrals for follow-up medical care, counseling, and protection; 4) self-defense classes and suggestions on how to protect home and person; and 5) escort services that enable personnel to support a rape victim through the criminal justice process. "Rape Crisis Centers" should continue their endeavors to change the attitudes of police, district attorneys, and the general public by distributing information and education about rape to the community-at-large.

CONTINUED

1 OF 3

JUVENILE JUSTICE
STANDARDS

CHAPTER 1

INTAKE

Intake is perhaps the most critical phase of the juvenile justice process since it is the initial contact that a juvenile has with the juvenile court. The basic function of intake is to make a preliminary inquiry to determine whether the interests of the public or the child require that further action be taken. By intelligent discrimination of referrals, an intake officer can carefully select minors in need of supervision and casework and screen out those who can appropriately be treated by a reprimand or by referral to another agency.

Matters which are determined at intake are typically as follows: Does the complaint or the action appear to be a matter over which the court may have jurisdiction? Can the interests of the child and the public be best served by court action or be referral to another agency in the community? If by referral to another agency, which agency? If court action is indicated, what type of proceeding should be

initiated? If the child is in detention, is continued detention care needed or should the child be released?

A youth's first experience with the juvenile court can have a profound impact on him. As the intake worker for the juvenile court will be the first person at the court with whom the youth has contact, a youth's concept of justice will be influenced by how he is treated at intake. The worker should be particularly sensitive and skillful in short-term interviewing and should be capable of making important decisions after brief contacts with the complainant, the youth, and the family. The staff of the intake unit should have experience in probation services and be knowledgeable with respect to juvenile court law, the juvenile correctional system, referral procedures, community youth-serving agencies, and the role and function of personnel in the justice system.

STANDARD 1.1

FUNCTIONS OF INTAKE OFFICER

Intake officers should work in close coordination with, and at the request of, the office of the district attorney and/or the court. The final decision whether or not to petition the court to find the juvenile delinquent should remain with the district attorney and/or the court.

Except, in general, those situations where petitioning is clearly required due to the gravity of the offense and/or the juvenile's prior record, or where the matter referred clearly requires no action due to the inconsequential nature of the offense and/or the lack of any probative evidence, the intake officer should interview and conduct preliminary investigations on all juveniles referred to court.

Where no delinquent act has been alleged, the intake officer should try to match the needs of the juvenile with the most appropriate community resources and make recommendations to the court for the proper disposition of the case.

Where a delinquent act has been alleged, and the intake officer finds that the initial investigation supports this allegation, the intake officer should recommend to the district attorney that the juvenile be:

- a. released and warned, or
- b. diverted into community-based programs, or
- c. adjudicated delinquent.

In making this recommendation, the intake officer should consider the following factors:

1. the seriousness of the offense,
2. the age and sex of the offender,
3. the previous history or record of the

offender,

4. the attitude of the youth about his conduct, himself, family and victim,

5. the attitude of the parents toward the situation and the child, and

6. the availability of community-based alternatives to the juvenile court.

COMMENTARY

In drafting this standard, the Commission recognizes the fact that the final decision of whether or not a petition will be filed rests with the district attorney. There are two instances where intake is not necessary. First, it is not necessary when the situation is of such a grave nature that a petition must be filed for the safety of the community. The second instance where intake is not necessary is when there is no probable cause and, therefore, the child should be released. In all other situations, the work of the intake officer is very valuable.

Intake screening is effective only if there are alternatives to incarceration and training institutes (e.g., Community-Based Residential Treatment Facilities). If there were no alternatives, all juveniles would have to undergo the entire juvenile justice process, to be adjudicated delinquent in order to be incarcerated. Therefore, there would be no need for intake screening. Intake and alternatives to incarceration are interrelated entities.

The success of intake screening will depend, to a large extent, on the intake officers. For an effective intake program, it is necessary that the officer have a suitable education and background in the behavioral and legal aspect of juvenile delinquency.

CHAPTER 2

DETENTION

At the present time, Louisiana has eight locally operated detention facilities. Since each facility operates at the discretion of an autonomous governing board, no uniform procedures have developed across the state. Because of the existing situation, the considerable inconsistencies regarding detention criteria, length of detention, and availability of programs for the detained youth have become a major area of concern.

Another aspect of the juvenile system which demands attention is the number of juveniles entering it. In the metropolitan areas, an increase in the incidence of juvenile delinquency produces a corresponding increase in the number of juveniles held in detention. In the rural areas the increase of juvenile delinquency presents a problem concerning where to place the child prior to court disposition. Associated with this problem is the fact that the United States Supreme Court has ruled that juveniles

are persons protected under the rights and guarantees of the Constitution and, as such, are entitled to due process and equal protection under the law (See 387 U.S.; and Kent v. U.S., 383 U.S. 541; in the matter of Samuel Winship, 397 U.S. 358; and McIven v. Pennsylvania, 40 U.S. 528). Because of the federal mandate, it will be increasingly important for Louisiana to insure that each child held in detention is treated in a specific manner which is consistently applied across the state.

Because the juvenile justice system seeks to prevent youths from having further contact with the criminal justice system, providing a child held in detention in an atmosphere other than a jail seems a reasonable result. Hence, the philosophy of this system is designed to convey to juveniles who come in contact with the criminal justice system the notion that the system exists to aid the child rather than to punish him.

STANDARD 2.1

NEW DETENTION FACILITIES

New detention facilities should be constructed only as the result of a comprehensive planning process involving the Division of Youth Services and the governing bodies of the region to be served by the facility. If there is a need for a detention facility, existing facilities within the community should be renovated and used in preference to new construction.

For all newly constructed or renovated facilities, the following standards should apply:

1. Detention facilities in metropolitan areas should be located in the community near court and community resources. In rural areas, multi-parish facilities should be located with consideration given to both convenience of the parishes served by the agency and the accessibility of resources.

2. Detention facilities should not reflect a jail-like atmosphere; rather, security should be based on a combination of physical design, staffing

patterns, and technological devices.

3. All newly created detention facilities should strive to provide each juvenile with a single room of adequate size.

COMMENTARY

The Division of Youth Services is required by LRS 46:1905, sub-paragraph 6, to "develop or assist in the development of a regional system of approved detention and sheltered care facilities in a system of licensed community-based, residential, child-caring institutions." It was the intention of the legislature that the Division of Youth Services be the single state agency dealing with all juveniles outside of the Louisiana Training Institutes. For this reason, any new detention facilities should result only from cooperative efforts with the Division of Youth Services.

With the rising costs of construction, the

renovation and use of existing facilities seems to be a logical answer to providing adequate detention centers. Since many other states have more extensive experience with detention facilities than Louisiana, their expertise has been utilized in the consideration of standards for detention facilities. Experience has proven that consideration of the location of a detention facility is critical in both the metropolitan and rural areas. In the metropolitan areas, because of the large numbers of juveniles handled, close proximity to court and community resources helps to reduce the amount of time a child spends in detention. In rural areas where distance is definitely a factor, consideration must be given to the distances involved in transporting a child to and from available resources such as the court. There are two factors

that specifically address themselves to the standard which states that detention facilities should not reflect a jail-like atmosphere. First, juveniles have traditionally been treated differently than adults by the criminal justice system. Secondly, one of the major emphases of the Juvenile Justice and Delinquency Prevention Act is that children should be separated from adults when being held, and that detention facilities should attempt to be non-jail like in order to minimize the effects of confinement. For the protection of all children held in detention, experience has also proven that providing each juvenile with a single room is most effective.

STANDARD 2.2

PURPOSE OF DETENTION

Detention should not be utilized as "jail therapy," in other words, for the purpose of utilizing the fear of confinement to deter the child from future delinquent action. Detention facilities should accept juveniles of both sexes, under supervision, and should have access to full-range supportive programs, including education, library, recreation, arts and crafts, music, drama, writing, and entertainment. Outdoor recreational areas are essential.

COMMENTARY

The purpose of detention is to hold a child until some type of disposition or decision in the best interest of the child can be made. For this reason, to

utilize detention by the means of fear of confinement to deter a child from future delinquent action would be contrary to the philosophy of the juvenile justice system. A detention facility which accepts both male and female juveniles is more useful to the area it serves. In addition, detention facilities should have access to or provide a full range of supportive services so that children in detention are not allowed to remain idle. In addition, there are several areas that would provide constructive services to the child. For example, tutoring services should be provided for those children to be detained 30 days in order that he may continue his education.

RECOMMENDATION 2.1

STANDARDS AND LICENSING

The Commission recommends that a centralized state agency be given the authority to promulgate standards and to license detention facilities. Standards should be promulgated in the areas of construction and/or renovation, capacity, personnel and procedures.

This centralized state agency should have the authority to grant licenses for detention facilities that comply with the standards set and the enforcement powers to insure the standards are met and kept.

COMMENTARY

If one state agency is to be responsible for developing or assisting in the development of a

regional system of detention facilities, one agency or a supportive agency should be responsible for insuring that the regional system of detention facilities comply with standards in the areas of construction and/or renovation capacity, personnel, and procedures. A single state agency should, in addition, have the authority to grant licenses to detention facilities that comply with the standards and the enforcement powers to insure that the standards are met and kept. Without any standards, licensing, and enforcement power the state will continue to have little or no influence on the functions and operation of detention facilities. If the state is to ensure that children held in detention are held in proper facilities and cared for properly, standards, licensing, and enforcement powers are necessary.

CHAPTER 3

YOUTH SERVICES BUREAUS

Youth Service Bureaus are local community youth service agencies whose primary purpose is to combine and coordinate community resources and services and provide services lacking in the community in an effort to divert youths from the juvenile justice system. Youth Service Bureaus are designed to accept referrals from the juvenile court for youth who have been petitioned for a status offense or a minor criminal offense. In addition to receiving referrals from the juvenile courts, Youth Service Bureaus are designed to assist police agencies in offering an alternative to arrest and court processing.

The Youth Service Bureaus should have as their target population all youths in the community. They should have an open door policy under which youths will feel free to refer themselves either in a calculated fashion or in a crisis situation. The Youth Service Bureau personnel should be available twenty-four (24) hours a day, either through direct contact or through a telephone hot-line.

Youth Service Bureaus should be structured in order to function as independently as possible. It is

important for the bureau to be autonomous, since often they must pressure existing agencies to change their methods of operation to serve young people. In order to accomplish the role as an advocate in the community, the bureaus must have community support. One way of gaining this support is to have influential community leaders on an advisory board. Along with the community leaders, there should also be a cross-section of the community on the board, including youths who have equal authority when appointed to the board.

In addition to any private funds the Youth Service Bureaus may receive, they should receive public funds for operation. The operations require a constant source of funding; if the community supports the bureau and is in need of the services, the local units of government should allocate the funds.

The Youth Service Bureaus are not intended to be a part of the Division of Youth Services, which has been recently established by the Louisiana Legislature. The Division of Youth Services can, and should, however, be used as a resource in helping a community establish and/or continue operations of a Youth Service Bureau.

STANDARD 3.1

PURPOSES AND GOALS

Communities throughout the state should establish Youth Service Bureaus to focus on the special problems of youth in the community. These agencies would act as central coordinators of all community services for young people and also provide services lacking in the community.

COMMENTARY

The priorities of the goals established for Youth Service Bureaus should be locally established. The priorities and the selection of functions should be based on careful analysis of the community, including

an inventory of existing services and systematic study of youth problems in the individual community.

Through evaluative research progress toward measurable objectives should be scrutinized. The basic objectives should include the following: 1) diversion of youth from the justice system; 2) provision of a wide-range of services to youth through advocacy and coordination; 3) offering crisis intervention as needed; 4) adaptation and modification of the current system through program coordination and advocacy; and, 5) youth development.

STANDARD 3.2

DECISION STRUCTURE

Youth services bureaus should be organized as independent, locally operated agencies that involve the widest number of people in the community. A coalition of adults, young people, representatives of organizations and agencies operating in the community, and representatives of the juvenile justice system should be formed to develop the goals and establish their Youth Service Bureaus.

COMMENTARY

With a wide range of community representation and participation, the Youth Service Bureau should be operated with the advice and consent of the community it serves. This should include the development of youth responsibility for community delinquency prevention.

STANDARD 3.3

TARGET GROUP

Youth Service Bureaus should make needed services available to all young people in the community. Bureaus should attempt to attract clients referred by other community agencies as well as those diverted or referred by agencies within the criminal justice system.

COMMENTARY

Law enforcement and court intake personnel should be strongly encouraged, through immediate policy changes and ultimate legal changes, to make full use of the youth services bureau in lieu of court processing for every juvenile who is not an immediate threat to public safety.

Specific criteria for diversionary referrals should be jointly developed and specified in writing by law

enforcement, court, and youth services bureau personnel. Referral policies and procedures should be mutually agreed upon. Diversionary referrals should be encouraged by continual communication between law enforcement, court, and youth services bureau personnel. Referring agencies should be entitled to and should expect systematic feedback on initial services provided to a referred youth by the bureau.

Because of the nature of bureau services and the reluctance of young people who might benefit from them, the youth services bureaus should provide its services to youth aggressively. This should include the use of hotlines and outreach or street workers wherever appropriate.

Diversion of youth will be considered as applying to those youth who are having problems but have not had initial contact or entry into the justice system.

STANDARD 3.4

FUNCTIONS

Youth Service Bureaus should, whenever possible, utilize existing services for youth through referral, systematic followup, and individual advocacy. Bureaus should develop and provide services on an ongoing basis only where these services are unavailable to the youth in the community or or inappropriately delivered. Services should be confidential and should be available immediately to respond skillfully to each youth in crisis.

COMMENTARY

A Youth Service Bureau program should be specifically tailored to the needs of the community it serves. This should include consideration of techniques suitable for urban, suburban, or rural areas. The youth service bureau should provide service with a minimum of intake requirements and form filling by the youth served. These services should be appealing and accessible by location, hours of service availability, and style of delivery. The

youth services bureau should provide the services to young people, at their request, without the requirement of parental permission.

The Youth Service Bureau should make use of existing public and private services when they are available and appropriate. The bureau should maintain an up-to-date listing of all community services to which youths can be referred by the bureau. This listing should be readily accessible by all bureau staff. In referring to other community agencies for service, the Youth Service Bureau should expedite access to services through such techniques as arranging appointments, orienting the youth to the service, and providing transportation if needed. The Youth Service Bureau should rapidly and systematically follow up each referral to insure that the needed service was provided. The Youth Service Bureau should have funds to use for the purchase of services that are not otherwise available.

STANDARD 3.5

STAFFING

Sufficient full-time, experienced staff should be employed by the Youth Service Bureau to insure the capacity to respond immediately to complex personal crises of youth, to interact with agencies and organizations in the community, and to provide leadership for the less experienced employees and volunteers.

COMMENTARY

Staff who will work directly with youth should be hired on the basis of their ability to relate to youth in a helping role. Staff should be sensitive to the needs of young people and the feelings and pressures in the community. They should be as sophisticated as possible about the workings of agencies, community groups, and government. Youth

Service Bureaus should utilize to the fullest extent workers from the community, both paid and volunteer, adult and youth. Young people, particularly program participants, should be used as staff (paid or volunteer) whenever possible.

Volunteers should be actively encouraged to become involved in the bureau. Those working in one-to-one relationships should be screened and required to complete formalized training before working directly with youth. The extent of training should be determined by the anticipated depth of the volunteer-youth relationship. Whenever possible, the Youth Service Bureau should have available, perhaps on a volunteer basis, the specialized professional skills of doctors, psychiatrists, attorneys, and others to meet the needs of its clients.

STANDARD 3.6

FUNDING AND LEGISLATION

The funding of Youth Service Bureaus should be a joint effort of local and state resources. Public funds, both local and state, should be appropriated on an ongoing basis for continuing support of effective youth service bureaus. Private funding should also be encouraged.

Louisiana should enact legislation to partially fund and to encourage the establishment of local youth service bureaus throughout the state. The newly created Division of Youth Services should support the local areas in their efforts to establish youth service bureaus and provide expertise as needed.

Standards for youth service bureaus should be promulgated by the Division of Youth Services and funding from the state level should be contingent on the standards being met and kept. The Division of

Youth Services should also serve as the data gathering and reporting agency for the bureaus.

COMMENTARY

The funding of youth service bureaus should be from both private and public sources. The public funding should be from the local units of government of the community which the Youth Service Bureau serves. Youth service bureaus should utilize state and federal funding as little as possible.

State and federal funding can be used for the initiation of a Youth Service Bureau or the continuation of a youth service bureau where the community cannot provide the necessary funding.

CHAPTER 4

LOUISIANA TRAINING INSTITUTES

For many years, Louisiana Training Institutes have been the only facilities available for the placement of adjudicated delinquents. Operating in a manner paralleling the adult institutions, the LTI's, which are primarily custodial, have provided minimal education and training to the juveniles incarcerated there. In addition, another shortcoming of the LTI's has been the use of a merit system based on a liberal interpretation of the term "adjudicated delinquent." This merit system has been used in such a manner that the type of offense a juvenile has committed has no relation to the "merits" that must be earned in the LTI before he can be released. For example, a juvenile committed for shoplifting and a juvenile committed for armed robbery must earn the same number of merits in order to be considered for release.

Inherent in this practice are two major disadvantages which must be considered. Although

the institution does not consider the offense committed by the juvenile, the child himself is aware that he must earn the same number of merits as one who has committed a more serious offense. A second problem, about which many juvenile court judges have expressed considerable concern, is the fact that when the juvenile acquires the necessary merits, the LTI requests the committing judge to consider release for the child. If the offense is of a serious nature, most judges will prefer that the child remain at the LTI, rather than be released, resulting in a negative effect upon the child. The child is then faced with an experience which he does not comprehend. Knowing that he has earned the necessary merits at an institution where the offense is not considered, he remains in the LTI because the judge must consider the nature of the offense for which the child was committed before allowing him to return to society.

Thus, the juvenile is left with the feeling that the

system has treated him unfairly. Once the child acquires this attitude, he loses confidence in the LTI staff and does not desire to communicate with them any longer. In the light of these numerous ramifications, it would seem more reasonable to more realistically correlate the merit system with the child's offense, past history, social history, and other factors rather than the method currently being used.

Another area of deficiency in the Louisiana Training Institutes has been the problem of easing the

transition for a child from the institution back to the community. In the past, the child has been simply released, and, usually, put on parole. However, if he has been in the institution for a long period of time, he must undergo difficult adjustments both at home and at school. In addition, the community to which he returns is aware that he has been committed to the LTI, providing additional problems for his integration into society. Faced with these problems and having no support from the facility upon release makes it more difficult for the child to succeed when he returns home.

STANDARD 4.1

REHABILITATIVE NATURE OF LTI'S

The Louisiana Training Institutes should stress rehabilitation rather than custodial care. Toward this end, they should develop more effective rehabilitative programs designed to help the child help himself. These programs should give the youth insight into his own abilities and teach him proper social behavior.

Among the modalities of treatment for rehabilitative programs, the following should be considered:

- 1) transactional analysis
- 2) guided group interaction
- 3) reality therapy
- 4) behavior modification.

COMMENTARY

Currently programs that stress rehabilitation are limited at Louisiana Training Institutes. Essentially, a child committed to the Department of Corrections and placed in an LTI is provided services for his health, safety, and welfare and to a limited extent, some education and training programs. It is critical for the rehabilitation of the child that programs be available to teach him a more positive social behavior. This could have a double effect for the system: (1) it could provide more effective rehabilitation for the child; and, (2) it could reduce the rate of recidivism in the large institutions. Many other states have shown the value of rehabilitative programs and their effects on adjudicated delinquents. Among them, California, New York, and Florida have a statewide system of juvenile programs providing rehabilitation that have

shown a remarkable success rate in terms of the lower number of repeat offenders with whom they are dealing. It is also critical when discussing rehabilitative programs to note that qualified

personnel need to be administering these programs. In addition, there should be state level criteria for various types of treatment programs and for the personnel that administer them.

STANDARD 4.2

THE LTI'S ROLE IN THE JUVENILE'S REINTEGRATION INTO SOCIETY

The LTI's should be part of a continuum of services to juveniles. To this end, the LTI's should provide a counseling program staffed by qualified personnel to ease the transition from institution to community. The LTI's should also work in close coordination with other state and local agencies providing youth services to insure that the youth is successfully reintegrated into society.

COMMENTARY

Coupled with the rehabilitative program should be an effective system of counseling. This should not

only help the child evaluate his progress in the program but also provide assistance to him when he is ready to leave the institution. Additionally, the close cooperation of the counseling staff of the LTI's with other state and local agencies could be of great benefit to the child in his successful re-entry into the community. It is not enough simply to have the child in rehabilitative programs at the LTI; he must be able to return to the community and understand himself and his position in the community.

RECOMMENDATION 4.1

MERIT SYSTEM

The Commission recommends that the Department of Corrections should seek methods to make the existing merit system more efficient and equitable. This should include implementing a system to grade each juvenile according to the severity of the offense(s) he committed. The grade would be one of the factors considered in fixing the merits required by the offender before he can be released. Similarly, the department should also consider participation in a rehabilitative program by a youth as a factor in determining the required merits.

COMMENTARY

The existing merit system used at Louisiana Training Institutes is extremely inequitable. There is no distinction of offenses in the determination of the number of merits a child has to earn prior to consideration of his release from the facility. For this reason, the Department of Corrections should attempt to revamp the merit system to a grading

system that allows for seriousness of the offense to be considered. The offense itself, however, should not be the only determining factor. Prior history, participation in rehabilitative programs, and how well the child is progressing while he is incarcerated at the LTI should all be taken into consideration as the child moves through the system earning his merit points. This procedure should be established and clearly defined to the child upon his entrance to any of the LTI's so that both he and the staff clearly understand what is expected of the child before he can leave the LTI. This will provide a more conducive atmosphere for rehabilitating the child giving the staff the confidence of the child and enabling them to better communicate with the child. When it is clear to the child what is expected of him throughout the process, his progress can be evaluated. This will give the child a goal to which he can strive. With this goal in mind, the child will strive to perform in a manner which will enable him to leave the LTI and will have a more positive orientation. We are not suggesting that

indeterminant sentencing be abolished, rather, that, within that framework, a time period be established with consideration to the offense, the child himself, his background, etc., in which this child can be successfully rehabilitated. It is an important point to note, particularly in dealing with juveniles that there must be a "light at the end of the tunnel." When a child believes that he will remain incarcerated and that his release depends solely on the decision of a judge (no matter what the child himself may do), he

has nothing to strive for. As a result, his cooperation and communication with the staff will diminish in proportion to the amount of frustration he has encountered in attempting to determine what he has to do in order to leave the facility.

CHAPTER 5

EMOTIONALLY DISTURBED AND MENTALLY RETARDED DELINQUENTS

Emotionally disturbed and mentally retarded delinquents have always been a special problem for Louisiana's juvenile justice system. These types of children require special services because of their problems; and in many instances, their "delinquency" is directly related to the fact that they are emotionally disturbed or mentally retarded. Unfortunately, those children who are emotionally disturbed and/or mentally retarded who have not committed a delinquent act have access to very

limited facilities in Louisiana. Thus, when one refers to delinquent children who are emotionally disturbed and mentally retarded, there has been no place for them other than LTI's. Therefore, they have been placed at LTI's because of their delinquency. Hence, the Department of Corrections has been forced to attempt to provide some services to them, since they are charged with caring for the child while he is in their custody.

STANDARD 5.1

EMOTIONALLY DISTURBED AND MENTALLY RETARDED DELINQUENTS

Emotionally disturbed and mentally retarded delinquents should not be committed to the Louisiana Training Institutes. To this end, the state should develop facilities for delinquents found to need psychiatric care or special training.

COMMENTARY

An emotionally disturbed or mentally retarded delinquent needs a special program that is geared toward his problem. Delinquency of an emotionally disturbed or mentally retarded youth is directly related to his incapability to deal with his environment due to his handicap. It is not the delinquency that we should be concerned with, rather his mental retardation or emotional disturbance. In making this recommendation, the committee is exceedingly aware of the fact that there are currently limited facilities for emotionally retarded children

throughout the state. Similarly a very limited number of facilities that deal with emotionally disturbed and mentally retarded delinquents are found within Louisiana.

The Department of Corrections has done a great deal to help the mentally retarded and emotionally disturbed children who have been committed to the Department-operated facilities. Since there are no other facilities in which to place these children, they are sent to the LTI's. To cope with this increasingly difficult situation, two special programs are being run at the Juvenile Reception and Diagnostic Center. One program called "Project Instep," handles only mentally retarded delinquent children. Although now in its pilot stages, the program appears to be having some success. Hopefully, when the project is completed, each LTI will have a program designed specifically for the care of mentally retarded children.

Additionally, the JR&DC administers a program for emotionally disturbed delinquents. The Department of Corrections is currently attempting to expand this program to the other LTI's and, thus, provide each LTI a program that will enable it to more effectively deal with an emotionally disturbed child. The Department of Corrections does not contend that children who are emotionally disturbed or mentally retarded belong at the LTI's, but rather a more realistic view, that there is almost no other which can accommodate those mentally retarded and emotionally disturbed children who have also committed a delinquent act. For this reason, it has initiated programs to be able to provide more

effective services to the children. Such efforts in this areas should certainly be commended since, without these programs, no special treatment would be available for these children. Hopefully, in the future, adequate facilities will be accessible for delinquents who are found to be in need of psychiatric care or special training and education and the need to incarcerate these children in Louisiana Training Institutes will no longer be necessary. However, until that time, programs at the Department of Corrections are attempting to alleviate the problems that arise in dealing with children who are emotionally disturbed or mentally retarded.

CHAPTER 6

SCHOOLS AND EDUCATION

Since deviant behavior is the result, in part, of learned socialization processes, the social environment, including the schools, can help to motivate either law-abiding or delinquent behavior. A great deal is known about crime, what precipitates it, and what a large part learning and conditioning play in an individual's social behavior. Schools can exert a strong crime-prevention influence on their students through improvements in the learning environment.

A great failure of the American educational system is that it has not sufficiently separated its responsibility to provide learning conditions for the development of human beings from its concern with operating schools; it has not seen itself as part of a process providing differential experiences for people maturing into adults. As a consequence, the American educational system has found little need to look at itself as an instrument which would contribute to either the prevention or production of crime. Thus, it appears that the school system is doing very little as a

direct, intentional effort to discourage young people from criminal careers.

Many of today's schools unintentionally encourage predispositions toward non-conformity, deviance, and delinquency through the students' experiences with the school's authority system. The standards and behavior requirements set by the school and the measures adopted to insure compliance with these standards and requirements are often unreasonable and unjust. Wisdom, restraint, and justice should characterize our schools' pursuit of order. Democratic participation of students in all aspects of the education process should be a goal of the school systems.

In today's schools, much of what is taught in the school bears little relevance to life outside the school building. What is needed, then, is a massive effort to provide a new and different kind of educational experience for youth.

Disruptive and truant students have always been an area of concern with regard to the school system. Presently, the manner in which these children are dealt with is inadequate. The practice of suspension

or expulsion provides no solution to the problem. In dealing with disruptive students, there is a need for increased available counseling and guidance services in today's schools.

RECOMMENDATION 6.1

THE SCHOOL AS A MODEL OF JUSTICE

The Commission recommends that school authorities adopt policies and practices to insure that schools and classrooms reflect the best examples of justice and democracy in their organization and operation, and in the rules and regulations governing student conduct.

COMMENTARY

Schools frequently are guilty of exercising too much authority over their students. This includes formulating unduly restrictive standards of behavior such as smoking and haircut regulations for high

school students and formulating arbitrary or inconsistent standards where norms or requirements differ conspicuously for different students or at different times.

Also, schools often exclude students from participation in rule-making and decision-making. In a democratic society, it seems ironic that we do not deliberately create democratic settings as learning environments. Exposure to democratic settings and participation in democratic processes is the shortest road to understanding and promoting a democratic government.

RECOMMENDATION 6.2

CAREER PREPARATION

The Commission recommends that schools develop programs that give meaning and relevance to otherwise abstract subject matter, through a teaching/learning process that would simultaneously insure career preparation for every student in either an entry level job or an advanced program of studies, regardless of the time he leaves the formal school setting.

COMMENTARY

A variety of methods and procedures could be established to meet this recommendation. To begin with, there should be an adoption of basic concepts, philosophies, and components of career education. In conjunction with the adoption of concepts, philosophies, and components of career education, students should be made aware of the total range of occupations and careers through experiences, observations, and studies.

The use of micro-society model in the middle grades would be another method of meeting this recommendation. Where this model is adopted, it will be important to realize that its central purpose is to create a climate in which learning is enhanced by underscoring its relevance to the larger society outside the school. For an effective career-oriented educational system, use of community business, industrial, and professional facilities as well as the regular school career education purposes would be necessary. In using these facilities, work-study programs, internships, and on-the-job training could be established. To round out their efforts, it would be necessary, for the school to accept the responsibility, after students leave, to assist them in the next move upward, or to re-enroll them for more preparation.

RECOMMENDATION 6.3

GUIDANCE AND COUNSELING

The Commission recommends that schools develop programs to provide guidance, counseling, and effective discipline for disruptive and truant students.

Where the practice has been to suspend or expel disruptive or truant students, the Commission strongly recommends adoption of other disciplinary procedures.

In many areas, in-service training by qualified personnel should suffice to train teachers in methods for handling disruptive and truant children. For large schools or for schools with severe discipline problems, the hiring of professional guidance counselors seems warranted.

COMMENTARY

There is a need for programs to diagnose

particular emotional, psychological, and learning difficulties. Also, the development of an extensive program for remedial education and counseling would be of great importance in dealing with disruptive and truant students, who are usually in need of these programs.

In the discipline of disruptive or truant students, it is necessary that procedures, other than those used in today's school system, be established. The highly used practice of suspension and expulsion is a means of aggravating the problem rather than solving it. In effect, this practice places these children on the streets without any supervision.

CHAPTER 7

RECREATION

Recreation can become a tremendous resource for those concerned with delinquency prevention. Their task will be to involve young people in interesting and relevant areas that prepare them to use their leisure time, in which more of the individual as an achieving person is brought out, even as he is doing what he wants to do.

In establishing recreation-oriented delinquency prevention programs, special emphasis should be

placed on programs that would reach youths who traditionally reject or avoid established recreation programs. These children should be permitted to take part in programs designed to deal with disruptive behavior in the recreational setting. Counseling may be necessary to help alter that behavior and should be closely associated with the program either as part of it or as a referral option.

RECOMMENDATION 7.1

ROLE OF RECREATION

This Commission recommends that recreation be recognized as an integral part of an intervention strategy aimed at preventing delinquency; it should not be relegated to a peripheral role.

COMMENTARY

Recreation programs should be created or expanded to serve the total youth community, with particular attention devoted to special needs arising from poor family relationships, school failure, limited opportunities, and strong social pressures to participate in gang behavior. In doing so, the municipal recreation programs should assume responsibility for all youth in the community, emphasizing outreach services involving roving recreation workers in order to recruit youths who might otherwise not be reached and for whom recreation opportunities may provide a deterrent to

delinquency.

Recreation programs should allow participants to decide what type of recreation they desire. Also decision-making, planning, and organization for recreation services should be shared with those for whom the programs are intended.

Recreation as a prevention strategy should involve more than giving youth something to do; it should provide job training and placement, education, and other services. For this to be effective, it is necessary that counseling services be made available, either as part of the recreation program or on a referral basis to allied agencies in the community for youths who require additional attention.

Personnel selected as recreation leaders should have intelligent and realistic points of view

concerning the goals of recreation and its potential to help socialize youth and prevent delinquency. Recreation leaders should be required to learn preventive and constructive methods of dealing with disruptive behavior, and they should recognize that an individual can satisfy his recreational needs in many environments. Leaders should assume responsibility for mobilizing resources and helping people find personally satisfying experiences suited to their individual needs.

Maximum use should be made of existing recreational facilities - in the afternoons and evenings, on weekends, and throughout the summer. Where existing recreational facilities are inadequate, other community agencies should be encouraged to provide facilities at minimal cost, or at no cost where feasible.

CHAPTER 8

LEGISLATION

Within the past ten years there have been two major developments that affect the juvenile justice system. The first is that the United States Supreme Court has ruled that juveniles are persons protected under the rights and guarantees of the Constitution, and as such, are entitled to due process and equal protection of the law. The second within the past ten years, several states have found a much more marked success rate in juvenile rehabilitation with the use of community-based residential treatment programs

coupled with rehabilitative treatment modalities. These changes have had a massive impact on the juvenile justice system. The United States Supreme Court decisions make it necessary to examine existing statutes dealing with juveniles and to re-write them in accordance with these decisions. The success of the community-based residential treatment facilities and rehabilitative programs in other states has encouraged Louisiana to attempt to use these methods in order to alleviate its juvenile delinquency problem.

STANDARD 8.1

LEGISLATION

The Commission recommends that the juvenile statutes be updated to include modern social and legal concepts and that the Louisiana Law Institute undertake the drafting of a Code of Juvenile Procedures.

COMMENTARY

Currently there exist many serious problems with

juvenile laws and juvenile procedures in Louisiana. This results in a lack of uniformity throughout the state in dealing with juveniles who come into contact with and who enter the juvenile justice system. The courts, law enforcement agencies, and programs or services that deal with juveniles have had to work out their own procedures.

CHAPTER 9

RESEARCH

At the state level, there has been limited and fragmented research concerning the problem of juvenile delinquency. Those research efforts for the state undertaken by private and public agencies have been uncoordinated. Louisiana, then, must not only draw from other states' research efforts, but more importantly, there must also be a strong assessment of its position relative to juvenile delinquency. Thus, there is a need for state level research concerning juvenile delinquency and a coordination of all research efforts in dealing with juveniles in an attempt to provide standardization. Many juvenile court judges, district attorneys, and professional people who deal with juveniles have expressed their concern over this situation and have suggested that a uniformity in the juvenile laws and particularly the procedures for handling juveniles could provide the most important reform of the juvenile justice system.

In the examination of current laws and current procedures dealing with juveniles, it is critical that the group performing this task have as much input as possible from all those who would be affected by any changes that they might recommend. Having a broad based input into any re-drafting of juvenile laws or juvenile procedures would strengthen support of this kind of reform and give it much more chance of being approved by the Legislature.

It is also important that in any re-drafting of juvenile laws and juvenile procedures, two concepts are addressed. First, the adjudicatory process must guarantee to juveniles the due process and equal protection under the law and that in addition uniformity and procedures for handling juveniles are consistent throughout the juvenile justice system.

RECOMMENDATION 9.1

JUVENILE JUSTICE RESEARCH

In as much as the field of juvenile justice is in a state of change, the Commission strongly recommends that research into the causes of juvenile delinquency, the means of preventing it and the methods of treatment and rehabilitation be expanded. This research should focus on the strengths and weaknesses of the system in Louisiana and be definitive in recommending changes.

COMMENTARY

In an effort to encourage research in the field of the juvenile justice system, the newly established Division of Youth Services has been delegated special research duties by L.R.S. 46:1905. According to L.R.S. 46:1905(1), the division has been charged with the responsibility to "collect and evaluate data relating to the delinquency of children and the

effectiveness of programs designed to prevent or reduce delinquency." In addition, L.R.S. 1905(3) states that the division shall "conduct research including studies and demonstration projects, into all aspects of the problems relating to the causes, prevention and treatment of juvenile delinquency either directly or by entering into contracts or making grants."

It is also stated in L.R.S. 1905, Subsection 5, that the Division of Youth Services shall "assist the Louisiana Commission on Law Enforcement and Administration of Criminal Justice by participating in the development and revision of those phases of the comprehensive law enforcement plan which relate to the prevention of juvenile delinquency and/or the care and treatment to delinquent children and children in need of supervision." As a result, the

Louisiana Commission on Law Enforcement intends to cooperate and assist the Division of Youth Services in its research efforts to provide a more realistic and accurate assessment of how Louisiana stands in

relation to the juvenile justice system. In addition, the weaknesses and problems of the juvenile justice system can be noted and addressed.

CHAPTER 10

COMMUNITY-BASED RESIDENTIAL TREATMENT FACILITIES

Past experience has shown that there is limited benefit from incarcerating children in large institutions. Indicative of this is the fact that the recidivism rate of Louisiana's LTI's is at least fifty percent (50%). However, other states, through extensive experience with community-based residential treatment facilities, have noted higher success rates with respect to rehabilitating the juvenile offender. Providing care and maintenance in a homelike atmosphere as well as a rehabilitative treatment program, this type of facility allows a juvenile to remain within a community setting, thereby allowing him contact with an environment he can learn to deal with more effectively than he was able to in the past.

Because runaways, truants, and incorrigibles can no longer be placed in detention (as of July 1, 1975) and will not be committed to LTI's (January 1, 1976), the need for facilities capable of dealing with these children is apparent. In addition, as of January 1, 1976, only those 13 year olds who have committed an act that would be a felony if they were an adult can be committed to LTI's. Thus, community-based residential treatment facilities can provide the needed services for adjudicated delinquents as well as children in need of supervision.

STANDARD 10.1

ESTABLISHMENT OF COMMUNITY-BASED RESIDENTIAL TREATMENT FACILITIES

The state should promote the development of community-based residential treatment facilities as alternatives to incarceration in large institutions.

The facilities should provide care, maintenance, and rehabilitation programs in a home-like environment for only those adjudicated delinquents who have a potential for rehabilitation, and children in need of supervision. The rehabilitation program should be modeled after accepted treatment modalities, such as transactional analysis, behavior modification, etc.

When feasible, existing structures in the community should be utilized for these facilities. For newly constructed or renovated facilities the following criteria should apply:

1. Community-Based Residential Treatment facilities in metropolitan areas should be located in the community near court and community resources. In rural areas, Community-Based Residential Treatment facilities should be located with consideration given to both convenience of the parishes served by the facility and the accessibility of resources.

2. The facilities should be properly staffed:

- a. There should be qualified staff members adequately educated and trained in the treatment methods the facility utilizes.

- b. There should be adequate personnel for 24-hour supervision of the juveniles.

3. The facilities' bed capacity should be limited to no more than 25 juveniles.

COMMENTARY

As listed in the introduction, the failure of large institutions to rehabilitate juveniles and change the existing laws necessitates the establishment of community-based residential treatment facilities designed to provide needed services.

The purpose of community-based residential

treatment facilities is to provide more effective rehabilitation for juveniles. For this reason, the offense and the background of the child will have to be considered by the judge committing the child. First offenders and those juveniles adjudicated for a serious offense should not be placed in community based residential treatment facilities. Also, any child who is remanded to the adult court through a transfer hearing, under L.R.S. 13:1571.1-1571.4, should not be considered for placement in community based residential treatment facilities.

STANDARD 10.2

STANDARDS AND LICENSING

The Commission recommends that a centralized state agency be given the authority to promulgate standards and to license community-based residential treatment facilities.

Standards should be promulgated in the areas of construction and/or renovation, capacity, personnel, procedures, and operations.

This centralized state agency should have the authority to grant licenses for community-based residential treatment facilities that comply with the standards set and the enforcement powers to insure the standards are met and kept.

COMMENTARY

It is intended that there be one state agency for developing and/or assisting in the development of a

regional system of licensed community-based residential, child-caring institutions. The Division of Youth Services has been designated as the single state agency responsible for the coordination of all juvenile services except those provided by the Department of Corrections. In addition, according to L.R.S. 46:1905(6), "The Division of Youth Services shall develop or assist in the development of a system of licensed community-based, residential, child-caring institutions." A child caring institution, as defined by L.R.S. 13:1569(25), is "any institution, society, agency, corporation, or facility operating for the primary purpose of providing full-time care for children outside of their own homes."

A single state agency should have the authority to grant license to community based residential treatment facilities that comply with the standards and the enforcement powers to insure that the

standards are met and maintained. However, a state agency with authority to grant licenses will be ineffective if this licensing authority is not coupled with standard setting and enforcement standards and some type of authority. If the state is to insure that

children held in community-based residential treatment facilities are held in proper facilities and cared for properly, licensing, standards, and enforcement powers are necessary.

COMMUNITY CRIME
PREVENTION
STANDARDS

CHAPTER 1

PROGRAMS FOR EDUCATION

Citizen involvement is expedient to and an integral part of crime prevention. Adult citizens should be educated and informed about all facets of crime and the criminal justice system and then proceed to involve themselves in the fight against crime. Criminal justice professionals emphasize the fact that with the absence of citizen assistance, neither additional manpower, nor improved technology, nor additional money will enable law enforcement to shoulder the monumental burden of combatting crime in the United States.

Citizen awareness can be augmented through a variety of means such as an informative program on educational television, public service announcements through the media, public meetings, programs sponsored by civic groups and PTA organizations, and services by agencies which dispense information and receive complaints. Once a citizen is informed about crime and the criminal justice system, he will be

aware that the way to reduce the incidence of crime is to prevent it from occurring in the first place.

The local community, which includes individual citizens, families, neighborhoods, schools, churches, recreational associations, businesses, labor, and government, is one of the nation's most under-developed and under-utilized crime-fighting resources. Each citizen must be willing to give of himself, his time, and his energy to avoid citizen apathy and indifference which contribute to the proliferation of crime. Each citizen can exert his crime prevention leverage through each person with whom he is acquainted and through each organization with which he is affiliated. A community's crime prevention efforts may also be pursued through a block or neighborhood crime prevention organization such as the Crime Check Neighborhood Project in New Orleans.

Important as it is, individual action independent of the efforts of others is not enough. Exclusive reliance on a self- or family-oriented approach to crime prevention causes isolation among individuals and family units. When this occurs, the crime prevention effectiveness of the community as a whole becomes considerably less than that of the sum of its

parts. There must be a unified fight against crime. Without a sense of community, the crime prevention potential of mutual aid and shared responsibility is unfulfilled.

STATEMENT OF PRINCIPLE

An essential goal in community crime prevention is that adults be made aware of community problems, of the workings of the criminal justice system and government, and of services available to the public. This awareness can be achieved by means of

informative programs on educational television, public service spots through the media, public meetings and programs sponsored by civic groups and PTA organizations, and services by agencies which dispense information and receive complaints.

STANDARD 1.1

PROGRAMS FOR REDUCTION OF CRIMINAL OPPORTUNITY

The Commission recommends that every law enforcement agency actively work with and inform interested citizens of measures that can be taken to protect themselves, their families, and their property. A variety of measures which could work within the criminal justice system should be established to meet this goal. Among these are the following:

A. Security should be a primary consideration in the design and construction of new structures or renovation of existing structures. Law enforcement agencies should take active roles in advising persons involved in building design and construction concerning measures which can be utilized in their fields to reduce the opportunity for the commission of crime.

B. Security requirements within existing building codes should be included by the state and units of local government.

C. Local government should consider the establishment of improved street lighting in high crime areas.

D. Law enforcement agencies should strive to aid retail establishments in their efforts to reduce shoplifting by providing information on the most recent and effective techniques that may be employed in combatting theft. Law enforcement agencies should keep themselves informed of new developments in the area of shoplifting prevention.

E. Auto theft prevention programs and legislation should include:

1. Assigning of permanent state motor vehicle registration numbers to all motor vehicles.
2. Issuing of permanent license plates for all vehicles that will remain in service for a number of

years; and,

3. Affixing of more identifying numbers on automobiles to curb the automobile stripping racket.

COMMENTARY

Reduction of the opportunity to commit crime through control and design of the physical environment is an important aspect of crime prevention. This approach treats crime not as a symptom of other factors that must be corrected but rather as an act that must be prevented. It attempts to inhibit illegal acts through a controlled physical environment.

Although buildings have been constructed according to fire safety codes for years, crime prevention through physical design has been almost totally neglected until recently. Architects and physical planners are becoming more aware of crime prevention construction techniques and are beginning to use the information and experience available through law enforcement agencies. Many communities are now attempting to reduce residential and commercial crime through the adoption of security codes or the revision of building codes to include security measures. These codes can serve as guidelines for architects and physical planners and can make security a primary consideration in the design and construction of buildings.

The formulation of security requirements should be primarily the task of building, fire, and public safety departments, but there also should be interaction with the community, criminal justice planners, transportation and sanitation departments, architectural firms, and proprietors. This group should be responsible for determining who should test the effectiveness of performance standards.

Recent improvements in street lighting, through the installation of sodium vapor or mercury vapor lamps, are now under study to determine their degree of effectiveness in crime prevention. Such lighting almost certainly can reduce certain types of street crime by increasing the chances that an offender will be seen, recognized, and apprehended. Better lighting also increases nighttime use of streets and public areas, heightens the effectiveness of police patrol activities, and, thereby, reduces the likelihood that crime will occur. Once a lighting program has been implemented, its effectiveness should be measured. This evaluation can be accomplished by examining the factors that were considered prior to the implementation of the lighting program, including public response, crime statistics, and accident reports.

The FBI reports that shoplifting has tripled in the last 10 years, and calls it the fastest growing type of theft. Law enforcement agencies should strive to aid retail establishments in their efforts to reduce shoplifting by providing information on the most recent and effective techniques that may be employed in combatting theft. Viable shoplifting prevention methods are educational programs designed to motivate employees to help stop shoplifting, theft-resistant packaging and displays, video-monitoring systems, and two-way mirrors.

In order to prevent auto theft, prevention practices and legislation should include assigning of permanent State Motor Vehicle registration numbers to all motor vehicles, issuing of permanent license plates for all vehicles that will remain in service for a number of years, and affixing of more identifying numbers on automobiles to curb the automobile stripping racket.

RECOMMENDATION 1.1

USE OF ALL PUBLIC FACILITIES FOR COMMUNITY PROGRAMS

The Commission recommends that all public facilities be made available to the entire community as centers for human resource and adult education programs.

A variety of methods and procedures could be established to meet this goal. Among these are the following:

1. Scheduling of facilities on a 12-month, 7-day-a-week basis;
2. Elimination or amendment of archaic statutory or other legal prohibitions regarding the use of public facilities; and,
3. Extended use of cafeteria, libraries, vehicles, equipment, and buildings by parents, community groups, and agencies.

COMMENTARY

The community must begin thinking of its schools and other public facilities as centers for human resource programs of every conceivable nature. Schools in particular should provide academic, vocational, cultural, recreational, health, and related services according to the needs and goals of a given area. Public facilities should be designed to provide access to self-fulfillment programs for all citizens.

RECOMMENDATION 1.2

TEACHER TRAINING, CERTIFICATION, AND ACCOUNTABILITY

The Commission recommends that school authorities take affirmative action to achieve more realistic training and retention policies for the professionals and paraprofessionals they employ.

A variety of methods and procedures could be established to meet this goal. Among these are the following:

1. Teacher training based on building competency through experience;
2. In-service training of professional staff to include specific understanding of district, program, and community goals and objectives; and,
3. Latitude for districts to hire other professionals and paraprofessionals on bases of competency of perform specialized tasks, including

the teaching of subject matters.

COMMENTARY

Important as they are, teachers are only one facet of the total problem of teacher training. What is finally necessary is the development of an interlocking science of education: a coordinated system from which a variety of professionals, paraprofessionals, technicians, and auxiliary personnel could draw knowledge to improve and enhance the quality of life for all citizens.

The difficulty with the present system is that teacher training is disproportionate in terms of course work. Since teachers need more and better liberal education, teacher training should be directed toward a similar emphasis on work-experience criteria.

Licensing of teachers should be on the

recommendation of the profession on proof of competence submitted by a university, school district, or other appropriate training jurisdiction. Certification should be subject to periodic review and should be regulated by the profession itself. Entry into teaching as well as the standards and methods of

practice must be controlled in a way which will convince the lay consumer-school boards and citizens—that teaching is an exacting profession and that good teachers are capable professionals rather than technicians.

RECOMMENDATION 1.3

INFORMING THE PUBLIC

The Commission recommends that local government permit radio and television stations to cover official meetings and public hearings on a regular basis. Cooperation with media could include taping city or parish council meetings at which significant or controversial issues are discussed and providing the tapes to radio stations.

1. Cable television access channel: Local governments in communities with cable television systems should develop television programming capabilities to make effective use of the government access channel provided by FCC regulations. Public affairs and staff and communications specialists should be employed to develop this capability.

2. Public media commission: A nonpartisan public media commission should be appointed by the mayor with membership approved by the city council. At least 60 percent of the commission's

members should be nongovernment employees. The commission should advise the government on the most effective ways of presenting issues to the public through broadcasting, and should coordinate programming concepts with local broadcasting stations. The commission should attempt to insure that programming is effective, accurate, and impartial.

- a. The commission should assess all public broadcasting time available to local government agencies. A schedule of available media time should be maintained.

- b. Through public hearings, city goal formulation, and other means, priority programming should be established. For example, drug education, youth employment, and crime prevention might be emphasized. Public service announcements on these topics should be provided regularly to radio and

television stations. News releases and features on these subjects should be distributed to local media.

c. The commission should raise private funds and encourage use of public funds to increase the level of programming above that available from public service time.

COMMENTARY

The belief that government officials are working in the best interest of citizens can be fostered by providing the public with regular glimpses into the activities of officials and the complexities of government administration. Information that is limited to news items about government officials in times of controversy or crisis is an inadequate and sometimes unreliable basis for making judgments about government policies and the integrity of government officials. A public that is well informed regarding the policies of government and the actions of officials has the knowledge it needs to decide whether to extend or withhold support for policies and officials.

In 1972, the Federal Communications Commission promulgated rules allowing local governments to require that cable television systems franchised by them reserve one channel for exclusive use by the local government (47 Code of Federal Regulations 76.251). Although this channel provides an attractive auxiliary means of informing the public, it should not be relied on as a primary source of information. Its audiences are likely to be small due to intense competition from entertainment channels.

The public media commission should meet regularly with broadcasters and newsmen to determine the most effective format for presenting issues of public importance, to determine what airtime might be available, and to obtain general technical assistance.

RECOMMENDATION 1.4

PUBLIC HEARINGS

The Commission recommends that state and local government agencies encourage, through use of the media, greater participation in public hearings.

COMMENTARY

Citizens should have an opportunity to determine priorities and to consider the impact projects will have on their community. Many times officials believe that certain projects should be undertaken,

yet the public neither wants them nor responds to them. To insure proper citizen involvement, public hearings should be scheduled in convenient neighborhood locations at times when most residents can attend. Public hearings should be well publicized in order to insure maximum citizen participation.

RECOMMENDATION 1.5

CENTRAL OFFICE OF COMPLAINT AND INFORMATION

The Commission recommends that a central office of complaint and information be established wherever local governments and agencies provide many and diverse services to populations of 100,000 or more. In smaller communities, at least one full- or part-time employee should be appointed to provide complaint and information services.

1. The office should have a permanent staff, with volunteers used primarily to supplement regular staff.

2. The costs of an areawide office should be defrayed by other local government agencies in proportion to the workload of complaints they generate.

3. The central complaint office should assume the "responsible city concept," receiving and answering all types of complaints about tax supported services, even though many such

complaints may not be legally within the city's jurisdiction. For example, this central office should accept complaints lodged against agencies of the parish or state government, if those agencies operate in and affect the city.

4. The central complaint office should be structured to handle the bulk of routine citizen complaints.

5. The central office should provide a single base for the systematic collection of information. The chief administrative officer should use collected information to evaluate and improve the performance of departments and agencies.

6. The office should receive a mandate from the chief executive officer and the legislative body so that it will be in the best possible position to perform its role and to receive cooperation from city departments and agencies. The city's department of

public affairs, with the assistance of the mass media, should publicize the services available from the office and encourage citizens to use them.

7. The office should submit an annual public report detailing the number of complaints and requests received and the disposition thereof. It should make recommendations to the chief executive or chief administrative officer concerning the improvement of department and agency operations.

COMMENTARY

Citizen attitudes toward government are adversely affected when (1) local governments rely solely on individual departments or on haphazard procedures to respond to citizen complaints, and (2) there is no regular monitoring to insure that the public is served adequately. In addition, many citizens find the government bureaucracy so confusing that they are unable to locate or identify the department that could help them.

A central office, staffed with employees who are knowledgeable about local governmental structures

and services, can provide the attention citizens are entitled to receive. A centralized complaint reception system is superior to the more fragmented approach in which each department, agency, or councilman's office attempts to incorporate complaint processing into its internal operation. A centralized system also enables the collection of data that can be used to evaluate departmental performance and establish program priorities.

RECOMMENDATION 1.6

ACTION LINE

The Commission recommends that the chief local executive or administrative officer encourage local news media to establish regularly scheduled and continuing Action Line programs. He should direct government officials to answer questions raised during the program by the public, and to provide information on current city issues.

The chief executive or chief administrator should permit and encourage competent and informed employees to appear on public information programs when they are deemed an effective way of informing the public on an issue of widespread concern.

COMMENTARY

The Action Line program provides an additional means to make government more responsive to citizen needs. By cooperating with the communications media, local government officials can answer problems that affect a large number of people.

The news media should be encouraged to: (1) assign competent staff members the responsibility for accepting citizen requests for help; (2) contact appropriate government officials for prompt response to requests; and, (3) make responses available by means of regular broadcasts or newspaper columns. Although the Action Line cannot handle a large volume of citizen complaints, it can be useful in publicizing some of the inadequacies in government delivery of services, and in informing citizens of corrective measures that may be taken.

CHAPTER 2

PROGRAMS FOR DRUG ABUSE

During the past decade, the non-medical use of drugs by increasing numbers of people has emerged as a major national problem. In 1974, 9,983 reports of drug offenses were received by Louisiana law enforcement agencies. In addition, 16,076 drug arrests were made in Louisiana in 1974. Attempts have been made to control this development through the application of criminal sanctions, through treatment of dysfunctional drug users, and through drug abuse prevention programs.

This chapter will draw upon this experience to indicate what Louisiana communities can do to address their drug abuse problems more effectively. The Commission offers recommendations for setting up a multi-modality approach to drug treatment, and for developing comprehensive prevention programs. Recommendations are also given for training professionals and paraprofessionals in drug treatment methods and for programs to treat addicts referred from the criminal justice system.

The Commission recommends that identification of community drug problems be the first priority in a

comprehensive drug treatment program. After a community drug problem is identified and the extent of the problem is determined, a comprehensive drug treatment system should be developed. Among the suggested elements of comprehensive drug treatment systems are:

1. Crisis and Emergency Centers;
2. Methadone Treatment Programs;
3. Residential Programs;
4. Outpatient Programs.

It is important that drug treatment programs be made available to addicts who are being processed by the criminal justice system. The Commission recommends voluntary treatment of the addict-defendant before prosecution.

In addition to treatment programs, the Commission proposes that comprehensive drug abuse prevention programs be developed by communities.

Children should be informed about drugs at an early age by parents and teachers. Peer-group influence also should be utilized in prevention strategies. Young people should be given alternatives to drug use, such as meaningful recreation and education programs.

A well-trained staff is indispensable if a drug treatment program is to be successful. Both professionals and paraprofessionals should be trained

to adopt a national perspective on drug abuse problems, and to be aware of different treatment approaches.

The Commission also recommends that comprehensive drug abuse treatment and prevention functions be coordinated through the State Alcohol and Drug Abuse Agency and through local coordinating agencies.

STANDARD 2.1

IDENTIFICATION OF COMMUNITY DRUG PROBLEMS

The community should strive to determine whether or not it has a drug problem, and if so, determine the extent of the problem. Such means as the following might be employed:

1. Hospitals should be surveyed to ascertain how many emergency overdose or drug cases they handle and have dealt with in the past.
2. Surveys should be conducted in the high schools in order to evaluate the amount of drug traffic and the degree of difficulty in obtaining drugs.
3. Law enforcement records should be utilized to disclose drug arrest and conviction statistics.
4. A check should be run on information concerning drug offenses obtained from telephone hotlines such as "Turn in a Pusher."
5. Police should note the incidence of drug

related crimes such as armed robberies, burglaries, and shoplifting, and the offenders should be checked for "track marks" and other signs of drug addiction. Law enforcement officers should be trained to spot the indicia of drug use. Offenders should also be subject to a urinalysis test to detect any presence of drugs.

COMMENTARY

Communities should utilize a variety of survey methods in order to determine if a community drug problem exists. Since drug abuse statistics vary greatly among communities within the state, drug abuse programs must be designed to satisfy the needs of each area. After a community drug problem is recognized and the extent determined, the community should focus on a comprehensive drug treatment system.

STANDARD 2.2

MULTIMODALITY DRUG TREATMENT SYSTEM

A community having a significant population of drug users should establish comprehensive or multimodality drug treatment systems.

These systems should maintain clearinghouses, central intake and diagnostic units, and receive patients who volunteer as well as those who are referred by the criminal justice system and by other sources. These central units would preferably be near hospitals. The centralized programs would help meet each individual's physical and psychological needs by referring him to the particular treatment program best equipped to handle him while alleviating drug problems, to help him avoid criminal activities, and ultimately to remove him from drug use altogether, if possible. The units thus would play a valuable role in achieving successful diversion of addicts from the criminal justice system. This comprehensive system should include the following programs:

A. Crisis and Emergency Centers

One element of a multimodality treatment program should be the establishment of a variety of crisis intervention and drug emergency centers in the state and areas of local government that have a significant population of narcotics addicts and other drug-dependent individuals. Although the specific nature of such centers can only be determined after careful study of local conditions, experience indicates that they should include at least some of the following characteristics:

1. Selected centers should be located either in or in close proximity to a hospital emergency room, detoxification facility, or clinic.

2. Inpatient facilities and beds should be available at selected centers for patients who require treatment on more than a one-time basis, e.g., those withdrawing from heroin, barbiturates, and sedative hypnotics or from the effects of a long run on amphetamines or methedrine.

3. Selected centers should be separated from hospital or medical facilities. The staff should include peer-group individuals backed by the facilities of a nearby hospital, and should provide services to runaways and persons with emotional problems or venereal disease as well as to those with drug involvement.

4. Telephone hotlines, operated in conjunction with walk-in information and referral centers, should be a part of the crisis intervention program in most cities.

5. Counseling centers offering individual and group guidance should be established, and should have effective liaison with other agencies that supply a wide range of services such as housing, family assistance, vocational training, and job referral.

B. Methadone Treatment Programs

A study should be made of all available information and current data in regard to methadone treatment to determine the extent to which it has actually been successful in combatting heroin addiction. The results of the study should be used in making a decision regarding the utilization of such a program in Louisiana. If a methadone program is warranted, the program should provide for the patient's transition from physical dependence on heroin (sometimes mixed with abuse or other drugs) to stabilization on methadone and should include:

1. Inpatient facilities to stabilize patients with severe emotional, physical, and at times, social problems. Such facilities are also essential for the detoxification of patients who have relapsed to heroin or who wish to withdraw from methadone. The inpatient facility should have the backup services of a hospital or other specialized facility with a medical capacity. Graduates of a methadone program might also serve as counselors to assist patients in understanding the goals of methadone treatment.

2. Facilities for the dispensing of methadone on an outpatient basis, which should be accessible to patients and in reasonable proximity to the backup hospital, centralized pharmacy, and laboratory where urine specimens are analyzed. Any administering of methadone would have to be done at the clinic in order to prevent black-marketing and abuse of the program. The outpatient facility should be capable of serving 75 to 200 patients.

3. Continued urine surveillance through laboratory analysis to detect the presence of such drugs as heroin, barbiturates, and amphetamines. Wherever possible, at least random sample techniques should be employed to test for cocaine and other drugs.

4. Adequate testing of all potential patients to insure that only confirmed and not experimental or social-recreational drug users are admitted to the program. Methadone treatment should be a last resort to be used only when the drug-free program would not be successful for the particular drug addict.

5. Increased emphasis on the use of auxiliary services such as counseling and vocational aid, with the ultimate aim of removing patients from methadone as well, wherever possible.

C. Residential Programs

The state and areas of local government having a significant population of narcotics addicts and other drug-dependent individuals should establish residential treatment programs as one part of a multimodality approach to the problems of drug addiction. These programs should provide a broad range of social services including the following: medical care, group therapy, counseling, vocational rehabilitation, educational services, and job placement. In such drug-free communities, individuals should be checked periodically through urinalysis to insure that they are not still using drugs. Each facility should be large enough to satisfy the needs of the community and the population which it serves. A comprehensive residential treatment program should generally involve a combination of closed, open, and halfway-house facilities and therapeutic communities organized along the following lines:

1. Closed residential facilities should be established to provide a therapeutic environment for patients who are acting out in the community and need a period of compulsory institutionalization to be helped. This type of facility should be equipped and staffed to deal with minor illnesses and should be a secure, self-contained unit designed to meet a wide variety of residents' needs in a therapeutic setting.

2. Open residential facilities should be established to make available to residents the same basic residential and program services as provided at the closed center. This facility should have no

physical or other restraints to keep the residents in the facility. The absence of restraints immediately allows for fewer staff members, more flexibility in choosing a site, and less need to provide multiple activities at a single facility.

3. Halfway houses should be established to provide lodging and supportive services for residents who are making the transition from a structured institutional setting to living in the open community. It should also be available to those in the community who temporarily require the additional supports provided by such a center.

4. A therapeutic community should stress the group relationship and peer involvement in achieving rehabilitation for each individual. The program should include:

a. Facilities for an average of 75 residents. Experience indicates that when space is located in older buildings, the renovation necessary to accommodate the purposes of the community should be done by the residents themselves. This technique imparts a feeling of involvement in and responsibility for the program. The facility should include an outdoor area suitable for recreational activities.

b. Salaried staff should consist of a house director and assistants, some or all of whom may be graduates of such a facility. A house manager should be appointed and given broad responsibility under the house director for supervising a variety of household and related responsibilities.

c. If primary responsibility for operating the program rests with the ex-addict paraprofessional staff, the backup services of psychiatrists, teachers, and employment specialists should also be readily available.

d. Those responsible for the operation of therapeutic communities should insure that there is a consistent readiness to evaluate, revise, and reinforce their programs. The program should deal with such questions and concerns as the use of chemotherapy, the problems of addicts with children, and the possibility of providing permanent living arrangements for those who are unable to return to their preaddict lifestyles. In these and other critical areas, the directors of therapeutic communities should be flexible and open to the possibility of radical program alterations, if such changes are likely to result in more successful treatment efforts.

D. Outpatient Programs

Another element of a multimodality treatment program should be the establishment of outpatient treatment programs as one part of a multimodality approach to the problems of drug addiction. An outpatient treatment program should include the following elements:

1. A Day Care facility, which is as comprehensive in treatment as a residential facility, includes such services as job placement, medical care, vocational rehabilitation, and counseling. In the Day Care program, however, the patients do not live at the clinic, but may stay 12 hours per day for six days each week. This program is a step between residential care and weekly counseling.

2. An Outpatient Drug-Free Program which includes crisis intervention, periodic urinalysis checks, counseling, and complete treatment plans. This type of program is more intensive than those offered by mental health clinics, but is less intensive than Day Care and Residential programs.

COMMENTARY

Comprehensive or multi-modality programming seeks to overcome narrow compartmentalization and anticipate the variable nature of non-medical drug use. Such programming attempts to determine what patient characteristics lend themselves to help by particular methods and which methods have the best chance of ultimately freeing the patient from drugs completely. Comprehensive programming, thus, is more responsive to the different social and psychological characteristics of drug users--their varying ages, classes, ethnic backgrounds, and the nature and extent of their drug involvement.

If a multi-modality approach to treatment is pursued, a system must be devised that offers a variety of services. Systems providing treatment can then choose the approach best fitted to the needs of each patient. To be comprehensive, the system must allow intervention in areas where drug users are found, such as courts, health centers, and employer infirmaries. The system must provide readily available admission to programs on a voluntary basis, and should offer detoxification, emergency treatment, residential care centers, and long-term help on an ambulatory basis to individuals who can be treated while they live in the community. Ambulatory services could include child care centers and clinics

that offer counseling, casework services, and individual and group psychotherapy with and without chemotherapeutic assists such as methadone.

Communities would do well to mobilize existing recreational, vocational, rehabilitative, and job placement services on behalf of drug users who have begun to function adequately. Such services provide needed support and aid to drug users who have begun to function adequately.

Crisis intervention and emergency treatment is one of the most basic and essential forms of treatment for drug abusers. This may be a hospital or a community clinic. Its functions would include not only emergency medical aid but also psychological services such as hotline telephone help and various types of counseling.

Methadone maintenance treatment should be carefully studied in order to determine what success rate it has produced in combatting heroin addiction. This success rate should be the deciding factor in the acceptance of methadone maintenance as a viable program in a comprehensive drug treatment system.

If a methadone program is employed to free a patient from heroin addiction, the program should include inpatient and outpatient facilities, urine surveillance, stringent admittance policies, counseling, and vocational aid. It must be emphasized that methadone treatment should be utilized as a last resort, i.e., when a drug-free program would not be successful for the particular drug addict.

Since the participants in residential programs may be restricted to some degree for a period of months, a full-range of program services should be available to help them deal with their problems and return to the community. Assignments to programs will be related to the degree of structure each resident requires. The more open facilities will permit freer access to the community for schooling, training, and employment, as well as other community services. The halfway house centers assume that some degree of rehabilitation has been achieved and the resident is prepared for his "reentry" into the community.

The closed facility provides a therapeutic environment in which addicts can live free of their drug use, with the help of constraints, including locked doors. A closed facility should be equipped and staffed to deal with minor illnesses. Its location should be based on such factors as the availability of

suitable sites or buildings that can be renovated, accessibility of the site to staff and visitors, and ability to install security features.

The open center makes available to residents the same basic residential and program services as the closed center. The major difference is the absence of physical and other restraints to keep residents in the facility. The removal of such restraints immediately allows for fewer staff members, more flexibility in choosing a site, and less need to provide multiple activities at a single facility.

The halfway house provides lodging and supportive services for residents who are making the transition from a structured institutional setting to living in an open community. It is also available to those in the community who temporarily require the additional supports provided by such a center.

Since the residents of halfway houses will generally be engaged in outside activities such as employment or training programs, the selection of a location for this type of facility should provide for ready access to those activities.

Therapeutic communities are drug-free environments where the drug user is viewed as an under-developed, immature personality. This approach is designed to facilitate emotional growth. Central to this concept is the existence of a community prepared to accept or reject the individual, depending upon the behavior shown. As behavioral changes in the residents are demonstrated, the first steps toward reentering the community are initiated. Opportunities for leaving the residential center are provided; in some instances, outside schools are attended. Completion of a therapeutic community program is accomplished when a resident can function in the conventional community.

The final element of a multimodality approach to drug treatment is the outpatient program. The outpatient program can be in the form of a day care facility or an outpatient drug free program. This program serves as a transition from a structured institutional setting to normal community life.

STANDARD 2.3

DIVERSION OF ADDICTS

The state and areas of local government having a significant population of narcotics addicts and other drug-dependent persons should establish procedures for voluntary referral of the addict-defendant to treatment before conviction. Such efforts might be modeled on the TASC program (Treatment Alternatives to Street Crime), and should meet at least the following criteria:

1. Liberal eligibility requirements should be developed to allow a large number of defendants to be screened for participation.

2. Minimal punitive connotations should be incorporated in the program. Undue delays in court procedures, as well as forced concessions from the addict, should be avoided. Supervision should be as nonpunitive as possible and addicts should be advised that the alternatives to diversion-plea, probation, and incarceration-may result in the lasting stigma of a criminal record, as well as delay in receiving treatment.

3. Treatment should be made available as early as possible in the criminal process.

4. Inducements for the defendant who has been diverted to remain in treatment should be provided for effective control. Most, if not all, of the time spent in treatment should be community-based outpatient care, if possible. Dismissal of the charges should be arranged upon successful completion of treatment.

5. Diversion procedures should be developed without losing sight of society's right to be protected or of constitutional safeguards designed to protect the defendant.

COMMENTARY

A model diversion program for addicts is "Treatment Alternatives to Street Crime" (TASC). This program involves voluntary referral of the

addict-defendant to community-based treatment in lieu of prosecution.

TASC uses the lever of the criminal justice system to bring the addict into treatment and to hold him there. At the same time, it reduces processing, custodial, and other burdens on police, courts, and penal institutions.

TASC begins as soon as police processing after an arrest ends. Arrested persons are screened for addiction; those considered eligible by the local jurisdiction are screened out for treatment. Those eligible for the program are interviewed and are told that information they give about themselves or obtained from laboratory tests cannot be used against them in court proceedings or prosecution except in determining bail.

Results of a voluntary urinalysis and of the interview are sent to the court, to the prosecutor, and to the individual's lawyer or public defender. A judge determines whether to release the individual outright on his own recognizance or on bail, to send the

individual to detention, or to order treatment as a condition of release with diversion of the individual to TASC. In either event, if the person is intoxicated on drugs, he is provided with medical assistance during detoxification.

Persons entering TASC are evaluated by a diagnostic unit and sent to a holding facility pending transfer to a community treatment program. While in treatment, the individual is checked by a tracking system to assure that he is meeting conditions of release. If the individual drops out of treatment or fails to comply with other conditions of release, he is treated by the court as if he had violated conditions of release.

When the individual's case is set for trial, the court may take into account his cooperation and success in treatment and may determine that he should remain in TASC in lieu of prosecution.

STANDARD 2.4

TRAINING OF TREATMENT PERSONNEL

The training of a staff to deal with narcotics addicts and other drug-dependent individuals in a treatment program should be a continuous process and one that adequately instructs the trainees about the enormous complexities of drug abuse. Such training should be directed toward meeting State licensing requirements and should include the following:

1. The training should help the staff to develop a rational perspective on the drug abuse problem, especially such aspects as the crisis orientation of addicts, the chronic nature of addiction, and, therefore, the long-term efforts required for treatment.

2. Instructors should seek to develop in counselors a familiarity with the various treatment approaches. Counselors also should be trained to make differential diagnoses in referring patients to treatment. Special training programs should be devised for those interested in refining particular skills or advancing their careers.

3. In training paraprofessionals, the group approach should be used for purposes of economy and for developing a unity of purpose and perspective in the staff. Visual aids and role-playing, such as simulating client interviews, also should be utilized.

4. Along with trainees, professional workers should be trained to be flexible, openminded, and amenable to new approaches, research, and evaluation. They should be able to relate well to paraprofessionals, some of whom will play a larger role than professionals in such programs as day centers and communities directed by ex-addicts. In view of the chronic, relapsing nature of drug addiction, the need for patience must be stressed.

COMMENTARY

Staff training is an indispensable component of any effective drug treatment program. The program can succeed only to the extent that the staff understands the program's goals and his own role and function in the program.

Staff members first need to understand the complexity of the problems they confront and the diversity of techniques required to deal with drug abuse. They must be open-minded about the varied treatment approaches in use. They must also be aware

of the need for research, which can help them view their treatment efforts more objectively and see progress in terms of learning, even where the results of their immediate work are not visible.

STANDARD 2.5

DRUG ABUSE PREVENTION PROGRAM

A comprehensive drug abuse prevention program should include the following:

1. The roles of educating and informing youth about drugs should be assumed by parents and teachers in the early stages of a child's life. It is from these sources that a child should first learn about drugs. Information should be presented without scare techniques or undue emphasis on the authoritarian approach. Parental efforts at drug education should be encouraged before a child enters school and teachers should receive special training in drug prevention education techniques.

2. Peer group influence and leadership also should be part of drug prevention efforts. Such influence could come from youth who have tried drugs and stopped; these youth have the credibility that comes from firsthand experience. They first must be trained to insure that they do not distort their educational efforts toward youth by issuing the kind of double messages described previously.

3. Professional organizations of pharmacists and physicians should educate patients and the

general public on drug abuse prevention efforts and should encourage responsible use of drugs. The use of public service time on the media, educational television, and programs in the schools should also contribute to drug abuse prevention. The educational efforts of these organizations should be encouraged to include factual, timely information on current trends in the abuse of drugs and prescription substances.

4. Materials on preventing drug abuse should focus not only on drugs and their effects, but also on the person involved in such abuse. That person, particularly a young one, should be helped to develop problem-solving skills.

5. Young people should be provided with alternatives to drugs. The more active and demanding an alternative, the more likely it is to interfere with the drug abuser's lifestyle. Among such activities are sports, directed play activities, skill training, and hobbies, where there is the possibility of continued improvement in performance.

COMMENTARY

Drug Abuse prevention methods should not focus simply on drugs and drug effects. Specifically, drug abuse experts now recognize that it is often necessary to equip youngsters to deal more effectively with life, so they will not resort to dysfunctional drug use. The burden for accomplishing this rests primarily with families and schools. There is a need, therefore, to focus on increasing parental child-rearing effectiveness through various kinds of counseling.

There is also a need for schools to develop family life curricula that are not focused on drugs alone; instead, the emphasis should be enhancing self-understanding, intrafamily relationships, and the role of the family in society. If schools deal with these subjects from the earliest grades, drug use and abuse would become just one more topic to be understood and, thereby, would be stripped of its more sensational aspects.

An effective approach to drug abuse prevention is the use of peers or specially trained coordinators and staff who can relate to young people on a confidential basis. This peer group approach requires that selected students be trained in drug abuse prevention work in a way that will enable them to influence their fellow students.

Outside the school itself, other groups, have sprung up in a number of locations. These organizations bring parents, youngsters, and trained counselors together in an effort to create a counterdrug culture, foster mutual understanding between youngsters and adults, and develop alternate activities. Such organizations go a long way toward developing rational perspectives. They also encourage adults to increase their awareness of their own behavior and thus become better role models for their children.

STANDARD 2.6

STATE AND LOCAL DRUG ABUSE TREATMENT AND PREVENTION COORDINATING AGENCIES

The Commission recommends that comprehensive drug abuse treatment and prevention functions be coordinated through the State Alcohol and Drug Abuse Agency and through local coordinating agencies.

This authority is needed to assume primary responsibility for such areas as setting priorities for delivery of services, finding ways to avoid wasteful duplication, and determining the extent to which funded programs are effective.

Other key considerations are the manner in which basic standards of staffing, training, administration, and programming are met; and avenues for effecting continuing education, research, and cost benefit studies.

COMMENTARY

It is essential that all drug abuse treatment and prevention functions be coordinated through the State Alcohol and Drug Abuse Agency and through local coordinating agencies. Every effort should be made to avoid duplication of services and to provide a unified drug abuse prevention program.

CHAPTER 3

PROGRAMS FOR EMPLOYMENT

Many individuals turn to illicit activities when they are faced with insurmountable obstacles to, or meager returns from, legal economic endeavor. Some of these people could be deterred from crime if the accessibility and attraction of the "straight life" were increased for them. Other individuals rebel against recognized inequities in the labor market and use crime as an expression of their rebellion. This reaction could be reduced if equal work opportunities were assured. In a broader sense, the economic problems that beset certain groups in the community foster a negativism to mainstream life patterns and an increased tolerance toward illicit activities.

Improvements in the criminal justice system alone cannot halt the development of new offenders or the recidivism of ex-offenders who fail repeatedly in legal endeavors. Ameliorative economic measures are needed at the community level to deter potential and past offenders from turning to crime.

Certain groups in the population who have economic problems that result, in part, from unequal opportunities can be identified as high crime risks and given concentrated attention. Another identifiable high risk group is composed of individuals addicted to drugs or suffering from emotional problems that lead

them into crime. The criminal careers of many of these individuals are closely related to their lack of employment or job skills. Many are involved in a vicious cycle; economic exclusion is a root cause of specific patterns of personal deviancy; involvement in these patterns dictates continued economic exclusion and increasing probabilities of criminal activity.

From a short-range point of view, it is far easier to address the employment problems of those who may be disposed to crime than it is to change the economic and social conditions that breed it. Measures can be directed specifically to the needs of those individuals who need help the most.

However, the impact of these efforts will be severely limited unless opportunities are open and the effects of unequal economic status are directly attacked. There is no way to know in advance whether the most effective approach is to concentrate resources on potential criminals with economic handicaps, to direct them to individuals with additional personal problems such as drug addiction, or to try to alter the economic and social system.

RECOMMENDATION 3.1

PRE-TRIAL INTERVENTION PROGRAMS

The Commission recommends that community agencies and organizations cooperate with prosecutors to provide resources for pre-trial diversion programs. Other program elements should include a wide range of community services to deal with any major needs of the participant. Legal, medical, housing, counseling, or emergency financial support should be readily available. Job training and placement and education should also be easily accessible.

COMMENTARY

A target group for crime prevention through employment aid consists of those who are or have been involved in the police, courts, and corrections systems. Efforts to upgrade employability are needed

as an adjunct to probation, parole, and rehabilitation in prison, but they are also needed for those who have left the purview of the criminal justice system.

Pre-trial manpower programs may be able to help arrestees by improving their employment and diverting them from jail. Society benefits to the degree that increased output and reduced correction expenses outweigh the costs of the program. In addition to job training and placement, community agencies should help provide legal, medical, housing, counseling, or emergency financial support to participants in pre-trial diversion programs.

RECOMMENDATION 3.2

JOB OPPORTUNITIES FOR OFFENDERS AND EX-OFFENDERS

The Commission recommends that employers institute or accelerate efforts to expand job opportunities to offenders and ex-offenders. These efforts should include the elimination of arbitrary personnel selection criteria and exclusionary policies based on such factors as bonding procedures or criminal records. Finally, employers should institute or expand training programs to sensitize management and supervisors to the special problems which offenders and ex-offenders may bring to their jobs.

COMMENTARY

A number of measures may be needed to assist those persons who have already become involved in crime and have a police record. The employment problems of former offenders result not only from their poor preparation and transitional difficulties, but also from restricted work opportunities. In both the public and private sectors, hiring regulations and practices tend to exclude past offenders. The only available jobs are often undemanding and

unrewarding, offering the offender little inducement to reject criminal behavior.

Employers often reject former offenders because of the offenders' low level of education and lack of participation in rehabilitation programs. Unless training and education are provided in the corrections system, employers are unlikely to hire previous offenders who do not receive extensive post-release assistance.

Because ex-offenders in the aggregate suffer from employment problems that dictate job instability and recidivism, many employers remain unwilling to hire and train them, except for the most peripheral and unappealing jobs. Efforts to break this cycle are necessitated by this fact. Among the steps to be considered are more extensive and intensive skill training coupled with realistic job counseling and special placement services to put ex-offenders in touch with potentially receptive employers.

RECOMMENDATION 3.3

PUBLIC EMPLOYMENT PROGRAMS AND EMPLOYMENT OPPORTUNITIES FOR FORMER DRUG USERS

The Commission recommends that public employment be created to provide more rewarding and promising jobs for ex-offenders and others traditionally shut out of the job market. These jobs should be genuine efforts to develop or utilize skills that will lead to future advancement, rather than dead-end make-work assignments.

The Commission further recommends that employers and unions institute or accelerate efforts to expand employment or membership to past drug abusers and those undergoing treatment for addiction. These efforts should include the elimination of arbitrary personnel criteria and exclusionary policies based solely on a drug history or criminal record.

In addition, employers should initiate or strengthen training programs to acquaint all levels of supervisors and management with the special problems which former drug abusers may bring to a

job.

Finally, in addition to private efforts, public employment programs should also be expanded to provide more meaningful job opportunities for those with a history of drug abuse.

COMMENTARY

Since first offenders and ex-offenders are at the end of the labor lines, the unemployment dilemma has affected them even more seriously than other labor force participants. The fact remains that fewer employers are willing to interview or hire offenders as long as qualified and more attractive candidates are available.

The most direct way to provide jobs is to hire ex-offenders in the public sphere. Even in the best of times, public employment may be required if the most chronically unemployed are to be put to work.

In view of the current economic conditions, arguments for public employment efforts for offenders are compelling. By supporting public employment programs, government agencies would create a unique opportunity to help break the recidivism patterns of offenders by providing jobs as an alternative to crime.

Employers must take the lead in reevaluating and reforming community attitudes toward drug addiction. However, the prospects for expanded

employment of former drug abusers would be strengthened if drug treatment programs were integrated more completely with existing vocational education, skill training, and job development programs. In addition, training programs should also be initiated to acquaint employers and management with the special problems which they may encounter with former drug abusers.

CHAPTER 4

GOVERNMENTAL ETHICS

Confidence in public institutions and public officials is critical to the success of crime prevention efforts. Official corruption, actual or suspected, undermines confidence and aggravates the problems of crime control.

There is little direct evidence to demonstrate that a significant number of crimes are committed solely because citizens have negative attitudes about their government. However, virtually every presidential or national commission report in recent years cites compelling arguments that citizen alienation and frustration, inaccessibility of governments, and the quality and quantity of the services provided are not

conducive to respect for government and its laws. As long as official corruption exists, the war against crime will be perceived by many as a war of the powerful against the powerless; "law and order" will be just a hypocritical rallying cry and "equal justice under the law" will be an empty phrase.

Since open, responsive governments encourage citizen involvement in crime prevention, all levels of government, federal, state, and local, should maintain a high standard of ethical conduct.



STANDARD 4.1

ETHICS CODE

The Commission maintains that the Louisiana Ethics Code (La. R.S. 42:1101 et. seq.) is a model piece of legislation and should be strictly enforced. The Commission further recommends that local governments enact similar legislation in their respective jurisdictions which would insure responsible performance by all elected and appointed officials.

COMMENTARY

No single law or type of law is sufficient to deal with the gamut of ethical problems that underlies an

official's conduct. However, each level of government, federal, state, and local, should maintain a system which provides for criminal laws, ethical guidelines, and an enforcement body. An Ethics Code is essential to assure the public that officials will act with integrity.

STANDARD 4.2

PUBLIC RIGHT-TO-KNOW LAWS

The Commission maintains that Louisiana public right-to-know laws are effectively constructed and should be strictly enforced (La. R.S. 42:5, 6, 7, 8). Local governments should also enact similar legislation in their respective jurisdictions.

COMMENTARY

Secrecy and good government are basically incompatible concepts. With few exceptions, the public has the right to know everything that happens. Today, more than ever, the public believes that it should know as much as possible about government in order to be able to support it more effectively.

Local governments should enact public right-to-know laws that provide citizens open and easy access to agency regulations, audits, minutes of meetings, and all other information necessary for meaningful citizen involvement in local governmental processes. Citizens should be informed of what information is available and how to gain access to it.

CHAPTER 5

RAPE PREVENTION

Recent attention to the role of women in society has resulted in increased emphasis on changing societal practices which victimize women. The Louisiana Legislature is reviewing and gradually reassessing the current rape statutes and altering the criminal justice system response to the crime, the offender, and the victim. However, there is a continued need not only for more enlightened rape legislation, but also for a transformation of public attitude toward the crime of rape.

Court proceedings involved in obtaining a conviction are devoted in great measure to the woman's role in the crime, focusing on whether her actions enticed the offender, whether she enjoyed the act, whether she struggled to avoid the act, and her previous sexual activities. This emphasis in the proceedings is based on stereotypes about the crime which, for the most part, are not borne out by the facts.

Judicial proceedings that have been degrading and unfair to women play a great part in the low

reporting rate for the crime of rape. LEAA statistics reveal that less than half of all rapes are reported, while other studies indicate a report rate of 10%. If undue limitations are not placed on the victim's credibility, the percent of reported rapes will surely increase.

Criminal justice efforts to prevent rape should include innovative police procedures. Greater emphasis should be placed on the usefulness of "Rape Crisis Centers" and the immediate counseling that they are capable of offering to the victim. Followup counseling should be provided to rape victims and psychological services necessary to handle severe reactions to the crime should be available from existing mental health agencies.

Without putting the victim under duress, careful attention should be focussed on obtaining as much information as possible about the offender and the area in and conditions under which the crime occurred. The police department's crime analysis unit should develop a profile on the offender and his

modus operandi and inform the public of the risk of further incidents which may occur.

Police agencies should train personnel to deal with rape victims so as to permit greater freedom and less trauma in discussing the event and its ramifications on the victim.

REFERENCE

Criminal Justice Goals and Standards for the State of Michigan, Michigan Advisory Commission on Criminal Justice, 1974.

STANDARD 5.1

RAPE CRISIS CENTERS

Rape Crisis Centers should be established in all jurisdictions with a high incidence of rape. These crisis centers should be staffed by competent personnel trained to give information on the medical, legal, and emotional problems caused by rape. Personnel should be able to work with law enforcement and prosecutorial agencies. These centers should provide the following services:

- a. A telephone crisis line with counseling available at all times.
- b. Medical referrals.
- c. Personnel trained to advise rape victims of what to expect in the course of the investigation and prosecution of the rape.
- d. Research capability to provide statistical information on both rapists and rape victims.

COMMENTARY

"Rape Crisis Centers" perform a valid function in

dealing with the crime of rape. Some of the services which they offer include: (1) information on local procedures for reporting rape assaults to the police, coroner, and district attorney; (2) over the phone counseling for victims and their families and friends; (3) referrals for follow-up medical care, counseling, and protection; and, (4) self-defense classes and suggestions on how to protect home and person. The centers also provide escort services. After escorts are extensively trained by professional social workers, they are capable of supporting a rape victim through the criminal justice process.

"Rape Crisis Centers" are endeavoring to change the attitudes of police, district attorneys, and the general public by distributing information and education about rape to the community-at-large. The centers are also seeking coordination with all agencies in the criminal justice system.

STANDARD 5.2

POLICE TRAINING

Police agencies should develop the capability to train personnel to deal with rape victims.

and less trauma in discussing the crime and its ramifications on the victim.

COMMENTARY

Police agencies should train personnel to deal with rape victims in order to permit greater freedom

RECOMMENDATION 5.1

RAPE LEGISLATION

The Commission recommends that a study be made of the current criminal statutes on rape to determine:

1. The possibility of a statutory redefinition of rape to include a category between aggravated and simple rape, which
 - a. Would not be punishable by death, and
 - b. Would not require proof of resistance to the utmost.
2. Whether or not the death penalty for rape
 - a. Increases the possibility of the murder of rape victims.
 - b. Makes the obtainment of convictions in rape cases more difficult.
3. The feasibility of a statute to restrict

inquiry by defense attorneys into the victim's past sexual experiences; and

4. The possibility of a statutory redefinition of rape to include male-on-male rape.

COMMENTARY

Subsequent to Commission approval of standards on proposed rape legislation, the Louisiana Legislature has passed several laws pertaining to these standards.

House Bill Number 617 of the 1975 Regular Session of the Louisiana Legislature provides a statutory redefinition of rape to include a category between aggravated and simple rape. This third category provides for the definition of the crime "forcible rape." The forcible rape definition omits the phrases "resistance to the utmost" and "grave bodily harm" which are included in the aggravated rape statute. Forcible rape carries a penalty of

imprisonment at hard labor for not less than one nor more than 20 years.

The 1975 Regular Session also passed House Bill Number 619 which restricts inquiry by defense attorneys into the victim's past sexual experiences. The bill states that "evidence of prior sexual conduct and reputation for chastity of a victim of rape or carnal knowledge shall not be admissible except for incidents arising out of the victim's relationship with the accused."

Senate Bill Number 400 of the 1975 Regular Session provides a statutory redefinition of rape to include male-on-male rape. The crime of rape is now defined in both heterosexual and homosexual terms, and thereby, provides that the crimes of simple and aggravated rape apply to both heterosexual and homosexual intercourse.

CHAPTER 6

CONSUMER PROTECTION

There is a growing consciousness on the part of consumers to become more aware and educated to the deceptive and misrepresentative tactics often employed by the marketing and advertising system in selling its products. The consumer should be knowledgeable and sensitized to the spiraling, often covert, efforts of consumer fraud. Of course, while the marketing system is inherently motivated to sell its product, the consumer has the right to expect honest representation of the product. Deceptive and fraudulent selling practices must be outlawed and these laws strongly enforced for the protection of the public good.

It has become increasingly obvious that the majority of consumers are noticeably less knowledgeable than the sellers with whom they contend. The poor, the elderly, and the credulous are often victimized by devious business practices. There is a growing consciousness of the injustice that the marketing system inflicts on the uneducated

consumer. Education is without a doubt the most basic step in consumer protection.

If the criminal justice system is going to command the respect of the citizenry, it must just as vigorously pursue the businessman conducting his business in an illegal manner as the thief who burglarizes the home or commits armed robbery on the street. The consequences of losing money to the unscrupulous businessman is no less damaging or violent than losing it through theft.

REFERENCE

Criminal Justice Goals and Standards for the State of Michigan, Michigan Advisory Commission on Criminal Justice, 1974.

STANDARD 6.1

CONSUMER PROTECTION

The Commission strongly supports the activities of the Governor's Office on Consumer Protection and recommends that its services to consumers and the legitimate businesses in Louisiana be continued. In addition, the Commission recommends that the Governor's Office on Consumer Protection expand its activities and consider providing the following services:

a. The capability to set up a temporary office in any location of the state, especially in the event of natural disasters. This capability could be provided by a mobile unit and should provide the same services as are provided by the main office.

b. The capability to provide assistance to the Department of Education and local school boards to prepare consumer related courses and programs within Louisiana's schools.

This assistance should include:

1. A central library containing reference

materials on consumer affairs.

2. Aid in the development of consumer protection curricula.

3. Training of teachers of consumer protection courses.

4. Materials preparation.

5. Preparation of programs for educational television.

c. An advertising verification section to study the accuracy of advertising claims with the purpose of reducing unfair trade practices.

- d. A state-wide toll-free line.

COMMENTARY

The Governor's Office on Consumer Protection has proven to be an effective weapon in combatting

consumer fraud. In order to facilitate expansion of activities, the Governor's Office on Consumer Protection should be granted additional state support.

A consumer protection mobile unit would be capable of extending, for a limited amount of time, the operation of the state office to any location of the state. This temporary office would be especially useful in the event of natural disasters when people are more susceptible to deceptive and fraudulent business practices.

The number of complaints received by any given unit is directly related to the amount of public relations and educational work the unit has done. Naturally, the public should be informed of what services are available and have some credibility in the unit before they feel it is worth their effort to report incidents. Businessmen and consumers alike should be made aware of legal and fair trade practices.

The ignorance of Louisiana consumers can be eradicated by education and information efforts sponsored by the State Consumer Protection Office and the State Department of Education. Since

education is the basic deterrent to abuses and results in the best possible consumer protection, the State Department of Education should include courses of instruction on consumer credit in the curriculum of the public high schools of the State.

An advertising verification section in the Governor's Office on Consumer Protection is needed to monitor and review all advertising. An organized monitoring system would be an improvement on the sporadic advertising monitoring program now in use.

A state-wide toll-free line should be put through directly to the Governor's Office on Consumer Protection rather than through the State Public Assistance Line. The toll-free line would have the capability of putting consumers in communication with an information desk staffed by persons specializing in consumer information and trained to advise in matters related to consumer-complaints.

STANDARD 6.2

LOCAL CONSUMER FRAUD UNITS

In areas of the state with a significant incidence of consumer complaints, local district attorneys should develop consumer fraud prosecution units within their offices. These units should have the capability and the experience needed to perform the often complex investigations that are required in consumer fraud cases.

The Consumer Protection division of the Attorney General's Office should be properly staffed to supplement services provided by the local prosecutors.

COMMENTARY

Consumer education will undoubtedly precipitate an increase in consumer complaints. There must be additional investigative support in local district attorney offices and in the Attorney General's Office in order to handle a build-up in consumer-complaint reporting. The mere presence of an active law enforcement unit is sometimes a deterrent to fraudulent activity.

CHAPTER 7

CHILD ABUSE

As defined by Louisiana law, an abused child is one who has been physically or mentally injured or who has been exploited or overworked to such an extent that his health, moral, or emotional well-being is endangered. A child is "neglected" when those persons responsible for his care and maintenance fail to provide the proper or necessary support, education as required by law, or medical, surgical, or other care necessary for his well-being. Half the number of abused children are under three years of age. Medical treatment, if any, has been rare and therefore the abuse has not been immediately detected.

The problem of child abuse not only affects the abused child and his family, but also affects the whole of society. The human community suffers when a child is abused because these children often grow up to abuse their own, thus perpetuating a tragic cycle of abuse.

Although a parent has the right to correct his child and encourage desirable behavior, he does not have the right to inflict physical punishment disproportionate to the act. When a parent chooses

this course, he is using unreasonable corporal punishment. Hence, the rights of children must also be upheld. These rights include maintenance (support, food, and shelter), protection, medical, stability, education, and constitutional rights.

Child Protection Centers are being established throughout the state to protect the rights of both parents and children. The ideal center has a multi-disciplinary team which provides comprehensive medical, psychiatric, and social services to both parents and children in addition to providing education for the parents. Child Protection Centers have the following objectives:

1. To prevent separation of parents and child whenever possible.
2. To prevent the placement of children in institutions.
3. To encourage the attainment of self-care status on the part of the parents.

4. To stimulate the attainment of self-sufficiency for the family unit.

removing children from families who show an unwillingness or inability to profit from treatment programs.

5. To prevent further abuse or neglect by

STANDARD 7.1

CHILD PROTECTION

The Commission recommends that state child protection centers established for the prevention of child abuse be supported by considering the following proposals:

1. Legislation that would require adjudicated child abusers to undergo treatment.
2. Strict enforcement of the state's mandatory reporting laws (La. R.S. 14:403).
3. Establishing an emergency shelter care facility that would have the capability to house abused children on a temporary basis.

COMMENTARY

If the cycle of child abuse is to be broken, treatment programs for adjudicated child abusers must be established. A child's behavior may trigger abuse, but behavior is not the cause. When abuse in any form is repeated to the extent that it becomes a

pattern of behavior, a parent would be recognized as having an abuse problem.

Historically, the approach to the dilemma has been to protect the child by removing him from the home, and as a result, parents have been punished socially and legally. In addition, separation has proven traumatic for the parents as well as the child, and removal of the child from the home is often a contributing factor to the dissolution of the family. Help must be extended to abusive parents before separation becomes the only alternative.

Child Protection Centers offer therapeutic treatment programs for abusive parents as one phase of a multi-disciplinary approach. A possible solution to the abuse problem could emerge if adjudicated child abusers were required to participate in such treatment programs.

Louisiana's mandatory child abuse reporting laws require the reporting of child abuse/neglect cases

while providing for the immunity of the reporter. Professional people and the public as a whole must be educated about child abuse/neglect and made aware of their responsibility in reporting child abuse and neglect cases. Reporting should be encouraged by strictly enforcing the non-reporting penalty for a professional of \$500, six months in jail, or both.

There is a great need for emergency shelter care facilities which would have the capability of

temporarily housing abused children. In the past, young abused children have been cared for in hospitals and older children have been placed in detention centers. Neither a hospital nor a detention center is the appropriate place to house abused children. However, in the absence of an emergency shelter care facility, there is no alternative. A shelter care facility would provide abused children a temporary place to stay (40 to 60 days) and would furnish an unrestrictive environment.

CONTINUED

2 OF 3

APPENDIX

Interrelated Standards
Community Crime Prevention – Police

		POLICE														
		1.1	1.2	3.1	4.1	9.5	9.8	9.10	9.11	16.4	18.2	19.1	19.2	19.4	19.5	
CCP	1.1	*		*		*										
Rec	1.1	*		*		*										
Rec	1.2	*		*		*										
Rec	1.3	*	*	*		*										
Rec	1.4	*		*		*										
Rec	1.5	*		*		*						*				
Rec	1.6	*		*		*										
	2.1							*								
	2.2	*						*								
	2.3				*			*				*				
	2.4							*								
	2.5							*								
	2.6							*								
	4.1						*				*	*	*	*		
	4.2		*						*							
	4.5														*	
	5.1			*												
	5.2									*						

Interrelated Standards
Community Crime Prevention – Courts

		COURTS															
CCP		1.1	1.2	2.1	2.2	4.2	4.6	6.3	7.4	10.2	10.3	10.4	10.5	12.5	12.8	13.6	
	1.1										*		*				
Rec	1.1										*		*				
Rec	1.2										*		*				
Rec	1.3										*	*	*	*			
Rec	1.4										*		*	*			
Rec	1.5									*	*	*	*	*			
Rec	1.6										*		*				
	2.1				*												
	2.3			*	*												
Rec	3.1	*	*	*	*	*	*										
	4.1								*							*	
	4.2						*										

Interrelated Standards
Community Crime Prevention – Criminal Justice System

		CJS						
		1.3	1.5	7.1	7.3	7.4	7.5	7.7
CCP	2.2	*	*	*	*	*	*	*
	2.3		*					
	2.4		*					

CORRECTIONS

CCP

Rec

1.1
1.1
1.2
1.3
1.4
1.5
1.6
2.2
2.3
2.4
2.5
2.6
3.1
3.2
3.3
4.1
4.2

[illegible]

Chap 13

Interrelated Standards
Juvenile Justice — All Substantive Areas

	<u>JUVENILE JUSTICE</u>	<u>COMMUNITY CRIME PREVENTION</u>	<u>COURTS</u>	<u>SYSTEMS</u>	<u>LAW ENFORCEMENT</u>
Standard	1.1		1.1 1.2 2.1 2.2		9.5
Standard	2.1				
Standard	2.2				
Rec.	2.1			St. 1.3	
Standard	3.1	2.1			4.3 9.5
Standard	3.2				
Standard	3.3				
Standard	3.4	2.3			
Standard	3.5	2.4			
Standard	3.6				
Standard	4.1				
Standard	4.2				
Rec.	4.1				
Standard	5.1				4.3
Rec.	6.1	1.2			
Rec.	6.2	1.2			
Rec.	6.3	1.2			
Rec.	7.1				
Standard	8.1				
Rec.	9.1			12.1	
Standard	10.1	Rec. 1.6 St. 2.1 St. 2.2 St. 2.3 St. 2.4 St. 7.1			St. 4.3 St. 9.5
Standard	10.2			1.3	

END