

**Minutes of the Sanford “Sandy” Krasnoff New Orleans Criminal Justice Council
January 27, 2021**

Members Present

Judge Candice Bates-Anderson – Juvenile Court
Derwyn Bunton – Public Defender
Judge Sean Early – Municipal and Traffic Court
Superintendent Shaun Ferguson – NOPD
Thelma French — Total Community Action
Jennifer Greer – Probation and Parole
Marlin Gusman – Sherriff
Judge Karen Herman – Criminal District Court
Ernest Johnson – Ubuntu Village
Sunni LeBeouf – City Attorney
Cyndi Nguyen – City Council
Tenisha Stevens – Mayor’s Office
Melanie Talia – Police and Justice Foundation
Charles West – Community Representative
Jason Williams – District Attorney
Emily Wolff – Office of Youth and Families

I. & II. Call to Order and Roll Call

Commissioner Stevens brought the meeting to order and called the roll at 1:07. A quorum of 14 members was present at the beginning of the meeting.

III. Opening Remarks & COVID-19 Updates

Commissioner Stevens welcomed the members to the first meeting of the year and thanked them for their service throughout 2020’s pandemic crisis.

IV. Consideration & Approval of the Minutes from Nov. 18th 2020

Commissioner Stevens invited corrections to the minutes. None were offered. A motion to adopt the minutes was invited, so moved by Melanie Talia and seconded by Thelma French. Passed by voice vote without public comment.

V. 2021 City of New Orleans Juvenile Justice Programming Handbook

Emily Wolff of the Office of Youth and Families briefed the council members on the 2021 Juvenile Justice Handbook, which contains descriptions of four programs meant to provide alternatives to detention and vital services to system involved youth. These programs are Family Center of Hope’s evening reporting center under the Office of Criminal Justice Coordination, the Juvenile Justice Intervention Center’s intensive in-home community supervision program, the Pathways program, an internship program for system-involved youth and the related Sumer

Success program which works in partnership with Job 1. Questions were invited from the council.

Ernest Johnson asked if information on capacity and outcomes were included in the handbook. Ms. Wolff clarified that capacity information was included in the program descriptions, a publicly available dashboard is being considered for outcome information, but indicated the willingness of Office of Youth and Families to disclose any specific information to council members.

VI. FY 2019 State Byrne/JAG in the amount of \$265,060

The council now considered FY2019 State Byrne JAG in the amount of \$265,060. Eight NOIs were submitted to OCJC from six agencies or these applications over \$727,623 in requests, one of which was subsequently removed from consideration. Commissioner Stevens reminded council members whose agencies had submitted proposals (Juvenile Court, the District Attorney's Office, Municipal and Traffic Court, Criminal District Court, New Orleans Police Department) were obliged to sit out the vote. She asked representatives of each agency to briefly present their proposal. Commissioner Stevens yielded the floor to Nathaniel Weaver to call the presenters in their order.

Abby Freeman presented on the District Attorney's pretrial diversion program for nonviolent offenders and drug and alcohol related charges. The grant would continue to reduce caseloads through provision of addiction and trauma counseling as well as other community-based support services. There were no questions for Ms. Freeman.

Anne McKinley presented on the Orleans Parish Sheriff's Office law enforcement equipment notice of intent. The grant would provide funds for, in order of relative agency priority, 1) independent radio terminals for dispatch details, allowing reliable communication in the event of an off-site emergency involving Sherriff Department personnel, without possibility of interference with other public or private radio systems 2) enhancements to the radio towers located in each of the jail pods which act as command centers within the jail to improve responsiveness under pandemic conditions in which personal contacts are to be limited 3) SIMS weapons for the Sherriff's training academy, to allow officer safety training with greater fidelity to a live-fire situation. There were no questions for Ms. McKinley.

Eddie Walters presented on Municipal and Traffic Court's application for funds to build a pilot online dispute resolution system (ODR). The ODR would provide a platform for defendants to address minor traffic citations and eventually misdemeanor cases without ever physically being in court. The goals of the system will be to increase compliance and resolution of charges, thus reducing failures to appear, suspensions and other disruptive consequences to the lives of users and generally to apply technology to enlarge people's ability to access the justice system.

Charles West asked if any policy changes would be necessary to maintain the validity of this platform after the pandemic conditions have lifted. Mr. Walters said review of legislation to allow the program to operate beyond the pandemic was part of the planning process.

Judge Joseph Haines presented on the Criminal District Court proposal for funding of the domestic violence monitoring court program. The program monitors individuals on probation or as a condition of their pre-trial release, it involves ensuring understanding of stay away orders and other restrictions as well as the availability of community resources. During the pandemic there has been significant growth in the demand of these services from roughly 400 to over 1000, as a consequence of this case load the Court's proposal seeks funding for two additional case managers. Judge Tracey Flemings-Davillier added that state law requires individuals placed on probation related to domestic violence requires they be monitored under a domestic violence monitoring program. There were no questions for Criminal District Court.

Brianna Rock presented on the Orleans Parish Juvenile Court programs: GROWW, Teen Court and Gun Court.

GROWW is a mentorship program that provides "primary and secondary forms of prevention." Any girls who pass through the court are referred to this program as well as non-system involved high-risk youth are referred by community partners. The program has provided counseling from an LMSW during the pandemic.

Emily Wolff asked for information on GROWW's capacity, and historically what percentage of participants were court referrals as opposed to community based and how community based referrals were generated.

GROWW's existing capacity is presently about 20 participants, this is a somewhat reduced capacity as a consequence of the pandemic. There are presently no community referrals in the program, again partly as a consequence of the pandemic, referrals are mostly generated by schools or through the FINS program.

Derwyn Bunton asked what the total number of unique participants has been in GROWW's seven year history, and if there has been any longitudinal study of the young women who have aged out of the program.

Ms. Rock did not have the figure for total unique participants in GROWW but offered to provide it to the council later, in the last year approximately 45 youth had gone through the program. Successful completions are allowed and encouraged to continue engaging in the program as mentors. There have not yet been any follow up screenings of the general population of GROWW alumni.

Teen Court was chartered in 2018 and has been developing as the court develops stakeholder buy-in with partner agencies. The ideal function of Teen Court is as a diversionary program that uses positive peer influence to restructure a youth's participation in the justice system without being touched by an actual court, instead the youths themselves take on court roles (e.g. attorneys) allowing them greater agency in the process. The DA's office is a keystone partner for this program to function most effectively and talks with the new administration under Jason Williams have been encouraging.

Derwyn Bunton asked what the eligibility requirements were for participation in Teen Court. Youth must be charged with a low-level non-violent offense to be a participant, non-system involved youth may take the other roles. Low-level non-violent charges includes simple battery, simple criminal damage to property, one-time auto-burglary, and similar one-time charges.

Ernest Johnson asked whether this program was in lieu of prosecution and what the timeframe was for completion. Successful completion of a case (between 30-45 days) referred after petition results in a nolle pros, the court hopes to expand the program to also allow children to enter into informal adjustment agreements that would keep the charges from even reaching the petition stage, meaning no contact with the juvenile justice system beyond Teen Court itself.

Gun Court responds to an increase in gun and weapons related charges which increased by 25% in 2019. Gun Court would be available to all youth involved in first time charges involving weapons as a subcomponent of the existing ODAP program. The program would include presentations to schools.

Ernest Johnson asked what the capacity and eligibility requirements would be and whether children meeting those would be released or detained. The rationale for the program is to provide a diversionary channel to address especially the non-hostile reasons some children carry weapons (e.g. fear for their own safety, hunting in land only recently reclassified as private property).

Cyndi Nguyen asked how the school component would work under the current distance learning conditions and how NOPD placed school resources officers would intersect with the program. The Court has been speaking with school resource officers and social workers and hopes to leverage these and other institutional stakeholders, and that the court had adapted other programs to social distancing.

Emily Wolff asked how participation in Gun Court and the intensive monitoring program. The intensive monitoring program is for children who had to be detained, while Gun Court is meant to provide a channel for diversion of otherwise low risk children who are connected with a weapon.

Thelma French asked if the current iteration of Teen Court is certified by the national Teen Court organization which was aligned with the Young Leaders Council. The Orleans Parish model is part of the Global Youth Network and is closely based on a successful Baton Rouge program. Teen Court also participates in an annual national conference of such programs that share best practices.

VII. Approval of Criminal Justice System Performance Index

Nathaniel Weaver presented the staff recommendations and reasoning. The suggestion was that the Sheriff's office reallocate unspent COVID-19 funding but did not recommend funding from the JAG pot. Reduced funding was recommended for the Municipal Traffic Court and the Domestic Violence Monitoring Court. Full funding was recommended for GROWW and Teen Court but the staff regretfully could not recommend funding Gun Court but suggested that in future the council request City Council to fund GROWW with general fund money so that more

grant funds could be freed for innovative programs of the kind. The adoption of the staff recommendations as an omnibus was motioned by Superintendent Shaun Ferguson and seconded by Melanie Thalia. These recommendations were adopted with ten yay votes and five abstentions.

Nathaniel Weaver presented on the Criminal Justice Performance Index, following a priority setting exercise undertaken by the Council to establish a set of metrics to assess the effectiveness of the criminal justice system as a whole organized around cardinal values of effectiveness, efficiency, community centeredness and fairness & due process. These metrics were first presented in late 2018 but the council deferred their adoption to the completion of the 2019 strategic planning process, which led to the adoption of additional community centered metrics including “victim or family members connected to mental health services,” on the whole the priorities reflected the original metrics fairly well. Upon adoption the process would begin with the gathering of baseline statistics, then follow to the setting of targets and eventually the publication of these metrics in a set of dashboards.

A motion was sought for the adoption of the performance index, so moved by Charles West and seconded by Judge Anderson, passed by voice vote.

VIII. Selection of Co-Vice Chair and Steering Committee

Commissioner Stevens recommended the candidates appointed for 2020 (Karen Herman, Arthur Morrell, Melanie Thalia) be retained for 2021 since the appointees to these positions could not fulfill their rolls on account of the additional demand created by the emergency. So moved by City Attorney Sunni LeBeouf and seconded by Judge Anderson, carried by voice vote.

XI. Councilmember Updates

Candice Anderson reminded the Council of the election of Ranord Darensburg and Clint Smith as judges of the Juvenile Court.

X. Closing Remarks/ Adjournment

Commissioner Stevens congratulated District Attorney Jason Williams on his election and continued role in the council.

Dismissal

Commissioner Stevens sought a motion to dismiss. So moved by Derwyn Bunton and seconded by Karen Herma. The meeting dismissed in good order at 2:30.