

The
NPN
NEIGHBORHOODS

Trumpet

FREE

September 2010 Community Voices Orchestrating Change

SPECIAL
ADDITION



New Orleans Criminal Just'isnt RIGHT!

Letter From The Editor



are for violent felonies. Presently, New Orleans has the highest rate of detention of any urban jurisdiction in the country. The national average rate of detention is 2.58 prisoners in local jails per 1,000 residents. If New Orleans had an average rate of detention, it would have 851 prisoners, rather than 3,500. The current plan calls for increasing the capacity of the jail to 5,800. Increasing the number of beds in the jail would encourage police to arrest people for low-level offenses, such as municipal or traffic violations, these usually result in a ticket in most cities. The purpose for jails is to keep the public safe however we are locking up non-violent offenders who then lose jobs, housing and money and when they return to society are faced with the financial dilemma and become desperate with the potential of engaging in a criminal activity.



Dear New Orleanian,

You may be wondering why we are doing this "special edition" of The Trumpet Magazine and why your voice should be a part of the outcome of this decision.

In the aftermath of Katrina, neighborhoods were left out of the conversation about the recovery process and decisions were being made that would have a long term effect on our quality of life. So it is the same today with this decision on the expansion of the jail at

Tulane and Broad. No one is asking for your opinion but you are the persons whose family, friends and neighbors are affected. This is one of the most important decisions that we will make as it relates the future of criminal justice in the city of New Orleans. You will be the citizen who will have to pay to keep this jail in operation. As a city, we are currently questioning how to pay for streets, sustain playgrounds and find funding for health care. We are not just talking about the cost to build this building but there is also a cost for operation. Is this how you want your tax dollars spent?

The size of this new jail with an increased number of beds will overshadow all other criminal justice policies, from policing to prosecution to courts to defense. We are preparing to build the largest jail in America per capita, compared to other cities our size, and only about 2 percent of arrests in the city

In addition, a larger jail will be an almost insurmountable obstacle to fiscal recovery for decades, much as the enormous jail has been for past decades. Currently the city must pay \$22.39 a day to feed and care for each prisoner, regardless of why the person is in jail. If we focused on reducing the number of local detainees rather than increasing them, the city could save much-needed money. This is money that we have openly voiced should be prioritized for improving our parks and playground, streets, and neighborhoods as a whole.

It is our hope that the information on these pages pushes you into action, that you learn the impact that this social justice issue will have on future generation of New Orleanians. We want you to know that Neighborhoods Partnership Network has been and will continue to be committed to engaging and connecting people to all civic processes. We encourage you to be involved and call your city council and let them know that this is not the direction you want our city to move towards. Please feel free to contact me and other NPN staff at (504) 940-2207 or Timolynn@npnnola.com

Sincerely,

Timolynn Sams
Executive Director, NPN

What Are Orleans Parish We Thinking? Prison Project

This is where we are on the issue of the new Orleans Parish Jail: On July 1, 2010, Orleans Parish Sheriff Marlin Gusman's plan to build the new 5,832 bed Orleans Parish Prison approached its final procedural hurdle before obtaining building permits to begin construction on the mega jail project. Representatives of community groups made last-minute visits to the City Council members who would be deciding on the OPP land use application to speak with them about the negative impact a 5,832 bed jail would have on the city's finances, public safety, equal justice and on the city's movement toward better criminal justice practices.

On July 1st, the City Council met and passed the project's land use docket but delayed the start of the project by adding several provisos to the docket, one of which required the formation of a "working group" to be chaired by the First Deputy Mayor that will research and review relevant data and deliberate and submit recommendations on the "right size" jail for New Orleans.

The working group is a rather large body comprised of representatives from the city administration, the City Council, and senior members of the city's criminal justice establishment. Three nonprofit organizations are included in the group ostensibly to demonstrate inclusiveness and to represent the interests of the community at large. The working group has met once, on July 9th. At the time of this writing, there have been no further meetings scheduled.

The Orleans Parish prison has been a disgrace to the city for decades. A succession of stories of horror and human anguish have emanated from it dating back to the beginning of the 20th century. Currently it is the subject of a U.S. Department of Justice Civil Rights Division investigation. There is no question that New Orleans needs a new facility to replace the existing medieval complex where mainly the black, the poor and the unfortunate languish. Our objective should be here is to build a jail of optimal size for New Orleans, with the optimal size to be determined by research, data, best practices of similar cities, and common sense and the common desire for basic human rights.

Under OPP's existing per diem funding structure, there is a strong financial incentive to keep the jail full — or at least at a daily census that will support the cost of operations. We contend that this per diem funding is one of the factors that underlie NOPD's resistance to changing the retrograde practice of arresting, booking and detaining people for minor traffic violations and petty misdemeanors.



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In 2009 NOPD arrested 60,000 people. Fewer than 8,000, or only 13%, of those arrests were for felonies. Forty-two percent of the arrests were for traffic violations and violations of minor municipal ordinances. OPP's current capacity is 3,851 beds and the daily census hovers at around 3,400 inmates. In a state with the highest incarceration rate in the nation, Orleans Parish incarcerates more people per capita than any other parish in Louisiana. There is reason to expect that the building of a jail with a 5,832 bed capacity will lead to more arrests and detentions that tie up law enforcement and court resources while doing nothing to address the violent crime that is said to be at the top of the mayor's and police chief's agenda.

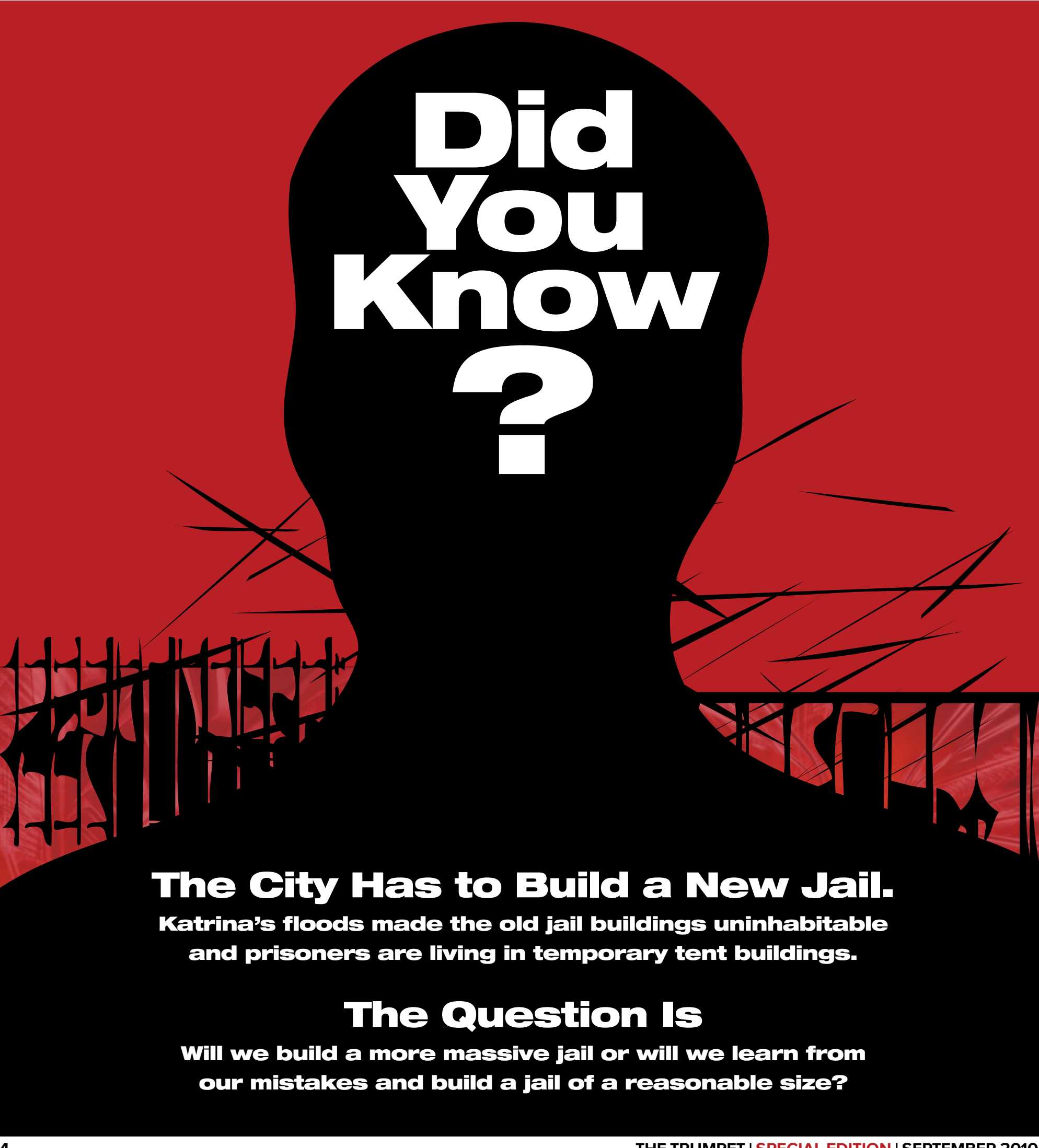
Fully one-third of New Orleans' city budget is allocated to the criminal justice apparatus. Sooner or later the question of whether this spending is producing the desired returns has to be asked.

Far from making the city safer, this decade-old police practice has strangled other essential components of a safe, healthy city and earned New Orleans a place among the top 5 cities in the nation in murder by gunshot and violent crime.

Members of the administration, the Council and the criminal justice establishment have said publically that the policy of arresting 60,000 per year and having 3,000 of them locked up in the parish jail on any given day for offenses that, in many cities, do not even rise to the level of crimes, has proven to be a blunt instrument that is expensive and ineffective. While we have not heard any officials come forward thus far with an alternative crime reduction strategy, they do at least seem prepared to consider some alternatives. NOPD has been disgraced and its competence and professionalism have been called into question along with its integrity, which has historically been in question. We need to give them space to reassess their mission and transform themselves and not task them with making 60,000 arrests a year for the next 10 or 20 years.

The Department of Justice Civil Rights Division is in New Orleans right now assessing the NOPD and gathering information from the community for the drafting of a consent decree for direct oversight and reform of NOPD. This will complement their ongoing investigation of the jail.

We are poised on the brink of meaningful change in New Orleans' criminal justice system in our lifetime, positive change that might actually be sustained. This does not seem to be a moment to build an outsized jail at an enormous cost in dollars, lives and prestige of the city. In fact, if we build an even bigger jail we will be committing to decades of business as usual, or even worse than usual.



Did You Know ?

The City Has to Build a New Jail.

Katrina's floods made the old jail buildings uninhabitable and prisoners are living in temporary tent buildings.

The Question Is

Will we build a more massive jail or will we learn from our mistakes and build a jail of a reasonable size?

MASSIVE

Expensive & Not Making Us Safe

Massive

There are 3,500 prisoners in the Orleans Parish Prison's multiple jail facilities. No other city in the country incarcerates so many people per capita.

2,700 of those prisoners are "city prisoners." The rest have been sentenced to the state Department of Corrections but are being housed in the local jail.

The Sheriff's plans call for a 5,800 bed jail although he also says he does not intend to house more than 4,500 people.

Either way, we would be going from having the largest per capita jail in the country to having an even larger jail. We would be going in the wrong direction.

The 2,700 city prisoners represent the highest rate of incarceration of any urban jail in the country. New Orleans' rate of detention is 7.5/1,000 residents. The national average rate of detention is 2.58/1,000 residents. New Orleans presently incarcerates people at roughly three times the national average, and that is not counting any of the state or federal prisoners being held in the jail.

Expensive

Although FEMA will pay for the cost of building the jail, the cost of operating it for decades to come will fall on you. Why are we using that money for jail beds instead of health care, jobs, treatment for people with addiction or mental health problems?

Those FEMA dollars could be used for building city facilities that support the community and prevent crime. The city owns many of the old jail buildings and can decide how that money is used.

The city pays \$22.39 for every person who is incarcerated for every day they are locked up. On top of that the city has to pay for their medical care.

This daily expenditure is lower than in most cities and it is certain to go up before the new jail is even built. The Department of Justice has threatened to sue the Sheriff and the city over conditions in the jail. Making those conditions right will cost the city more money per prisoner per day.

How can the city afford to pay more money per prisoner AND increase the number of prisoners?

It can't. The only solution is to build a smaller jail and use the savings to help individuals lead healthy, prosperous, crime-free lives. We all win.

Not Making Us Safe

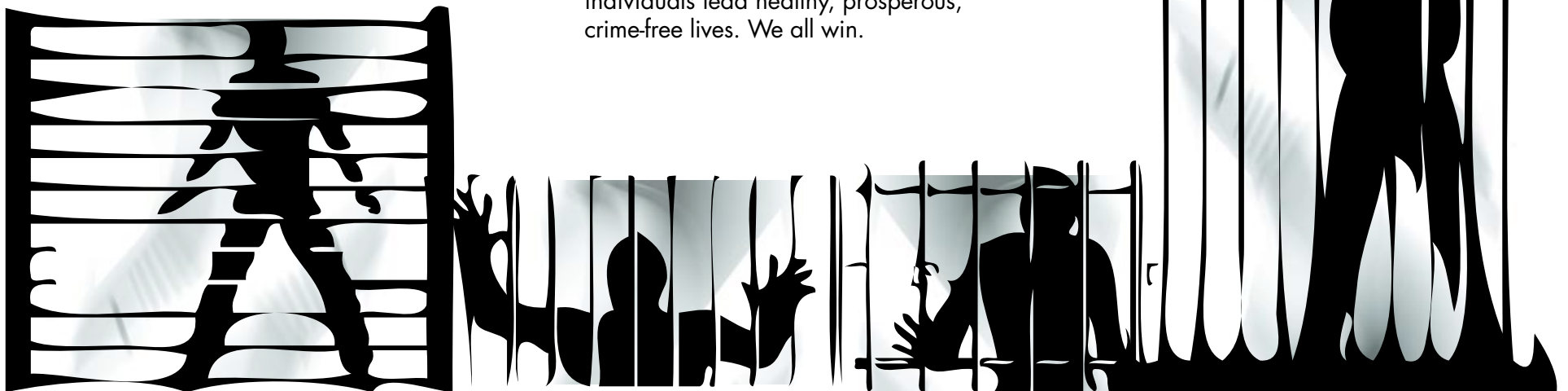
We keep locking up more people than any other city but we keep having more violent crime than any other city. What are we doing wrong?

Eighty percent of the people we lock up in jail are there for minor and nonviolent crimes.

We spend so much time and money arresting and incarcerating people for minor offenses that there is little left to prevent and punish violent criminals.

And there is almost no money left for good schools, good hospitals and health clinics, good roads, and good recreation programs for our kids.

We can be safer and healthier if we invest in something other than more and more jail beds.



Who Do We Lock Up?

More Than 1% of New Orleans' Population Lives in the Jail

That's 3,500 People



Little Girls Watch As

Mom's Arrested For Six Year Old Traffic Ticket

T.J. was driving to pick up some seafood for a family dinner with her five-year old daughter, her three-year old niece and her sister, who was eight months pregnant, one Friday afternoon a few months ago. They didn't make it to the store.

Instead T.J. was pulled over by NOPD for no reason as far as she could tell. The officers ran her license and her sister's and both had traffic attachments from six years ago. Though neither of them had ever been arrested on any criminal charge, the officers insisted that they had to arrest both T.J. and her sister and take them down to Orleans Parish Prison (OPP).

T.J. had to call her mother to leave work and drive from Jefferson Parish to pick up the little girls, who watched as their mothers were arrested and taken away by the officers. When they eventually arrived at the jail, T.J. and her sister sat in central lockup for over 12 hours. Talking with the other women in central lock up, T.J. realized that the vast majority of the women who were being booked into the jail were there because of some sort of traffic violation.



TJ's and her sister's arrests help to explain how a city that books into the jail about 1 out of every 100 people remains one of the most violent and crime-ridden cities in the U.S. The majority of the estimated 36,000 people who are booked into the jail have not committed any violent crime. Nearly half of the estimated 3,500 people who are being held in the jail on any given day have not committed any violent crime, and in any other city, these people would probably not be in jail at all, or released on recognizance (ROR). In other words, the city could reduce the size of the jail with no risk to public safety.

Going to Jail Should Not Be A Death Sentence

But for seven men this year, it was just that. All the problems that DOJ cites in its report – from inadequate medical care to inadequate staffing – mean that the jail cannot keep people safe. For these seven men, those failures were fatal:

Richard Searce, a severely mentally ill man died of an apparent heart attack at the jail on January 19, 2010.

On March 29, 2010, two prisoners died at the jail. Chris Blevins was only 22 when he was stabbed in the chest by another prisoner at House of Detention. Shedrick Godfrey was only 48 when he died of a heart attack while working a community service detail.

The next month, on April 16, 2010, Michael Hitzman was put in an isolation cell at the Intake and Processing Center after he repeatedly asked deputies and medical personnel for medical attention. Michael was left in the cell for hours, where his calls for help went ignored and he ultimately hanged himself. He was only 31.

The following month, on May 3, 2010, David O'Neal, who had no

prior history of heart problems, died of an apparent heart attack. Mr. O'Neal was one of the many state prisoners OPP houses and he was due to be released this summer.

On July 18, 2010, Jose Nelson Reyes-Zelaya hanged himself in his cell at the jail. He was only 28. Jose was at the jail in the custody of Immigration and Customs Enforcement.

Tracy Barquet died in an isolation cell on the mental health floor of the jail on August 7, 2010, of an alleged seizure. Tracy was a healthy 25 year old with no history of mental illness or seizure.



C.S., a diabetic mother of two was arrested for allegedly using checks with insufficient funds in November of 2005 and was one of the first people to be held in Orleans Parish Prison upon its re-opening after Katrina. C.S. was held for three weeks until she was able to prove she already paid for the checks. In 2007, she was arrested inside her home and charged with drinking in public and disturbing the peace because police officers were angry that her daughter had called the police when she was trying to verbally discipline the child.

Say Goodbye to Your Constitutional Rights

The U.S. Department of Justice Civil Rights Division conducted on-site inspections at the New Orleans jail with expert consultants in corrections, use of force, custodial medical and mental health care, and sanitation. They interviewed administrative, security, medical, mental health, facilities management and training staff, and inmates. Before, during, and after their visits, they reviewed an extensive number of documents, including policies, procedures, incident reports, use of force reports, investigative reports, inmate grievances, disciplinary reports, unit logs, orientation materials, medical records, and staff training materials.

They released their findings last September by concluding that numerous conditions at the New Orleans jail violated the constitutional rights of inmates. In particular, they found that inmates confined at the jail are not adequately protected from harm, including physical harm from excessive use of force by staff and inmate-on-inmate violence. They also found that inmates do not receive adequate mental health care, including proper suicide prevention, and found specific deficiencies in medication management, and that the inmates face serious risks posed by inadequate environmental and sanitation conditions.

The following are illustrative examples taken directly from DOJ's report. To protect inmates' privacy, initials are used other than their own.



Officers Openly Engaging in Abusive Conduct

A.A. and B.B. were ordered into an empty holding cell on the receiving docks. Once in the cell, an officer entered the cell and began hitting and repeatedly beating both inmates. A.A. was beaten in the face, chest, and stomach. After knocking A.A. to the ground, the officer continued to beat and drag A.A. on the floor before finally choking and threatening to kill him. The officer then began beating B.B. in the arm, chest, and stomach area. This incident lasted for more than 10 minutes while several other officers observed the beatings without intervening or reporting the abuse.

While lying on his bunk smoking a cigarette, an officer ordered C.C. to go outside to the security area, once there the officer ordered C.C. to fight. C.C. refused to fight the officer. The officer then slapped C.C. in the face, knocked him to the ground, and continued to punch him several times in the back. The officer then took C.C. to the bathroom and continued to beat him.



Lack of Investigative Policies & Procedures



Inmate-on-Inmate Assaults

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Inability to Keep Inmates Safe

L.L., a 57-year-old man, was sent to general population, even though he suffered from a brain disease affecting his mental capabilities. While in general population, he showed signs of memory loss but did not receive any mental health care or services. Five months after intake, he was finally seen by mental health staff and diagnosed with probable dementia.

A 43-year-old woman, stopped breathing while in restraints. Ten hours after intake she was placed in five-point restraints, even after she repeatedly complained of asthma and breathing distress. She did not receive physician or psychiatric care to determine if medication was acceptable. She was later pronounced dead.

M.M. was screened and sent to the segregation unit of the women's facility. Despite reporting that she had been taking psychotropic medication for depression and anxiety, the psychiatrist did not evaluate her for three weeks. Like other inmates she was allowed to keep her medications in her possession and self-administer them. She was not given appropriate instructions on their use nor was she monitored. M.M. reported that no one monitored her medication and that she took it when she thought she needed it.

P.P., a 43-year-old man, hanged himself with a telephone handset cord. He was referred to a psychiatrist but was never assessed.

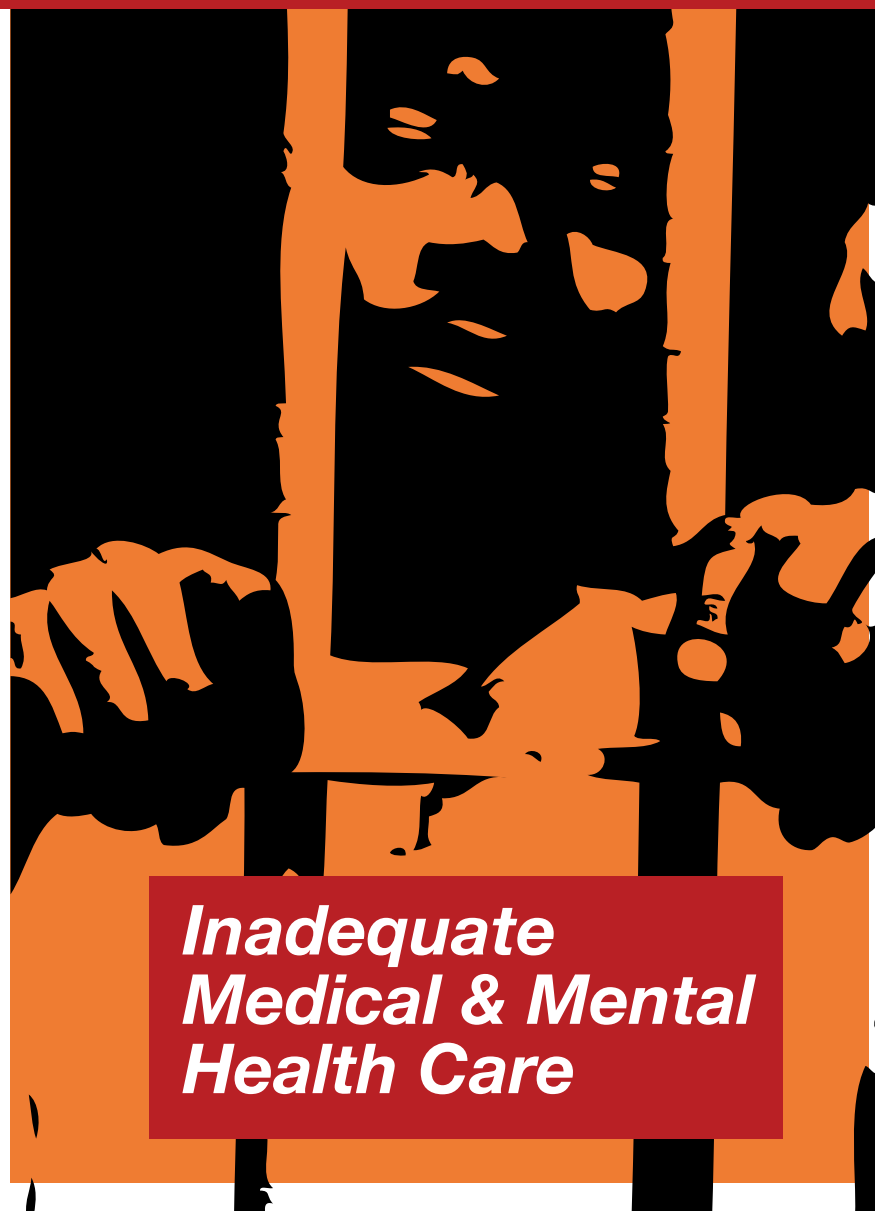
R.R. overdosed on his medication. He was rushed to the emergency room where it was discovered that he had ingested six antidepressant and four antipsychotic pills. His medication was not monitored nor was he provided with adequate instructions regarding his medication, including informing him of the harm in ingesting high amounts. When asked about overdosing on his medication, R.R. stated he missed his earlier doses, so decided to take all of his pills at one time to "catch-up."

An 18-year-old inmate housed in a ten-person cell with 10–13 other inmates, all of whom were older, was attacked and beaten. At least four inmates assaulted him before officers arrived. The inmate sustained a fractured jaw and loosened teeth from the beating.

A 50-year-old inmate, who was recently arrested for public intoxication, was housed in a cell with 15–17 other inmates. While in the cell, he was jumped by three inmates and sustained an eye injury and a head wound that required sutures.

An inmate who was charged with a misdemeanor domestic violence offense was beaten by another inmate. The inmate sustained a broken jaw and had to be taken to the emergency room for medical care.

Inadequate Staffing to Protect Inmates From Harm



Inadequate Medical & Mental Health Care



Recreation or Incarceration? Pay Now or Pay Later but, **YOU WILL PAY!**

Recreation or incarceration? We want kids in our recreation courts—the basketball courts, tennis courts, and volleyball courts—and not in the juvenile court system. My mom made every attempt to keep all six of her children very occupied as she would always state, “An idle mind is the devil’s workshop”. Seems like my mom knew what she was talking about because according to crime research, youth violent crime rates are highest during the hours between the end of the school day and dinner. Also, statistics demonstrate that youth violent crimes are more likely to occur during times when they are congregated in relatively large numbers like during the school hours and hours immediately after the close of the school day, while property and drug-related criminal activity among youth may be more affected by the degree to which their time is structured like during the school week versus on the weekend. Structured time and meaningful recreation activities help reduce the high cost of vandalism and youth criminal activity. It gives kids a safe place to go and channel their energy in positive directions. Integrated and accessible recreational services

and facilities are critical to the quality of life for all people, especially for disadvantaged individuals who otherwise do not have access to such activities through private country clubs and schools.

Author James Baldwin stated it best when he said, “These are all our children. We will all profit by, or pay for, whatever they become.” Our children in their desire to demonstrate their need for a human connection or relevancy, will do one or more of three things: (1) They will make something, (2) They will break something and/or (3) They will take something. As the state of Louisiana has become the greatest per capita incarcerator in the world, it is clear that we have not properly invested in our children and in the future. The question of whether to put more money into recreation or incarceration can only be answered by examining what outcomes we want in the future. If we want productive citizens with the skills to create the future and compete in the 21st century, then we will make the proper investments in education and recreation to ensure that outcome. However, if we want to continue the trends of increasing high school dropouts and escalating incarceration,

then we will continue to invest more in the jails and prisons than in education and recreation. Simply, the motto of “pay me now or pay me later” holds true here.

According to the Louisiana state budget passed in 2009, the Office of Juvenile Justice was budgeted for FY 09-10 \$53,569,722 to serve 465 youth resulting in a cost of \$115,204 per youth per year. On the other hand, according to EdWeek’s Quality Counts Report, including local, state, and federal funds, Louisiana spends on average \$9,787 per pupil. This is almost the national average of \$9,963 per pupil. Therefore we are spending over 10 times the amount of money per year to incarcerate our youth than to educate them. Anyone touring the facilities where youth are held in Louisiana would be amazed to find that the youth now have access to proper recreation and activity that he or she did not have when they were not incarcerated, when they were still in their communities. When there are no structured recreational development activities for our youth, they will take or break something thus landing them in facilities that cost us much more.

It is in our best interest to invest in them early and consistently.

According to the National Recreation and Park Association, recreation has personal, social, and economical benefits. Those benefits include but are not limited to:

Personal Benefits

Recreation and fitness activity contribute to a complete and meaningful life, by providing a balance between work and play. Our youth will see that there’s a time for work and a time for play, helping to develop the discipline needed for success. Recreation improves life satisfaction, quality of life, personal development and growth. Moreover, obesity is now at crisis levels in our communities as the children are becoming less active every year. Physical activity through recreation reduces the risk of stress-related disease, decreases obesity and helps people live longer.

Social Benefits

Recreating together builds strong families, which are the foundation of a stronger community. While youth crime is escalating, it has been shown

that recreation provides outlets for conflict resolution and dissipates aggression. Increased recreation reduces crime and delinquency as most crimes are committed during those after school hours when youth are unoccupied and bored. Growing up in New Orleans, I can attest to the fact that the attachment to a recreational facility, their programs and competitive organizations is the foundation for community pride. Still to this day, men and women argue with pride how good their park teams were and who beat whom. Many of us went to the same school but competed heroically against each other on Saturdays and during the summer representing our community playground. As our city becomes more diverse, it should be noted that community recreation enhances ethnic and cultural understanding, harmony, and tolerance. I know young men of different races that didn’t live in my neighborhood or attend my schools, but we know and respect each other because we competed via recreation.

Economical Benefits

With economics, as I have demonstrated, it is a “pay now or pay more later situation”! It makes sense to invest in parks and recreation as a preventative health strategy, because outlets for physical activity reduce health care costs and create a more productive workforce. Recreation services help motivate relocation and expansion in our community as people will locate where their children can have a full quality of life. Why live in one part of town and have to travel to the other side of town to have equal recreation facilities and programs. If we are going to rebuild our communities with enhanced land and property values, recreation must be at the center of the discussion.

Someone once said that it is easier to build a boy than to repair a man. We must get in the business of building our little boys and girls so that we won’t have to incarcerate and repair them later. Throwing more money into the criminal justice system may be politically expedient but it is morally and socially bankrupt and corrupt. Let’s give our children every opportunity to develop into complete and functional citizens adding to the community rather than taking from it. Let’s invest in our children. Invest in recreation!

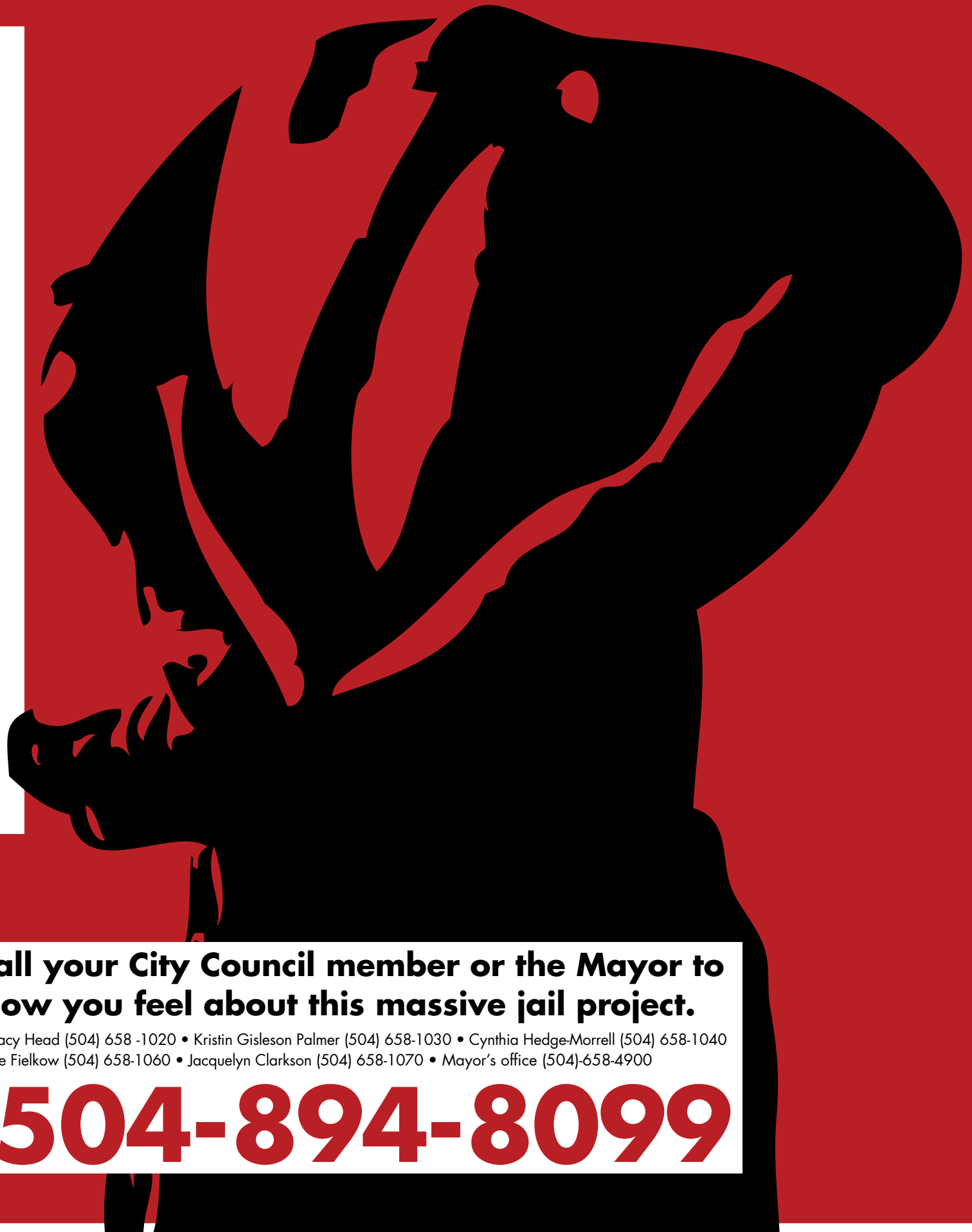


How Do You Want Your Taxpayer Dollars Spent To Rebuild Our City?

FACT: There are currently 3,500 inmates in the Orleans Parish Prison (OPP), 2,700 of whom are "city prisoners." This represents the highest rate of detention of any urban jail in the country, and three times the national average. A jail in New Orleans that was aligned with the national detention rate would have approximately 850 beds.

FACT: The Sheriff's plans to rebuild OPP call for a 5,800 bed parish prison, despite the fact that the overwhelming majority of people at OPP are in for non-violent, municipal, or traffic offenses that could be diverted, for a major cost-savings to the taxpayer and city government.

FACT: While the cost to build the jail will fall mostly on FEMA, these funds could be spent on building other needed facilities, like substance abuse or mental health treatment centers. The cost of operating the jail will fall entirely on the city government, at a cost of \$22.39 per day for every individual held.



Get involved! Call your City Council member or the Mayor to let them know how you feel about this massive jail project.

Susan G. Guidry (504) 658-1010 • Stacy Head (504) 658-1020 • Kristin Gisleson Palmer (504) 658-1030 • Cynthia Hedge-Morrell (504) 658-1040
Jon D. Johnson (504) 658-1050 • Arnie Fielkow (504) 658-1060 • Jacquelyn Clarkson (504) 658-1070 • Mayor's office (504)-658-4900

Or for more information call

504-894-8099