

1) **“No Light. No Nothing.” Inside Louisiana’s Harshest Juvenile Lockup | 03.10.2022**

- <https://www.themarshallproject.org/2022/03/10/no-light-no-nothing-inside-louisiana-s-harshest-juvenile-lockup>

Shackles and Solitary: Inside Louisiana’s Harshest Juvenile Lockup

- <https://www.propublica.org/article/shackles-and-solitary-inside-louisianas-harshest-juvenile-lockup>

2) **Solitary Confinement Harms Teens. Louisiana Lawmakers Took a Step to Limit It. | 04.28.2022**

- <https://www.themarshallproject.org/2022/04/28/solitary-confinement-harms-teens-louisiana-lawmakers-took-a-step-to-limit-it>

3) **Shackles and solitary: The Louisiana juvenile facility ‘opened in a shroud of secrecy’ | 03.10.2022**

- <https://www.nbcnews.com/now/video/shackles-and-solitary-the-louisiana-juvenile-facility-opened-in-a-shroud-of-secrecy-135015493621>

4) **Louisiana Limits Solitary Confinement for Youth | 06.22.2022**

- <https://www.themarshallproject.org/2022/06/22/louisiana-limits-solitary-confinement-for-youth>

5) **Instagram: Inside Louisiana’s Harshest Juvenile Lockup | March 2022**

- <https://www.instagram.com/p/CbEGMrbgyNG/>

Supplemental - Online Event: Inside Louisiana’s Harshest Juvenile Lockup

- <https://www.propublica.org/events/inside-louisianas-harshest-juvenile-lockup>



“No Light. No Nothing.” Inside Louisiana’s Harshest Juvenile Lockup

Teens at the Acadiana Center for Youth at St. Martinville were held in solitary confinement around the clock, shackled with leg irons and deprived of an education. “This is child abuse,” one expert said.

BETH SCHWARTZAPFEL, THE MARSHALL PROJECT
ERIN EINHORN, NBC NEWS
and ANNIE WALDMAN, PROPUBLICA

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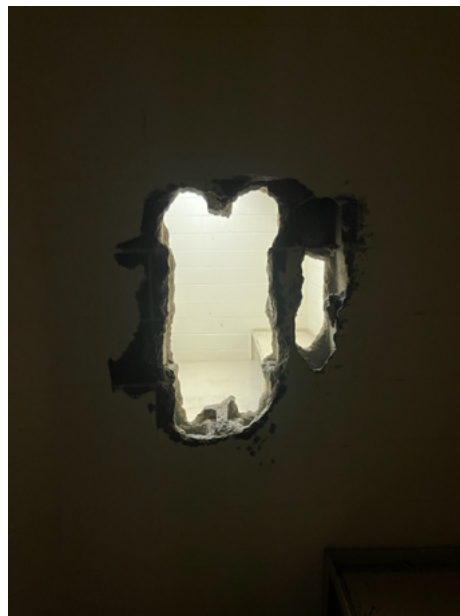
ST. MARTINVILLE, LA. Lawyers and a judge gathered in an East Baton Rouge juvenile courtroom last October for an update on a teenager detained after joyriding in a stolen car. The teen appeared on a screen, alongside a caseworker who stunned everyone by describing conditions in the lockup where he was held.

The 15-year-old was being kept in round-the-clock solitary confinement. He was getting no education, in violation of state and federal law, nor was he getting court-ordered substance abuse counseling, according to two defense attorneys present. And no one in the room that day — not the judge, not the prosecutor, not the defense lawyers — appeared to have heard of the facility where Louisiana’s Office of Juvenile Justice was holding him: the Acadiana Center for Youth at St. Martinville.

“It was as if a secret prison had been opened up,” one of the attorneys, Jack Harrison, said. “I could see on the judge’s face both shock and real anger — visceral anger.”

They had no idea how bad it was.

Scrambling to respond to a wave of violence and escapes from other juvenile facilities, state officials quietly opened the high-security lockup last summer to regain control of the most troubled teens in their care. Instead, they created a powder keg, according to dozens of interviews, photos, video footage, hundreds of pages of incident reports, emergency response logs, emails and education records.



Photos taken by a then-staff member at St. Martinville show holes dug into cell walls. Youths detained there broke off ceiling light fixtures and used them to tunnel through the walls, according to the staffer and internal documents.

Though Louisiana policy considers solitary confinement for youths a rare last resort and many other states have placed strict limits on it because of the psychological harm it causes, teens in this facility, some with serious mental illness, were locked alone in their cells for at least 23 hours a day for weeks on end. They were shackled with handcuffs and leg irons when let out to shower, and given little more than meals slid through slots in their doors. Some teens took those brief moments of human contact to fling their feces and urine at the guards.

At least two of the teens in the facility harmed themselves so badly that they required medical attention. Some destroyed beds and shattered light fixtures, using the metal shards to hack holes in the cinder block walls large enough for them to escape.

OFFICE OF JUVENILE JUSTICE
CODE OF CONDUCT VIOLATION REPORT

ACY
 SM
 BCCY
 SCY
 SCYC

1. Name of Youth: [REDACTED]	2. CLIENT ID# [REDACTED]	3. Date of Incident: 1-20-22	4. Time of Incident: 7:10AM
5. Place of Incident: ACY SM	6. Job/School Assignment (Youth):	7. Housing Assignment (Youth): DELTA - POD	
8. Violation: PROPERTY DAMAGE		9. Violation Number: 7	
10. Was the violation a result of an IS video review? <input type="radio"/> YES <input checked="" type="radio"/> NO			
11. DESCRIPTION OF BEHAVIOR (Include all relevant information -- "usual youth behavior, staff witnesses, physical evidence & disposition, immediate action including the use of interventions"; use supplement if necessary) youth [REDACTED] BROKE CONCRETE center Blocks in his cell D-1 & escaped around 7:47pm on 1-19-22.			

A teen broke through the concrete wall of his cell and escaped, according to an incident report logged by staff on Jan. 20, 2022. LOUISIANA OFFICE OF JUVENILE JUSTICE

“I got frustrated with the whole situation and refused to go back in the pod because of being scared,” one guard wrote in an October incident report after a night spent listening to banging on the walls. Her supervisor, she wrote, advised her “to keep all doors closed secure in case they get out because it was only two female workers,” noting that he did not check the cells because he “did not have enough manpower to do it.”

On several occasions, guards responded to transgressions with violence, according to incident reports obtained through a public records request. Three slammed door hatches on teens’ hands. One struck a boy with his knee and fired pepper spray into a teen’s cell, leaving him coughing and vomiting.

“This is child abuse,” said Mark Soler, executive director at the Center for Children’s Law and Policy, a public interest group based in Washington, who previously served on a Louisiana task force reviewing care at the state’s juvenile facilities. “It’s outrageous that children should be held under conditions where they are locked in their room for most of the day and held in shackles when they exit. It is cruel to the children, and it is far outside accepted professional standards.”

Carmen Daugherty, the policy director at Youth First Initiative, an advocacy organization that seeks to end the incarceration of youth, called the conditions at St. Martinville “egregious.”

“It’s like you put all of the things that we talk about that are so wrong with our youth justice system and you put it in one facility,” she said.

The last two decades have brought enormous change to the U.S. juvenile justice system: Almost every state slashed the number of incarcerated young people by half or more, favoring probation, therapy and community programs for all but those who commit the most severe crimes. But as states lock up fewer children, many are struggling to care for the ones left behind, the most troubled among an already marginalized group that is disproportionately Black and facing complex psychological and social issues.

Some states have addressed these youths by “wrapping them pretty tight” with therapy, education and family involvement, said Candice Jones, former director of the juvenile justice department in Illinois. “The programs and services we’re providing them need to be the best.” (Jones now heads the Public Welfare Foundation, which provides funding to The Marshall Project.) But many states have fallen short. In recent years, the U.S. Department of Justice has investigated abuses in juvenile facilities in Texas, South Carolina and other places, including the overuse of solitary confinement and restraints, and insufficient rehabilitation and education.

“Story after story emerging from juvenile systems reveal that agencies around the country don’t have a good handle on how to manage their most challenging youth,” said Michele Deitch, a juvenile justice expert at the University of Texas at Austin. “They’re just throwing up their hands and saying, ‘We’ve exhausted our options. We just don’t know what to do.’”

Louisiana holds about 350 youths, more than 80% of whom are Black, in secure facilities; it has promised for decades to move its lockups toward a more therapeutic model. But like many states, it has failed to fully fund or commit to the new approach. That, combined with a debilitating staff turnover caused by low pay and dangerous conditions, has meant staff members haven’t been properly trained to prevent the violence and chaos that has erupted.

St. Martinville was designed to be a “transitional treatment unit” for “youth who demonstrated an inability or unwillingness to discontinue violent and aggressive acts,” said Office of Juvenile Justice spokeswoman Beth Touchet-Morgan.

Of the 31 teens who have been transferred to St. Martinville for behavioral reasons since it opened, 21 have “successfully” been returned to other facilities, she said. (Louisiana also sent more than 50 teens to St. Martinville for Covid quarantine.) Touchet-Morgan said that while the staff works to minimize situations requiring physical interventions, they may be necessary to ensure safety. She did not comment on specific altercations, but said the department reviews incidents and holds staff members accountable if they violate policy, subjecting them to disciplinary action and sometimes requiring additional training. The agency rejected reporters’ requests to tour the facility, and several staff members said they’d been instructed not to talk to the media.

Perry Stagg, the Office of Juvenile Justice’s assistant secretary, confirmed that St. Martinville did not initially provide education, but denied the accounts from teens and their lawyers that those detained had been confined all day and shackled when they left their cells. The agency’s policy, he said, is to keep youths unrestrained when they are out of their cells unless they are acting violent or disruptive. Stagg said St. Martinville has been providing substance abuse counseling and recreation and suggested that the teens who said that they were denied those services were either lying or had opted out.

“It’s up to the child to participate,” he said. “We can’t force them to participate, but it’s absolutely available.”

Conditions have improved in recent months, with some — but not all — teens now allowed out of their cells during the day, and math and English instruction now being offered. But the facility is still providing less education than the law requires, and youths are still being shackled when they leave the common area in front of their cells, according to state records, teens and their families and attorneys.

The young people locked up in St. Martinville have committed serious crimes. The eight whose stories were shared with ProPublica, The Marshall Project and NBC News include boys who had stolen cars and guns and escaped from multiple lockups. One teen broke a guard's arm in a fight at a previous facility.

But unlike at adult prisons, the goal of the juvenile justice system is not to punish youths for violating the law but to help them go on to lead productive lives. This is especially significant, experts and advocates say, given that Black youths are already overrepresented at every step of the criminal justice process.

"These are still kids," said Amy Borrer, an analyst at the Gault Center, a juvenile justice nonprofit. "They're scared, they're mad, they're confused, they're away from their homes. And if anybody knows how to deal with them, it should be a department of juvenile justice. That's why they exist. That's their job."

Known as the lockup capital of the world, Louisiana has relied heavily on solitary confinement for both adults and teens. Officials have long understood that the state needs to move away from discredited methods of punitive juvenile detention; in the late 1990s, the Justice Department sued the state, noting concerns that ranged from physical abuse to excessive use of handcuffs and solitary confinement.

The federal government dismissed the suit in 2006 after a series of reforms and the promise of others. But the rollout was hampered by aggressive budget cuts, and the department is still having a hard time recruiting correctional workers, who start at less than \$27,000 a year. Hiring has been so difficult that staffers don't get the necessary training to work with deeply troubled youths and soon leave, experts and local officials said. The result is that, although the state has come a long way since detained teens were showing up at hospitals with broken fingers and jaws, its detention centers have logged hundreds of fights each year. Pandemic-related lockdowns and isolation further strained resources and frayed nerves.

State officials once again came under scrutiny last year following the 2019 suicides of two teens held in solitary confinement at a youth facility in Ware, Louisiana. A legislative committee in May asked its auditor to investigate the use of solitary in state facilities; that investigation has not yet been completed.

Current state policy caps the use of solitary confinement at 12 hours at a time in most cases, and seven days for "highly disruptive" behavior. The American Medical Association, the American Academy of Pediatrics and the United Nations have all condemned the practice of isolating young people as deeply harmful, leading to depression, anxiety and psychosis. Studies show the majority of kids who die by suicide in lockup are, or recently were, in isolation.

At least 24 states and the federal government have placed strict limits on the use of solitary confinement for young people. The U.S. Department of Justice has intervened in at least a dozen cases involving state and local juvenile justice agencies in the last decade to make clear that overuse of solitary confinement for youths is unconstitutional.

And yet, when Louisiana's Office of Juvenile Justice faced a crisis last year, it fell back on isolation.

In May, youths at the Swanson Center for Youth in Monroe, Louisiana, overtook guards and gained control of the facility. The next month, teens barricaded themselves

at Swanson, all but destroying it. Officials needed a place to put the state's most challenging teens — and fast, so Bill Sommers, the agency's deputy secretary, said he approached Gov. John Bel Edwards about opening a new facility. While home-like dormitory settings are considered best practice for juvenile detention, the agency leased a 24-cell jail from the St. Martin Parish sheriff where teens could be held in individual cells, according to internal emails.

"We have some youth in our care that are not therapy-ready and are not wanting to go down the same path as others and we don't have the facilities nor the manpower to hold them in those dormitory settings," Sommers told a juvenile justice commission last year. "St. Martinville was born out of necessity."

The state signed a contract with the sheriff on July 26 and began moving in teens shortly after. While the Louisiana Department of Children and Family Services inspects and licenses juvenile group homes and detention facilities where youths are held when they're first accused of crimes, only the Office of Juvenile Justice has authority over secure care facilities like St. Martinville where teens are placed after they've been sentenced. A legislative task force described this "glaring gap in oversight" in 2019, recommending that an outside agency inspect the facilities. But nothing has changed.

Stagg, the Office of Juvenile Justice's assistant secretary, said the facility was intended as a temporary fix until a new, more secure area at Swanson is completed next year. "If we can get them to a more isolated setting, it allows us to separate these kids, offer individual services, work with them one-on-one, provide mentoring, build relationships and try to work with them to get them to a place where we can put them back in a general population setting where they can participate and not be disruptive," he said.

There was no relationship-building in those first few months, according to youths at the facility, their lawyers, family members and a former staff member. "You're in your cell all day," said Rashad, who was 15 when he arrived at St. Martinville last summer after trying to escape another lockup, where he'd been sent after joyriding in a stolen car. He had only the thin sheet on his bed and the clothes he'd been issued, which did not include socks, he said. He had no books, no paper, no pencils.

"You have to have a strong mind," said Rashad, who is being identified by his middle name to protect his privacy. "You can't think about it. If you think about it, it will make you sad."

Experts say that treating kids like hardened criminals is inhumane and, in some cases, unconstitutional. It's also counterproductive, often leading to more bad behavior. As teens at St. Martinville began to destroy light fixtures and beds, officials cleared out the cells, a former staffer speaking on the condition of anonymity out of fear of repercussions for future jobs, said in an interview.

"These kids were in their cells with no beds on a concrete floor with a state-issued green mattress — flame retardant — a blanket and a sheet and nothing else. No light. No nothing," the former staffer said. "Feces were being thrown every single day, multiple times a day. Not a surface in those pods has not had feces on it."

In October, word of the conditions began to seep beyond St. Martinville's walls. In the East Baton Rouge court hearing, which was held to check on Rashad's progress, his lawyers and Judge Gail Grover were told he was being held in solitary confinement and wasn't receiving court-ordered services including educa-



Rebecca McDonald in her son's bedroom in Glenmora, La. The 16-year-old boy is being held at St. Martinville, where he told his mother, "I'm not getting any kind of mental stimulation ... I'm going crazy." BRYAN TARNOWSKI FOR NBC NEWS, THE MARSHALL PROJECT AND PROPUBLICA

tion, substance abuse counseling and prescribed medication. "My jaw dropped," said Peter Dudley, Rashad's lawyer. "You've got a child that we're supposed to be trying to rehabilitate. He's basically being housed like a death row inmate."

Grover declined to discuss specifics of the case because of laws requiring privacy in juvenile proceedings, but she did say it was the first time she'd held the juvenile justice agency in contempt of court for its treatment of a teen. She ordered Rashad's immediate release from state custody and told the agency to start providing education. "I give orders because I believe the young people need the services that I'm ordering," Grover said. "It should be complied with unless there's a reason."

Around the same time, the Louisiana Center for Children's Rights filed a complaint with the state education department about the lack of instruction in the facility three months after it opened. "It's a clear violation of the law," said Rachel Gassert, the organization's policy director. "To open a facility without making sure you have everything set up that you need to provide for kids is very concerning."

The state Department of Education, which oversees instruction in juvenile facilities, and the Louisiana Special School District, which provides services to children with disabilities in state facilities, said they didn't learn about the new facility until the fall, months after it opened. The special school district said it didn't begin providing services, as required by state and federal law, until Dec. 17.

"We were basically in emergency mode," Stagg said, about the lack of education originally offered. "That wasn't something we were just being negligent on. It took time to put together." When asked about the other issues raised in the contempt

hearing, Stagg said he didn't recall specific details, but said teens have been provided with all required services.

Even now, however, education still falls short of state law, which requires six hours of daily instruction. Attorneys and advocates who represent two teens who were held in St. Martinville this winter said one met his teacher just once, and the other had 45 minutes of online instruction per day. One waited two weeks before he saw a counselor. The other saw a counselor for half an hour a week.

Officials trying to bring education to St. Martinville have run up against staffing challenges in a tight labor market, Stagg said. His agency settled the education complaint in January, agreeing to hire an independent monitor to keep tabs on instruction and provide advocates with biweekly updates on their compliance with state and federal education law.

A mid-January update showed that a teacher had been providing two hours of in-person instruction a day in math and two hours in English Language Arts. But that ended when the teacher, an 84-year-old retired educator, went out on medical leave at the end of January; he has since died, and while the agency says it has made efforts to hire a new teacher, he had not been replaced as of last week. Recent education updates also noted that instruction has been limited by teens refusing to participate, staff shortages and technical glitches.

Family photographs of Rebecca McDonald's son, when he was younger. As of late February, the teen had been held in solitary confinement for at least a month, his mother said. BRYAN TARNOWSKI FOR NBC NEWS, THE MARSHALL PROJECT AND PROPUBLICA



The incident reports suggest that the use of solitary confinement eased toward the end of the year, but shackling and some isolation continued amid assaults and fights. A December incident sent a guard to the hospital bleeding from the head. Two teens escaped in January and two more in February. One managed to smuggle a gun into the facility. By late fall, teens were starting to attend classes, go outside for recreation and watch movies, according to incident reports and other internal documents.

But without meaningful treatment and engagement, the teens remained idle and frustrated, according to lawyers and parents. Rebecca McDonald's 16-year-old son is in state custody after being caught stealing a car. He bounced between juvenile lockups and residential facilities for the better part of a year and wound up in St. Martinville, where she said he told her: "I'm not getting any kind of mental stimulation. I can't even talk to you. I'm going crazy."

Over the winter, he was involved in an escape at St. Martinville that resulted in him facing new charges. After that, officials stopped letting him out of his cell, he said. As of late February, he had been held in solitary confinement for at least a month, according to his mother.

"He needs somewhere that can help him mentally, that can set him up with some schooling, that he can accomplish something. Not fend for yourself," McDonald said. "He's 16 years old, he's been in a lot of trouble. He needs someone to set him on the right path. ... If they don't teach them anything else, they won't learn anything else."

When asked about the conditions at St. Martinville, the governor's spokesperson, Christina Stephens, said that state agencies face the same staffing struggles that other employers do, "and it becomes even more challenging in this case because of the difficulty of the task at hand." The governor is "concerned about the safety and treatment of the youth who are there and the staff that run the facility," she said.



An old baseball jersey belonging to Rebecca McDonald's son hangs in his empty bedroom in Glenmora, La. BRYAN TARNOWSKI FOR NBC NEWS, THE MARSHALL PROJECT AND PROPUBLICA

"Clearly these facilities are underresourced. They're undermanned," said state Rep. Royce Duplessis, a New Orleans Democrat who chairs the juvenile justice oversight commission. "We need to make sure the guards are paid and these are not facilities that kids want to tear up and jump on the guards and just be destructive."

Duplessis filed a bill last week that would restrict the use of solitary confinement in juvenile facilities to four hours at a time, require authorities to promptly notify the youth's parents and attorney and require the juvenile justice agency to track its use.

(Update: On June 16, Gov. Edwards signed a version of the bill into law, marking the first time that the state's lawmakers have put limits on solitary confinement for youth, advocates say. The measure, which will take effect Aug. 1, limits young people to no more than eight hours in isolation unless they continue to pose a physical threat to themselves or others, among other changes.)

There's no place for facilities like St. Martinville, argues Dayshawn, a mother from New Orleans whose teenage son spent weeks there last year. Diagnosed with bipolar disorder and treated in a psychiatric facility as a child, he was arrested at 13 for stealing a car. He spent years in juvenile lockups and was moved to St. Martinville after an escape attempt. "He needs therapy. He needs treatment," said Dayshawn, who is being identified by her middle name to protect her son's privacy. "You all are not giving him that. You're just locking him up."

She worries that Louisiana is setting her son up to commit more crimes.

"He is going to come back in the world and do the same thing."

Zinhle Essamuah of NBC News contributed reporting. lll

Solitary Confinement Harms Teens. Louisiana Lawmakers Took a Step to Limit It.

An investigation by The Marshall Project, NBC News and ProPublica found that youth in a Louisiana lockup were held in isolation around the clock for weeks.



A photo taken by a then-staff member at the Acadiana Center for Youth at St. Martinville shows holes dug into cell walls. Teens were locked alone behind solid steel doors, around-the-clock, for weeks a time.

NEWS | UPDATED 04.28.2022 5:15 p.m.

By **BETH SCHWARTZAPFEL**, THE MARSHALL PROJECT; **ERIN EINHORN**, NBC NEWS; and **ANNIE WALDMAN**, PROPUBLICA

This article was published in partnership with ProPublica and NBC News.

A bill that would place strict limits on the use of solitary confinement for youth in Louisiana unexpectedly advanced out of a legislative committee on Wednesday after legislators heard testimony from people who had been held in isolation as children.

Testimony during the hearing also included descriptions of conditions in a facility that was the subject of a [recent investigation](#) by The Marshall Project, NBC News and ProPublica. Teens at the Acadiana Center for Youth at St. Martinville were locked behind solid steel doors around-the-clock for weeks at a time, alone and frequently in the dark, and were handcuffed and shackled when they were allowed out to shower or make phone calls. Conditions were so punitive that one expert described them as [child abuse](#).

“The bottom line is that this is a terrible way to rehabilitate children,” testified Rachel Gassert, policy director at the [Louisiana Center for Children’s Rights](#). She cited the findings of the investigation as “a great illustration of why this bill is necessary.”

The state's Office of Juvenile Justice said that the facility was meant to provide additional support and security to its most troubled teens, but internal documents showed the harsh measures instead led to violence, property destruction and escapes.

After months of defending the treatment of teenagers at St. Martinville, the head of the juvenile justice office, Bill Sommers, publicly acknowledged to lawmakers for the first time that he was not satisfied with how the facility was being run. He also expressed support for the proposed legislation to limit the use of isolation in his facilities.

"The longer an individual is in solitary, the more they're likely to act out," he said. "I do believe in that correlation."

In Louisiana, current state policy allows a maximum of 12 hours of isolation in most cases, and seven days for "highly disruptive" behavior. Those policies are nonbinding and don't have the force of law, and even those limits stop short of what experts recommend. Most experts suggest that isolation should be used only until a young person calms down and is not a physical threat to themselves or others.

The new bill, which was introduced last month by State Rep. Royce Duplessis, a New Orleans Democrat, would make it illegal for the agency to use solitary confinement for young people for more than eight hours at a time. The bill would also require the state's juvenile justice agency to better track the use of isolation in its facilities and to notify parents when their children are placed in solitary.

"We're trying to keep the guards safe, we're trying to keep the juveniles safe," Duplessis told lawmakers on Wednesday, adding that the bill "puts some guardrails in place, which currently there are none."

Both the American Medical Association and the American Psychological Association have decried solitary confinement as a harmful, punitive practice, leading to depression and even psychosis. Research has found that more than half the kids in juvenile facilities who die by suicide are, or recently were, in isolation. Citing the harm the practice can cause, the federal government has banned the use of solitary confinement at its juvenile facilities, and at least 24 states have placed strict limits on its use.

"It turned me into an antisocial person," said Therrin Dew, 21, who said he did numerous stints in solitary confinement — one as long as six months — during the 5 1/2 years he spent in facilities including Louisiana's Swanson Center for Youth. "I was energetic and a free spirit once, but being in a cell that long, it kind of turned you against people."

The conditions were unsanitary, he said, noting that he was once isolated in a cell that had someone else's feces smeared on the wall.

"If you're in solitary confinement, you can't learn nothing but the way the bricks look around you."

Some lawmakers came into the hearing skeptical about the bill, Duplessis said. "There's a big push in the Legislature right now to make it safer," he said in an interview Thursday, referring to violence in the facilities. "By making it safer, in some people's eyes, that means increasing punishment."

State Rep. Debbie Villio, a Republican and former prosecutor from the New Orleans suburbs, raised concerns early in the hearing about a binding eight-hour limit, saying that young people's behavior should be handled on a case-by-case basis. But later

in the hearing, after testimony from Dew and others, she announced her support for advancing the bill.

“I can’t ignore what we’ve heard,” she said. “It sounds to me like there’s some serious issues that need to be addressed immediately.”

Among those issues is a debilitating staff shortage. Sommers testified that about a third of his agency’s positions are currently unfilled.

The bill ultimately won unanimous support from the House’s criminal justice committee and will now go to the full House.

Last year, legislators ordered an audit of the use of solitary confinement at youth lockups, after two teens died by suicide in isolation in the same week in 2019. That audit, released this week, found that the Office of Juvenile Justice routinely ignored its own policies on isolation, with 40% of confinements in 2019 and 2020 exceeding the maximum duration allowed at the time. The average duration of confinement was about six days, more than 14 times the national average as of October 2020. In one instance, a child was held in solitary confinement for three months straight.

“It’s unforgivable,” said Gina Womack, executive director of Families and Friends of Louisiana’s Incarcerated Children, which advocates for youth in detention. “A lot of our young people already have some mental health issues, and solitary just really exacerbates that.”

The audit also showed that Black youth were disproportionately held in isolation in state facilities, accounting for 94% of placements in solitary confinement, greater than the 82% of the children in state-run lockups who were Black.

St. Martinville was not included in the legislative auditor’s report because it opened in 2021. But the investigation from The Marshall Project, NBC News and ProPublica found that the conditions there were even more extreme than what the auditor found at other secure care facilities across the state. Youth in the facility were in solitary for weeks on end and weren’t provided education or other legally required services, such as substance abuse counseling.

Witnesses at the hearing told the committee that any time in solitary can be life-altering.

“I lost part of who I was as a human being,” Ronald Marshall, who was held in isolation for seven months as a young person in Louisiana decades ago, told the committee. “My need to feel safe. My need to feel loved. My need to feel in control of my life. It destroyed all of that.”



NBC NEWS NOW

Shackles and solitary: The Louisiana juvenile facility ‘opened in a shroud of secrecy’

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The Acadiana Center for Youth at St. Martinville is Louisiana’s newest juvenile lockup. An NBC News investigation in collaboration with ProPublica and The Marshall Project uncovered incident reports and accounts of children in solitary confinement around the clock, shackled with leg irons and deprived of an education.

March 10, 2022

<https://www.nbcnews.com/now/video/shackles-and-solitary-the-louisiana-juvenile-facility-opened-in-a-shroud-of-secrecy-135015493621>

TOTAL RUN TIME: 00:04:35

====SCRIPT====

A JUVENILE FACILITY IN LOUISIANA IS ACCUSED OF VIOLATING THE CIVIL RIGHTS OF MINORS. NOW, ADVOCATES AND FAMILIES ARE SPEAKING OUT...

((VIDEO: PETE DUDLEY — ATTORNEY FOR ST. MARTINVILLE DETAINEE)) he's basically being housed like a death row inmate.

**((VOICE OF REBECCA MCDONALD – MOTHER OF BEN, INCARCERATED JUVENILE))
UG – FEB. 22 Right now he’s been in 24 hour solitary**

NBC NEWS, PROPUBLICA AND THE MARSHALL PROJECT, CONDUCTED A FOUR-MONTH-LONG INVESTIGATION...INTO THE ACADIANA CENTER FOR YOUTH IN ST. MARTINVILLE

WHAT CRITICS CALL A “CHILD PRISON,” RUN BY LOUISIANA’S OFFICE OF JUVENILE JUSTICE, OR OJJ,...

((VIDEO: ZINHLE DRIVING THE CAR)) We’re told not many people have seen it so we will see how this goes.

((VOICE OF ZINHLE)) 4:09 So we're not able to see or?

((VOICE OF BOYD LEJEUNE)) No, no, I’m sorry. *sound of walking and door slam*

WE’VE NEVER BEEN INSIDE, BUT OBTAINED EXCLUSIVE VIDEO FROM A FORMER ST. MARTINVILLE STAFF-MEMBER **((NAT POP FROM THE VIDEO))**AND WHAT WE’VE HEARD...IS DISTURBING

**ACADIANA STAFF HIS NOSE IS BLEEDING, THERE’S BLOOD ALL OVER THE FLOOR.
[CUT] *BANGING NOISES***

ACCORDING TO OJJ INCIDENT REPORTS AND FIRST-HAND ACCOUNTS, THE 24-CELL JUVENILE FACILITY LOCKED YOUTH IN THEIR CELLS FOR 23 — OR, AT TIMES 24 — HOURS A DAY, SUBDUED TEENS WITH POLICE-STYLE MANEUVERS ...AND HELD MINORS IN SHACKLES, OR...WHAT THE FACILITY CALLS “LEG IRONS... OUTSIDE THEIR CELLS

ACCORDING TO THE OJJ MOST OF THE JUVENILES ARE BLACK.

ST. MARTINVILLE ALSO FAILED TO PROVIDE EDUCATION TO YOUTH FOR AT LEAST THREE MONTHS

THE ASSISTANT SECRETARY TO THE OJJ, EVEN ACKNOWLEDGED THIS...

**SOT PERRY STAGG – ASSISTANT SECRETARY, OFFICE OF JUVENILE JUSTICE:
We were working to get that established the entire time. That was not something that we were just being negligent on. // all the things that we are to provide them by law are on board now.**

THE OJJ HAS DENIED OTHER ALLEGATIONS BUT THOSE WHO'VE BEEN INSIDE...SAY CONDITIONS ARE UNACCEPTABLE. RASHAD...A BLACK 16-YEAR-OLD...IS ONE OF THEM. THIS IS HIS LAWYER.

((SOT PETE DUDLEY — ATTORNEY FOR ST. MARTINVILLE DETAINEE)) 11:31 I believe that the conditions under which he was being confined, violated his rights

WE'RE USING RASHAD'S MIDDLE NAME TO PROTECT HIS IDENTITY. HE WAS MOVED TO ST. MARTINVILLE LAST SUMMER.

((SOT PETE)) He was not receiving the substance abuse counseling that had been ordered by the court.

THE JUDGE IMMEDIATELY ORDERED HE BE REMOVED FROM THE FACILITY. BUT TODAY...

THERE ARE STILL YOUTH AT ST. MARTINVILLE...LIKE 16-YEAR-OLD BEN...THIS IS HIS BEDROOM...HE HASN'T BEEN IN IT FOR TWO YEARS...

VOICE OF BETH Schwartzapfel – STAFF WRITER, THE MARSHALL PROJECT)) 1:00 Do you have access to school right now?

((VOICE OF BEN — ST. MARTINVILLE DETAINEE)) No.

BEN WAS SENTENCED TO STATE CUSTODY IN 2020 AND MOVED TO ST. MARTINVILLE IN DECEMBER.

BETH 1:06 Even worksheets, nothing to do at all.

BEN: 1:10 Sometimes, like I only got 'em once.

BETH 1:12 you haven't seen any teachers there?

BEN No ma'am.

THESE DESCRIPTIONS OF THE TREATMENT OF THESE YOUTH VIOLATES SET STANDARDS FOR JUVENILE LOCK UP

BEN'S MOTHER, REBECCA MCDONALD SAYS SHE WAS NOT INFORMED HER SON HAD BEEN MOVED TO ST. MARTINVILLE FOR THREE WEEKS. WHEN SHE FINALLY HEARD HIS VOICE...

((SOT REBECCA)) GFX //JAN. 25 And he would be crying. And my son is not that type of person, so I knew something was up. // ((REBECCA UG 47)) 1:03 they treat them like dogs

LOUISIANA'S A ALSO SAYS THEY WERE *NOT* FORMALLY NOTIFIED ABOUT THE FACILITY....

((SOT: GINA WOMACK)) / 4:07 It was opened in a shroud of secrecy. UNTIL *ADVOCATES* RAISED THE ISSUE

THE OJJ DENIED MULTIPLE REQUESTS TO TOUR THE FACILITY AND DENIED ACCOUNTS OF: EXTENDED SOLITARY CONFINEMENT AND USE OF SHACKLES OUTSIDE OF CELLS. THE OJJ CALLED THE FACILITY A “TEMPORARY FIX” FOR YOUTH WHO ARE NOT QUOTE “THERAPY READY”

GFX: “TEMPORARY FIX” SOURCE: Justice Deputy Secretary Bill Sommers, 12/10/21

“THERAPY READY” SOURCE PERRY STAGG
((NAT POP)) THERAPY READY

SOT BILL SOMMERS – DECEMBER 10, 2021 - we don't have the facilities nor the manpower to hold them in those dormitory settings.

BUT, A FORMER ST. MARTINVILLE STAFF MEMBER, WHOSE IDENTITY HAS BEEN CONCEALED, DISAGREES, AND CALLED OUT HOW STAFF TREAT MINORS...

SOT ST. MARTINVILLE STAFF MEMBER 23:55 a lot of them lack basic respect. They treat those kids like crap one guy // got in trouble he for pepper spraying one of those //15:58 I really think that this facility is the worst possible thing as it runs now

THERE ARE AT LEAST 31 YOUTH WHO HAVE BEEN THROUGH THE FACILITY

ON AT LEAST TWO OCCASIONS IN ST. MARTINVILLE, YOUTH HARMED THEMSELVES... WITH MULTIPLE INSTANCES OF MINORS ESCAPING... ((SOURCE))

IN THE CASE OF RASHAD... HIS GUARDIAN REMAINS CONCERNED ABOUT HIS MENTAL-WELL BEING SINCE RELEASE... BEN REMAINS IN THE FACILITY, NOW FRACING NEW CHARGES HIS MOTHER, HOPING... FOR HIS RELEASE... OR TRANSFER.

SOT ANNIE UG. FEB 22 does he have aspirations you know beyond what he's... SOT REBECCA) ...he used to. I don't know if he still does.

END



Ronnie and Bridget Peterson at the grave of their 13-year-old son, Solan Peterson, who died by suicide while in solitary confinement in Louisiana's Ware Youth Center, a juvenile detention facility, in 2019. BRYAN TARNOWSKI FOR PROPUBLICA/NBC NEWS/THE MARSHALL PROJECT

Louisiana Limits Solitary Confinement for Youth

The governor signed the state's first law restricting isolation for youth after two suicides and an investigation by The Marshall Project, ProPublica and NBC News into harsh conditions in a new juvenile facility.

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By **BETH SCHWARTZAPFEL**, THE MARSHALL PROJECT; **ERIN EINHORN**, NBC NEWS; and **ANNIE WALDMAN**, PROPUBLICA

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Lawmakers in Louisiana passed new restrictions on the use of solitary confinement in juvenile facilities following an investigation by The Marshall Project, ProPublica and NBC News into harsh conditions in a youth lockup.

The law, which will go into effect Aug. 1, marks the first time that lawmakers in a state known as the world's incarceration capital have put limits on solitary confinement for youth, advocates say.

The news organizations' investigation found that in one of the state's facilities, the Acadiana Center for Youth at St. Martinville, boys as young as 14 were held in solitary

confinement virtually around-the-clock for weeks. The boys were forced to sleep on the floor in the dark and were shackled when they left their cells to shower. In this facility, which opened last summer, the teens received no education for months, in violation of state and federal law.

The conditions were so severe, one expert said, they amounted to “child abuse.”

St. Martinville opened despite an ongoing debate about the dangers of solitary confinement in Louisiana’s juvenile lockups, a controversy that began in 2019 after two teens in a different facility died by suicide in solitary confinement within 72 hours.

Rep. Royce Duplessis, a New Orleans Democrat and the bill’s sponsor, said he didn’t think the legislation would have been successful without reporting from NBC News, The Marshall Project and ProPublica, which brought crucial attention to the conditions in juvenile facilities.

“It showed the public, it showed legislators that some things were happening that nobody should be proud of,” Duplessis said. “It showed we need to make some changes.”

Advocates say the new law, signed by Democratic Gov. John Bel Edwards on June 16, will improve conditions at facilities like St. Martinville.

“I’m not expecting this to be a panacea, but the law makes a clear statement about what’s expected of them, and that is something that hasn’t been there before,” said Rachel Gassert, policy director at the Louisiana Center for Children’s Rights. “And unlike agency policy, it cannot be changed behind closed doors by political appointees.”

The new law places strict constraints on how the state juvenile justice agency can use solitary confinement, limiting young people to no more than eight hours in isolation unless they continue to pose a physical threat to themselves or others. The agency is also required — within the first hours of placing children in solitary confinement — to check on their mental health and to notify their parents or guardians. The law additionally compels the agency to better track and report the use of isolation in its facilities.

With the new law, Louisiana joins about one-third of states that have laws restricting the use of solitary confinement for youth. Many of the remaining states lack any policies limiting solitary confinement at all.

When Duplessis introduced the solitary confinement bill in March, he wasn’t confident it would win enough support to pass.

“This is Louisiana,” he said. “We have a history, a long history, of being punitive, and our history with respect to juvenile justice has not been a good one.”

When the bill came before a House committee in April, several Republican lawmakers initially expressed skepticism, raising concerns that the bill would tie the hands of juvenile justice authorities who have been dealing with escapes and violence at their facilities.

But after a hearing in which young people shared stories about the trauma they experienced in solitary confinement, the committee unanimously voted to advance the bill. It later passed both legislative houses by large margins after Bill Sommers, who leads the state’s juvenile justice agency, threw his support behind the measure.



Solan Peterson died by suicide while in solitary confinement at a Louisiana juvenile detention facility. Courtesy of the Peterson family

The House hearing took place just days after a legislative auditor released a report that found the state’s juvenile justice agency often violated its own rules on isolation, which allowed the state to hold youth in solitary confinement for up to seven days. In 2019 and 2020, about 40% of solitary confinements exceeded the maximum duration allowed under agency policies. The audit found that, on average, confinements lasted about six days — more than 14 times as long as the national average, as of October 2020.

The bill initially would have limited time in solitary to no more than four hours. But after legislative negotiations, it was amended to allow isolation for up to eight hours at a time and up to three stints in a row, for a maximum of 24 hours. During that time, a mental health professional must try to help the person in solitary calm down at least every hour, and staff must check on them every 10 minutes. The law also requires that the state provide young people in

solitary confinement with reading materials, access to sunlight and an opportunity to contact their parents or guardians and their attorneys.

The law does not apply to facilities that house youth who’ve only been accused of crimes, but not convicted. Those places — mostly run by local jurisdictions — are regulated by the state’s child welfare agency, which already has policies limiting solitary confinement.

The law covers youth prisons run by the state’s Office of Juvenile Justice, which isn’t subject to oversight by other agencies. But youth and their families will now be able to take the agency to court if it violates the law. “We finally have tools with which to hold them accountable, when previously we had none,” Duplessis said.

Medical experts and youth advocates have long decried the use of solitary confinement, saying it can lead to depression and, in some cases, psychosis. The practice is considered particularly harmful for youth, whose brains are still developing. The American Medical Association, the American Psychological Association and the United Nations have all condemned the practice. In 2016, the federal government banned solitary confinement for youth at its facilities, citing the harm that isolation can cause. More than half of suicides in juvenile lockups involve children who are, or recently were, in isolation, research has found.

One of the boys whose deaths prompted the recent debate about solitary confinement for children in Louisiana was Solan Peterson, 13. He was placed in solitary after his arrest in 2019 for allegedly setting toilet paper on fire in the bathroom at his middle school. Solan was in a private detention facility that holds minors accused of crimes. That facility would not be affected by the new law, but Solan’s father, Ronnie Peterson, applauded its passage as a positive development, though he said he would like to see solitary confinement abolished altogether. “It is encouraging. I think it’s a good step. I just don’t think it’s enough,” he said.

Lawmakers held hearings last year on the use of solitary confinement in juvenile facilities, ultimately ordering the auditor’s report. Despite that scrutiny, the state’s Office of Juvenile Justice last summer quietly opened St. Martinville. The new facility was set up to isolate teens in cells for weeks or months at a time.

Sommers initially defended the state's actions at St. Martinville, describing the facility as "born of necessity," in the wake of several high-profile, violent incidents at dormitory-style facilities as the agency struggled to find enough staff.

But during hearings for the new legislation, Sommers acknowledged the state needed to make changes to the way it handles solitary confinement.

"There is no doubt that we have a severe staffing shortage, but this is the right thing to do here," he told lawmakers.

D'Angelo Davis, 21, testified in the House in April that during the four years he spent in state juvenile facilities, staff typically used solitary confinement unfairly. Isolation provided none of the therapeutic or educational benefits that juvenile lockups are meant to provide, he said.

In a recent interview, Davis praised the passage of the bill, adding that it showed that lawmakers "actually care about what's going on with kids."

"Think about yourself inside of a four-wall box. You go days without showering, you barely eat the food they give you," he said of his experience. "Once you see yourself, you don't even look like yourself. You're a whole different person. ... It deteriorates you."

If you or someone you know needs help, here are a few resources:

- *Call the National Suicide Prevention Lifeline: 1-800-273-8255*
- *Text the Crisis Text Line from anywhere in the U.S. to reach a crisis counselor: 741741*



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Lafayette, Louisiana

marshallproj In a Louisiana juvenile courtroom last year, a caseworker stunned everyone. A 15-year-old, detained after joyriding in a stolen car, was being kept in #solitaryconfinement. He wasn't getting an education — in violation of the law — nor court-ordered substance abuse counseling, according to two defense attorneys.

And no one — not the judge, not the prosecutor, not the defense lawyers — appeared to have heard of the facility.

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