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Malcolm Jenkins and Demario Davis: Children shouldn't be punished for Louisiana's failings



A photo taken by Vinny Schiraldi, a youth justice expert, during a tour of the proposed youth unit at the Louisiana State Penitentiary at Angola shows an outdoor recreation area on the unit's grounds. Schiraldi testified as an expert witness on behalf of plaintiffs in a lawsuit seeking to halt the plan.

PROVIDED PHOTO

BY MALCOLM JENKINS AND DEMARIO DAVIS

Louisiana has failed the children in its care in Office of Juvenile Justice facilities and is planning to punish those children for its failings. The state's plan to move children to the Louisiana State Penitentiary at Angola will exacerbate the harms to those children and make Louisiana less safe.

The Office of Juvenile Justice has been holding children in unconscionable conditions.

Teenagers, including those with serious mental illness, have been held in solitary confinement for 23 hours a day for weeks at a time, let out of their cells only to shower, while shackled in handcuffs and leg irons. The children receive little to no education, treatment or other desperately needed services.

Parents who subjected their child to a fraction of the abuse these teens have faced in the hands of the state at OJJ would surely be deemed unfit, have their child removed from their care and be criminally charged. The state, though exposed for its abuses, is doubling down on its mistreatment of youth.

In response to OJJ's utter failure to meet its legal obligation to keep safe the children in its care, the state is proposing to move children to the former death-row housing unit at Angola. Angola is a notorious maximum-security adult prison located on the grounds of a former plantation where enslaved people — many kidnapped from the West African nation of Angola — were forced to labor for free for generations.

Who are the children at OJJ who could be sent to Angola? More than 80% of them are Black, despite only 33% of Louisiana's population being Black. More than 40% of the children are in OJJ custody for misdemeanors, probation violations or nonviolent felonies. One hundred percent are in a system that is obligated to uphold their rights and provide them real opportunities for rehabilitation.

And 100% of these children will be released to our communities relatively soon.

Children who are pulled into the juvenile or criminal legal systems, who do not receive the rehabilitation services the juvenile system purports to provide and who are treated like or held with adults are significantly more likely to be subjected to physical, mental and emotional abuse. They are more likely to drop out of school, be diagnosed with depression and other mental illnesses and struggle to reenter their communities and build stable and successful lives. Because of the neglect and abuse they face at the hands of the state, they are more likely to commit future crimes, often crimes of desperation.

The state's ill-conceived plan will undoubtedly further traumatize any child subjected to incarceration at Angola. It will serve only to make Louisiana less safe, as these children return to their families and communities after surviving months and years of abusive conditions while in state custody. These children, their families and our communities will suffer from and pay for the state's gross failings for years and generations to come.

Gov. John Bel Edwards and OJJ must immediately put an end to this plan to further harm the children in their custody. Instead, the state must commit to immediately changing the policies, protocols and culture of OJJ facilities. And if the state agency charged with caring for court-involved youth cannot keep children safe, those children should be returned to their families and communities and surrounded by supportive services dedicated to their success.

Louisiana's children and everyone in this state deserve so much more than what OJJ and the state are doing. Louisiana teens deserve safe and healthy childhoods, regardless of mistakes they make. On behalf of our children, our communities and our future, we must demand better from our state leaders.

Malcolm Jenkins, a former New Orleans Saint, is an activist, entrepreneur and co-founder of Players Coalition, a social justice nonprofit.

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