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Treating Kids like Kids: City Council Approves New Policing Protocols for Youth
Ordinance Creates Alternatives to Arrest

NEW ORLEANS, LA – Today, New Orleans City Council unanimously approved an ordinance to reduce the number of children who are unnecessarily pulled into the juvenile justice system.

The Policing Alternatives for Youth (PAY) ordinance, designed in collaboration with NOPD, creates a variety of responses to children engaged in minor misbehavior. Rather than arrest and transport every child to booking, police officers can issue a warning or summons depending on the severity of the offense and a child’s prior history.

“This is a policy we as a city can be proud of,” said Rachel Gassert, Policy Director at the Louisiana Center for Children’s Rights and part of the team that designed the ordinance. “Rather than criminalize children, we can now address normal adolescent misbehavior in age-appropriate ways in schools and at home. We’ll be treating kids like kids, and our entire community will benefit from it.”

Three out of every four children arrested in New Orleans are charged with an offense that involves neither violence nor a gun. Under the PAY ordinance, eleven of the least serious offenses – making up about 30% of juvenile arrests annually – could be eligible for an official warning instead of a custodial arrest. These include possessing marijuana, shoplifting small items, and getting into a fight at school – actions that, while not commendable, stem from normal adolescent risk-taking and boundary-testing.

Even if a child is never charged with or prosecuted for a crime, as often happens with minor offenses, a single arrest can significantly derail their life. Studies show that children who are arrested, even for low-level offenses, are more likely to drop out of school, re-offend in the future, and be arrested as an adult.

By keeping low-risk children out of the justice system, and allowing police officers to spend more time on serious crime, the new policy should improve both public safety and children’s lives.

The ordinance was also designed to address an astounding racial disparity: 95% of the children arrested in New Orleans last year were black.

This number suggests that black children are criminalized for minor misbehavior while white children who engage in similar behaviors are not. While it won’t eliminate this racial disparity, the PAY ordinance is an important step toward ensuring that all children in New Orleans are treated in age-appropriate ways.

The PAY ordinance is the result of a nearly three-year collaborative process that included the Louisiana Center for Children’s Rights, Councilmember Susan Guidry, NOPD, and the Mayor’s Office. The process was supported by a technical assistance grant from the National League of Cities, which today published a report on similar efforts in other cities across the country.

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