

# Ten Years and Still Fighting By Gina Womack

It was meant to be a support group, but once a group of families told their stories, it was confirmed that Louisiana was in need of reform. Harrowing stories were told of mothers crying because their quest to find help for sons (who had been disobedient after losing a father or a grandmother, or because they suffered from mental health issues and turned to the street); none was to be found.

Families are then told to turn those boys over to the system, and they would get them the help that they so desperately needed, but they only ended up locked in cages, beaten and bruised by the hands that were supposed to care for them. Or when grandmothers or aunts are left to care for a child only to be ostracized by other family members or their church because the child is now behind prison bars; coupled with learning that Louisiana Incarcerates children at an alarming rate far above the



FFLIC's rallies on the steps on Louisiana's capitol to provide support for Louisiana's Youth

national average. What are you supposed to do? These families knew, and they took action. They took their stories to the streets at our mock jazz funeral and into congressional committee rooms to hold their representatives accountable. The outcome: we have closed two prisons and turned another into a smaller regional facility that will care for and rehabilitate our children. It has been because of their willingness to come out time after time to carry signs, yell chants

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# Dismantling the School to Prison Pipeline By Damekia Morgan



FFLIC held a press conference on April 20th on the steps of the Capitol in Baton Rouge for the release of "Pushed Out"

Over the past few years, FFLIC members and staff have been engaged in a campaign to end school push outs by dismantling the School to Prison Pipeline. Since the inception of our campaign, our journey has been filled with many victories. This year alone we have released a report in partnership with the National Economic and Social Rights Initiative (NESRI), pushed for legislation to rewrite the state statue as it relates to discipline suspensions and expulsions (Senate Bill 628) as well as require certain classroom management trainings for teacher and school personnel (Senate Bill 527).

On afternoon of April 20th FFLIC held a press conference, where members and staff, along with ally organizations joined together on the steps of the Louisiana state capitol to say "NO MORE SCHOOL PUSH OUTS" as we urged state Legislators, the Board of Elementary and Secondary Education (BESE) and the Department of Education to choose positive behavior methods and approaches when addressing student behavior, and to released some of the findings from Pushed Out: Harsh Discipline in Louisiana Schools Denies the Right to Education (a report written by NESRI and FFLIC). Pushed Out

examines current policies and practices in New Orleans and Louisiana public schools that impact school climate, discipline and educational outcomes for student. The report analyzes suspensions and expulsion data, documents the perspectives of

students and parents and reveals the human rights crisis in Louisiana schools; as well as highlight some of the harsh discipline practices and disproportionate punishment of students of color that are used in Louisiana schools for minor infractions.

In the Louisiana State Constitution, the Preamble to Article 8 states that:

	FFLIC Awards
stages of human development, that are humane, just, and designed to promote excellence in order that every individual may be afforded an equal opportunity to develop to his full potential."	Taking Action and Confronting Power

We have found in our research that Louisiana is not living up to the state constitution as it relates to the human development of all students, and to creating just and humane environments that are designed to promote excellence. Two of the recommendations in the Pushed Out report encourage state legislators to support and pass two

bills during this (2010) legislative session; two bills that FFLIC organized to have filed and moved through the legislative process:

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### Lake Charles: Moving Forward By Connie Lewis

Change lives and educate your community about the INjustice system

Call Connie Lewis: 337-562-8503 or 337-562-85907 at the Lake Charles FFLIC office

Let's keep moving forward together for change.

justice reform.

FFLIC staff and a few members traveled to Baton Rouge to meet with Office of Juvenile Justice to begin a series of Parent Listening Meetings. These series of meetings were set up to hear the concerns of parents that have kids in secure facilities throughout Louisiana.

On March 7, Lake Charles members attended the Re-

Entry Symposium in Baton Rouge La. The symposium let folks know what new measures are being taken for prisoners who are re-entering our communities, as we have experienced firsthand, we know they have a new beginning and have to start from scratch. Shirley Johnson commented, "There is a need for more money to help these prisoners coming out of jail. The money is in the budget but not properly being allocated, funds need to be redirected.'

On April 16 and 17, a group of FFLIC members attended the Umjoa Celebration of the African American Child in New Orleans. Members ar-

FFLIC Lake Charles is continually moving forward for change and reform in the Juvenile Justice System. We have encountered many obstacles and stood together through the heartbreak and devastation we and our children endure every day.

Many of our FFLIC Lake Charles members are meeting these challenges by stepping up to them in leadership positions in the community by attending meeting in the area and reaching out to those in need. Thanks to all their hard work, we have had a very active chapter.

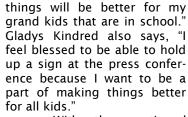
FFLIC Lake Charles has put on community meetings and presentations in order to educate the public on juvenile rived on Saturday night and were invited to lead the parade. They walked eight blocks to Palmer Park, where FFLIC had a booth set up and passed out information while selling buttons and t-shirts. The children were treated with a trip to the Audubon Aquarium of the Americas. A FFLIC member, Telisha



Mr. Vincent Haki and Debra Ramirez have a bite to eat at the March chapter meeting.

Curtis, said "I am so thankful that we were able to make this trip and to be a part of the Umoja Parade and visit the Aquarium."

April was the beginning of the legislative session. Staff and members have been going to the capitol in support of SB 628 and SB 527. Connie Lewis, the Lake Charles area Community Organizer said, "I feel so lucky to be a part of history made. I really feel that if our children receive positive behavior supports in class it will make students, teachers and parents much happier." About twenty members from the Lake Charles area attended the April 20 conference. Ms. Bobbie Austin said, "I feel very happy being a part of the press conference because helping push a bill helps me have hope that



With the continued love and support from our Lake Charles residents we will continue to grow, thrive and make change for our children and parents.



Members of FFLIC march in the Umoja Village Parade and day of celebration of the African American Child.

## **FFLIC's Partners**

FFLIC has partnered with these organizations who provide support allowing us to do the work we do. We would like to give a big thank you to our funders!

Baptist Community Ministry Marguerite Casey Fund Frances Lear Foundation Twenty First Century Ford Foundation Fund for Non-Violence Ms. Foundation United States Human Rights Fund Gulf Coast Fund The Audrey Irmas Foundation of Social Justice Threshold Foundation Youth Justice Funding Collaborative Linked Fate Fund for Justice

#### New Orleans: Together is Better by Mr. Johnson

The start of 2010 has been a busy and exciting time for FFLIC. We are pleased to welcome Mr. Johnson as the New Orleans area community organizer. He has been busy setting up New Orleans area events and building our membership: people who want to see changes in our juvenile care facilities, in our schools, and on our streets. Sarah Dunnagan has also joined FFLIC in the New Orleans office as an administrative assistant.

One of FFLIC's greatest successes so far in 2010 is the release of "Pushed Out: Harsh Discipline in Louisiana's Public Schools Denies the Right to Education". This report is authored by our very own Damekia Morgan and Elizabeth Sullivan of the National Economic and Social Rights Initiative (NESRI). On April 20<sup>th</sup> a group of 50 FFLIC members and friends rallied on the Capitol steps in Baton Rouge and chanted "Educate, don't incarcerate" and held signs illustrating the school to prison pipeline to marking the release of the report and offer suggestions to our legislators on what vital changes can be made.

FFLIC proudly stood behind our executive director, Gina Womack, in her resignation from Mayor Mitch Landrieu's New Orleans Police Department Task Force. Gina was initially pleased with the appointment of the task force to suggest candidates for the next New Orleans Police Chief. She attended the first meetings with great optimism that the voice of FFLIC was welcomed at the table. Soon she realized that the process did not allow for her or any member of the task force to give actual recommendations for New Orleans Chief of Police. She made many suggestions to chairpersons on how this process might be changed to provide more transparency and inclusion of their opinions. After consulting with the task force and members of our community, she and Norris Henderson of VOTE resigned.

FFLIC Members hold up signs made for the press conference on April 20th in front of the Capitol in Baton Rouge

Danatus King of NAACP had resigned the previous day, and Baty Landis of Silence is Violence has been asked to leave after posting these same concerns on her blogs website. When Gina and FFLIC are asked for their input, rest assured that you will get it.

Continuing our fight for juvenile justice reform, FFLIC has stayed in close touch with parents who are having problems reaching their kids and getting accurate reports of how they are doing. Injuries are being discovered on visitation day and kids say they are afraid to talk about them for fear of retaliation from staff and other youth. The Office of Juvenile Justice (OJJ) and its director, Dr. Mary Livers insist that reform is happening and conditions are safe. In April, we wrote a letter Dr. Livers, requesting a meeting with her to discuss the slow process of reform and why violence is on the rise inside our youth facilities. We have heard back from OJJ and are in the process of setting up a meeting date.

This summer, FFLIC will be sending members to the US Social Forum in Detroit for a week where partici-



Brandon Bigard and Damekia Morgan deliver copies of Push Out to the Louisiana House of

pants will build relationships, learn from each other's experiences and share analysis of the problems our com-

munities face. It will help develop leadership, vision and strategy needed to realize a just world.

This Easter, FFLIC was able to continue a new tradition that began last year by making and donating Easter baskets. A total of 60 baskets were assembled for youth in the community thanks to generous donations from bighearted community members. Each basket was packed to



Mr. Johnson and Romald McCoy hold up Easter baskets that were made by FFLIC members for kids in the community

the brim with books, stuffed animals, toys, activities and Easter grass that we will still be finding around the office for months to come. With a great effort from FFLIC and friends Easter was a special time to bring joy to many children.

Also FFLIC was delighted to attend a luncheon held by the Louisiana Equal Voice Institute sponsored by the Equal Voice for America's Families campaign of the Marguerite Casey Foundation. We shared our work on the school to prison pipeline and listened to other leaders in our community talk about their work and legislative priorities in healthcare, education, housing and criminal justice.

We are growing and thriving more than ever, and so is the need for the work that members, supporters, friends, family and staff all do! Come and join us!

To get involved with FFLIC's New Orleans Chapter, contact : Mr. Johnson (504) 522-5437 x239



## FFLIC Awards We have graciously accepted awards for our work towards Juvenile Justice Reform.

- Ms. Foundation Woman of Vision Award, Gina Womack
- Justice for Youth Award
- National Organization of Distinction Award from the Campaign for Youth Justice and National Juvenile Justice Network.
- The Effies 2009 Community Leadership Award

#### Ten Years and Still Fighting Dismantling the School to Prison Pipeline Continued from Front Page Continued from Front Page

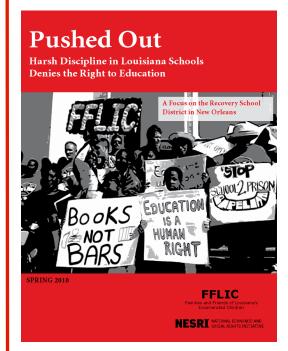
It has been because of their willingness to come out time after time to carry signs, yell chants and declare that "these are our children and we demand justice" that we have been able to help reform our indigent defender system and finally get some qualified attorneys that will provide an actual rigorous defense for their clients and meet minimum standards.

It is because these parents and families and allies continued to find the courage to come to meetings month after month and stare their legislatures and juvenile commissions in the eyes and hold them accountable that we are seeing positive behavior support programs being placed in our school system.

*Oh! But we are not done fighting.* We have come to learn that you have to be willing to work one day longer and harder until true reform is in place and justice is enjoyed by all!

You have to make this world a better place for them and their children. You have to fight for all those mothers and fathers who cannot fight for their children or themselves.

At this time we would like to thank those that have supported FFLIC over the past 10 years and invite others to join our cause. We need your voice in our continued work of holding systems accountable. By joining with FFLIC you will have the privilege to be a part of insisting that Justice, Dignity and Human Rights be shared by ALL people. SB628 (author Senator Ann Duplessis) which is relative to the discipline of pupils; to provide for implementation of a positive behavioral supports discipline system; to provide for disciplinary measures; to provide for the creation and implementation of a central administrative electronic tracking system; to provide for annual reports; to provide for expulsion hearings; to provide for infraction classifications and corrective strategies; and to provide for related matters. On the afternoon of April 22, 2010 at about 1:30 in the afternoon SB628 was heard before the senate edu-



cation committee.

FFLIC members, staff, community members and statewide advocates testified and put in cards in support of the bill. While there was plenty opposition against the bill, the department of education was in full support only adding a few technical amendments. It is because of FFLIC's effective organizing that SB628 did not just go away; instead of being deferred and halted SB628 was deferred and turned into a study resolution that will create a task force to study and ultimately redraft R.S. 17:416 to ensure that school discipline practices in the state of Louisiana help to increase graduation rates, improve school safety, and provide for fair and adequate due process.

The other bill is SB527 (Senator Sharon Weston Broome) which is relative to student behavior and discipline; to provide relative to the model master plan for improving behavior and discipline within schools; to require certain classroom management training (I.E. positive behavior support, conflict resolution, peer mediation, cultural competence, restorative justice practices, guidance & discipline and adolescent development) be provided to certain school personnel). On the morning of April 29, 2010 SB527 was heard before the senate education committee. FFLIC members and staff testified while community members and statewide advocates put in cards in

support of the bill. There was no opposition to the bill and only one technical amendment offered by the Louisiana Federation of Teachers. The bill passed unanimously out of the senate education committee. Shortly following, the bill was heard on the senate floor May 5<sup>th</sup> passed by 31yeas and 0 nays. On the morning of May 18, 2010, SB527 was heard before the House Education Committee passed favorably without no opposition or amendments. On this day the bill was also reported favorably (15yeas-0nays) to have the bill moved to Local and Consent (special thanks to Rep. Patricia Smith). When a bill is sent to Local and Consent that means it is a non-controversial bill, passed out of committee without opposition with a high probability of not being debated on the floor (in this case the House floor). SB527 is scheduled for floor debate on May 27, 2010. (Perhaps after Thursday the bill has successfully completed the legislative process and shall be enacted into law)

As we continue to move forward with our fight to dismantle the School to Prison pipeline we move forward with the hopes that next year during the legislative session we will have rewritten the state discipline statue so that it creates polices that will reduce the number of children being pushed out of school through unjustly suspensions, expulsion and school arrest; while at the same time increase the states graduation rate and improve the achievement gap. We know all too well at FFLIC that one of the keys to self-determination and self-actualization is education. Therefore in addition to fighting for Juve-nile Justice Reform it is imperative that we fight to keep ALL children in school receiving an education. Make every child's mistake a teachable moment!





Director, receives the Woman of Vision award from the Ms. Founda-

tion in 2009 in New York City

April 5, 2010

#### FFLIC to meet with OJJ

Continuing in the spirit of FFLIC's dedication to Juvenile Justice reform, we wrote a letter to the Office of Juvenile Justice to ask why reform is taking so long.

This letter was sent to OJJ Deputy Secretary, Dr. Mary Livers asking why conditions are still dangerous inside so Louisiana's secure care facilities and what is being done to see that are children locked inside are safe.

Dr. Mary L. Livers **Deputy Secretary** Louisiana Office of Juvenile Justice P.O. Box 66458 Audubon Station Baton Rouge, La. 70896

Dear Dr. Livers:

Our families are gravely concerned about the violence and short staffing of Swanson Center for Youth. According to parents we have spoken with kids have been involved in gang violence because of kids being from the north and kids being from the south. Also, parents have said this has happened between dormitories. Parents have expressed concern about not being notified when their children have received injuries, been involved in instances of violence and in one case were not notified when their child was transferred. We also have a parent who tells us their child refuses to come out of the mental health ward because he feels more safe there than in the dormitory.

What catches our attention is that these stories are reminiscent of conditions before Emanuel Narcisse's death at Bridge City Correctional Center for Youth in 2003.

Their stories are reflective of unacceptable shortfalls inside your facilities. In relation to Mr. Narcisse's death, ACT 1225 was passed. Governor Blanco said there is no more time for preparation and strategizing; reform was needed immediately. There has been the death of another youth, Andy Naccio, and seven years since reform was promised with ACT 1225. Families are devastated because they are losing their sons to the very system that was supposed to care for, rehabilitate and keep them safe.

We commend OJJ for their efforts with Bridge City and would like to see this spread. In the interest of keeping our youth safe and ensure true reform within OJJ facilities, we would like to again extend an offer to solidify a real working partnership. FFLIC is requesting a meeting with you and Director Carolyn Atkins of Swanson Center for Youth within the next 14 days to discuss what actions can be taken to help reform our youth before another loses their life.

During our meeting we would like to discuss the following issues:

What is being done to have better communication with parents? What is being done to address the immediate problem of staff shortages at Swanson? We are concerned that the lack of staff will lead to conditions that make our children unsafe. What type of curriculum do you have for non-violent youth being held in secure care? Will you honor your commitment to help FFLIC reach the parents to provide a support group for them, which can begin immediately?

Thank you very much for your immediate attention to our children's safety. We anticipate working together in the near future and would appreciate a follow-up by next week.

Sincerely, FFLIC

## Taking Action and Confronting Power



Trips to Baton Rouge are so exciting! The reasons we go there are to try to get bills passed, and tell out legislators how they should handle issues related to juvenile justice in our communities.

also We have tried to get places Jetson, a secure care juvenile fa-

cility closed. In Jetson children were not being treated well, and FFLIC wants to stop this.

FFLIC is for people whose children are incarcerated, are being abused in the system, are incarcerated for the wrong reasons, or if a parent feels that their child has been incarcerated for too long. Sometimes parents are part of FFLIC because they feel their child was sent far away and there is no way of seeing them. Parents also join when they feel their child's school is not treating them right and they are being punished for ridiculous reasons. That is what FFLIC is all about, parents supporting eacho other and advocating for their children; helping children instead of hurting them.

capitol is our way of

all

Going to the

letting our leaders FFLIC members head to the capitol to conknow we see what front their leaders and let them know what is going on in our changes need to be made.

communities over the state, and we want it to change. We also share ideas with other advocacy groups about what they are doing to change the way things are happening.

The hearings of different bills at the committee meetings can be long and tiresome but it is all worth it when we can make changes that make the future better for me and my friends. I have learned a lot from the trips and I love going to the capitol!



By Mirrisa Lebine, FFLIC Youth Member

## Parent's Advocacy Guide

This guide is a brief compilation of selections from FFLIC trainings and from "Making your Voice Heard: A Family Advocacy Handbook by JJPL

Getting through the first 2 steps: The Arrest and the 1<sup>st</sup> Detention Hearing

#### When a child is arrested:

- The Child Should Remain Silent-- Anything he says to anyone can and will be used against him. The only information he should give the police is his name, age and address. The law says that he does not have to explain anything to the cops, and even if he starts to, he can change his mind and stop talking. Children should NEVER give confessions or statements without talking to a lawyer first.
- **Parents should NEVER speak to cops about the case**-- Even if you think it will help your child's case, it may be used against you and your child in court. Also, it is not a good idea to let the cops search your home without a search warrant.
- Ask to speak to a lawyer—You and your child should NEVER give up the right to speak to a lawyer. Ask to speak to a lawyer right away and NEVER sign any papers before doing so. You can call the Juvenile Court to ask one of their lawyers to see your child or at least give you legal advice.

#### After the arrest, he will be brought to the Police Headquarters.

- There they will contact the parent, or you may contact them.
- A parent can go to the police headquarters and request release with a promise that the child will appear in court the next day. It is better to try to get the child released—once he is kept in detention, he is more likely to stay locked-up than to get community-based treatment.
- The Police will decide to either release or detain the child based on the seriousness of what he is accused of, his prior record and then officer's mood. Whether your child is released or not, the officer should tell you when to be in court. You and your child must show up to court on that day or they will issue a warrant for his arrest.

#### At the 1<sup>st</sup> detention hearing:

#### (Also called "72 Hour Hearing" or "Probable Cause Hearing")

- If the child is detained she MUST go in front of a judge within 72 hours.
  - Your child has the right to a lawyer at this hearing and should demand that the court appoint her one, if you cannot hire one. Court-appointed lawyers are called "Public Defenders", and you will be charged a one time fee of \$35 for this lawyer.
  - At this hearing, the judge is supposed to hear evidence to decide whether there is a "probable cause" to believe that the child committed the crime. If "probable cause" is not found, the child will be released. If probable cause is found, the judge has 3 options:
    - To release the child to the parent or other adult. This is called Release on your own Recognizance (ROR)
    - To set bail, so that you must pay to get your child released
    - To detain the child until the "arraignment"

#### TIPS

Do not stipulate to Probable Cause! Often, the public defender simply "stipulates" probable cause. This means they just agree to "probable cause" and move to the 3 options above. You <u>DON'T have to let them do that!</u> Find the lawyer and say, "My child does NOT want to stipulate a probate cause." Even if you come to court and fin that they already "stipulated" (in order to let the arresting officer leave), you have the right to tell the judge that you do not want to stipulate and request that the officer be brought back. If you do that, the judge should hold a hearing to get testimony from the officer and any other witness.

Better OUT than Detained! Even if you are angry at your child, do not ask the court t detain her!!! If your child is detained, it is much more likely that she will be found guilty and sent to a youth prison. And remember, whatever help you or your child need will NOT be given in prison – Prison will only make things worse. If you feel like you cannot have your child back in the house the way things are, ask the judge to impose a curfew for your child, or bring a relative or pastor to court, who is willing to watch her. Or you can find a program in your area that will help your child, and bring a letter from the program to court with you. The outcome of this hearing is very important – and no matter how you feel at the moment, you must try to avoid detention for your child.

# Being a Good Advocate

To be a good advocate means to fight for your child, to defend them and to assure that they get what they need. You should feel good about your role as your child's advocate! The following are some basic Tips to always keep in mind when advocating for your child.

- Stay Informed! Read all materials that have to do with your child's case or how the system works. Knowledge is power. The more you know about your child and their situation, the better you will be able to argue on their behalf.
- Ask Questions! Don't assume anything! Don't ever be afraid to ask.
- Listen Carefully! So much important information can be collected in a meeting with a counselor, a lawyer and while talking to your child! Take Notes!
- Get Names! Whenever you speak with someone, in person or over the phone, be sure to get their full name, their position and their phone number. Always introduce yourself.
- Keep Records & Document Everything! Start a folder where you keep all papers about your child (court documents, letters from LTI's, school reports, letters from your child, etc.) Also, keep track of all calls you make or receive; write down the date, who you spoke to and what they told you. Keep this info in the folder. It will come in handy -- documentation helps to keep people accountable to their words!
- Keep your cool! Be assertive, NOT aggressive! No one likes to be yelled at (even when they deserve it). We all know that we want someone to do something for us; we must treat them as we would want to be treated. A lot of situations in this process may make you angry and frustrated, but if you can take that anger and use it to be strong and clear in what you say (instead of attacking), you will have better results. Be a role model for your child.

## READY FOR SUMMER? GET BUG GUARD AND SKIN SO SOFT

It's *Summer Time*! Make sure you get your supplies to keep the bugs away and keep your skin covered from the sun!

It's always time to make sure children are not **locked in cages**, getting the **education** they deserve and can play in the sun too!

When you are preparing for summer, help FFLIC make a child's future brighter by supporting this summer fundraiser! Before you pack your bags and jet off for the summer, stock up on needed summer supplies. Visit our FFLIC AVON site: ginawomack.avonrepresentative.com/

Then click "Online Events"

Shop online and have it delivered to your home!

At check out please use code: fflic2010

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When you book these deals through our portal at <u>www.ytbtravel.com/fflic</u> the travel company donates a portion of the proceeds to FFLIC at *no cost to you*.

"Look Out! Here come the Red Shirts!"

Show your support for Louisiana's incarcerated children and wear your FFLIC T-Shirt!

Send \$15 by check or money order to:

#### Gina Womack FFLIC 1600 Oretha C. Haley Blvd New Orleans, LA 70113

Please write FFLIC T-Shirt in the memo field and the size you would like. Also include the address where you would like it sent.

If you live in New Orleans, just stop by and pay with cash or check at the front desk.

FFLIC has made an impact on policies and children and parents' lives across Louisiana. Be sure to have your red shirt and keep working with FFLIC to make life better for our kids.

#### FFLIC's Board of Directors

Candace Chambliss, Esq. Chairperson

Born in Chicago, IL, Candace Chambliss graduated from New York University and went on to earn a juris doctorate from Northwestern University School of Law in 2003. She has dedicated her professional life to providing quality legal defense to juveniles and adults charged with crimes and who cannot afford an attorney. She resides in New Orleans, LA

#### James Bell, Esq, Treasurer

Founder and Executive Director of the W. Haywood Burns Institute. Mr. Bell and his colleagues at the Burns Institute are working with systems and community stakeholders to reduce disproportionality of youth of color in the juvenile justice system in over 40 jurisdictions throughout the country. Mr. Bell also works closely with the Casey Foundation's JDAI jurisdictions and the MacArthur Foundation's Models for Change Initiative.

#### Norris Henderson, Secretary

Founder and Executive Director of VOTE and former SOROS Fellow, native of New Orleans, Norris has been involved in Criminal Justice reform for more than 30 years, 27 of which were served inside Louisiana's State Penitentiary in Angola.

#### **Flora Watson**

Co-Founder of FFLIC and Parent of a formerly incarcerated youth, Flora is also a Special Education Teacher in St. Bernard Parish.



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Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.

Margaret Mead



