



## Position Statement

Baton Rouge jails people at twice the rate of other American cities. On any given day, approximately 1,300 people are locked up in the East Baton Rouge Parish Prison (“Jail”). If Baton Rouge incarcerated people at the average pretrial incarceration rate, there would be only **686** people in the Jail.

Pretrial detention puts more people in jail for longer sentences and increasing their likelihood of recidivism.<sup>1</sup> East Baton Rouge Parish must invest in communities and implement policies that **reduce the current population of the jail** and **address harm**. This document provides concrete recommendations that Baton Rouge could implement to reduce the jail population and keep people from going inside. These recommendations are assembled from past reports as well as community input.

### Changes to the Courts

- **Create a Pretrial Services Program.** The jail population decreased during the COVID-19 pandemic. We can further support that downward trend by providing robust pretrial services such as lower bond amounts, court date reminders, and unsecured bonds. This program should be used for all misdemeanor offenses, rather than place these persons in jail. Connecting community members to resources can address their needs better than incarceration.<sup>2</sup> Any pretrial release program must be fully funded by the government and not the person released.
- Rather than incarcerate people in their homes with expensive and [often faulty](#) electronic monitors, **create connections between the individual and community-oriented services.** Additionally, focus on reducing revocations and returns to prison for minor technical violations.
- **Create an independent position that is solely dedicated to identifying persons kept in the jail through procedural and court errors.** This position is tasked with monitoring the daily jail list and identifying persons eligible for release. This position should be kept separate to ensure independence.

---

<sup>1</sup> <https://www.vera.org/downloads/publications/Justice-Denied-Evidence-Brief.pdf>

<sup>2</sup> <https://www.vera.org/downloads/publications/Justice-Denied-Evidence-Brief.pdf>

- **Create a Client Advocate Program for pretrial defendants during first appearance.** Pair these advocates with the individuals' court-appointed attorney to ensure the attorney has all the information they require to advocate for a lower bail.
- **Invest in Public Defender Parity.** Ensure that every person who needs public defense has access to adequate representation who can dedicate time and attention to their case.
- **Resume expedited arraignment from the time of arrest.** All people should be arraigned within 72 hours of arrest.
- **Establish Commissioners/Magistrate Court to set initial bonds.** A magistrate-type court to set initial bonds would further reduce the prison population by reducing administrative delays. Such a court could also receive en banc authority to take up the case of minor offenders still in jail awaiting court settings.
- **Continue to comply with the settlement agreement entered in [Ryan v. Smith](#) that requires judges set bail amounts based on a robust assessment of ability-to-pay, a Public Defender or private attorney at first appearance, meaningful bail hearings, and hearings within 48 hours of an individual's arrest.** These practices would ensure that people do not remain in jail without seeing a lawyer or getting their bond set.

#### **Invest in Effective Anti-Violence Programs**

- **Invest in youth advocate programs that support youth who have done criminal harms by building up connections between the youth and their community.** One example is the [Youth Advocate Program](#), which “works with thousands of families a year in more than 100 programs in rural, urban and suburban communities across the country” and “safely and successfully engages youth in the juvenile justice system across a wide-spectrum of needs with a singular focus: to safely maintain or reintegrate youth within their community by building their skills and positive connections to their families, schools and community.”
- **Work with community members to create or increase support existing violence interruption programs, such as TRUCE.** These initiatives disrupt gun violence and other forms of violence by deploying credible outreach works to mediate. For example, the [Cure Violence ENY program](#) is an initiative in East New York that employs this practice and emphasizes “preventative measures as opposed to punishment” to de-escalate violence before it occurs.

#### **Changes to Policing**

- **Establish a Law Enforcement Assisted Diversion Program.** This would encourage officers to divert persons to community-based resources that could address their needs rather than put them in jail.

- **Work with the District Attorney, Public Defender, Coroner’s Office, law enforcement, and service providers to identify and treat people with mental illnesses, substance use challenges, and public intoxication rather than process them criminally.** Divert people with these issues to community-based services so they can get adequate treatment. [Across the country](#), community members are testing [new programs](#) that train the community to intervene in public disturbances, public indecency, challenges with substance use, mental health, welfare, basic needs, or public health crises. Advocates have even created evidence-based [model statutes](#) for their behavioral health interventions.
  - **Help people with minor vehicle repairs, not arrest them. Create a program that allows police to provide repair vouchers** to fix broken taillights and other minor issues, rather than place people in the path of arrest for a pre-textual stop.
  - **Mend relationship between law enforcement and community members.**
-