



March 20, 2023

Catherine E. Lhamon
Assistant Secretary, Office of Civil Rights
Department of Education
400 Maryland Ave, SW
Washington, DC 20202

Re: Request for an Investigation of the Provision of General and Special Education for the Children in the Custody of the Office of Juvenile Justice (OJJ) While Imprisoned at Angola State Penitentiary and Other Secure Care Facilities.

Dear Ms. Lhamon,

We are writing to express our profound concern about the recent decision to move vulnerable students to Angola State Penitentiary. This misguided and unprecedented move raises a number of serious questions under state and federal law, the Individuals with Disabilities Education Act (IDEA), the Americans with Disabilities Act (ADA), and the Civil Rights Act of 1964. It is also entirely inconsistent with decades of juvenile justice and public safety best practices, years of investment in juvenile justice reform efforts, and our growing understanding of childhood development and safety.¹ We write today to request a thorough investigation into the rights of the children in OJJ custody who have been moved to Angola Penitentiary.

Additionally, we are requesting a broader investigation into the system of education in Louisiana for students in the most need of educational support. There is growing evidence that these children are not receiving the required educational services. Black children and their families are the most affected by these systemic failures and this reflects the alarming disparities within the juvenile justice system and the educational system.

Background

Teens in a Louisiana Juvenile Justice Facility Are Being Sent to Angola Prison. Experts Say It's Not Only Cruel, It Could Violate the Law



Angola Penitentiary encompasses twenty-eight square miles and is located on a former slave plantation in West Feliciana Parish. Larger than the island of Manhattan, the prison is surrounded by water on three sides and is situated in an isolated, rural portion of the state. It is the largest maximum-security facility in the United States, with over 5,000 incarcerated individuals.² In this little oversight. Angola Penitentiary has a deplorable record of human rights violations that spans decades and has endangered the lives of incarcerated adults and resulted in their deaths.³



location. In 2022, officials at Angola Penitentiary moved 600 incarcerated adults to another facility



rtqi tco 'uwo o ct { 'r t g x l q w u n { 'g p v k n g f "ö C e e f k p c 'E g p v g t 'h q t 'l q w j 'U 0 0 c t k n v i l l e T r a n s i t i o n a l V t g c v o g p v 'W p k ö " c p f 't g p c o g f "j g 'f q e w o g p v 'ö D t k f i g 'E k { 'E g p v g t 'h q t 'l q w j "c v 'Y g u v 'H e r k e k p c " V t c p u k l q p c n 'V t g c v o g p v 'W p k ö 'y k j "u q o g "c f f k l q p c n 'g f k u 0 ⁴ The twenty-one page document makes ten references to education and u k o r n { 'u v c y u "ö Educational services will be provided to all youth. Educational instruction will be determined based on each students needs for courses according to their graduation plan, learning plan and IEP requirements. Students/ youths who are enrolled in school, will complete assigned coursework via online learning with the assistance of a teacher/facilitator.ö¹⁵ The document lacks a plan for implementation and is woefully inadequate.

Repurposing a program outline from the St. Martinville detention center, a facility which routinely failed to provide consistent educational programming to detained youth and came under fire for holding youth in solitary confinement,¹⁶ indicates a lack of commitment by OJJ to provide consistent educational programming to the youth at Angola Penitentiary. Furthermore, j g "c w g o r v d { "j g "c i g p e { "q "t g d t c p f "j g "f g c y j "t q y 'h e k e k v { "c v 'C p i q r "R g p k g p v k t { "c u 'j g "ö D t k f i g " E k { 'E g p v g t 'h q t 'l q w j "c v 'Y g u v 'H e r k e k p c ö " k p f l e c v g u 'j g "c i g p e { "t g e q i p k g u "j g "n p i "j k u r t { "q h" abuse and neglect at Angola Penitentiary and is engaged in a public relations effort instead of developing a comprehensive plan to provide legally compliant programming.

These children are entitled to an education and an opportunity for rehabilitation guaranteed under state and federal law. It is the responsibility of OJJ, DOC, SSD, and LDE to ensure that these crucial services are delivered without interruption.

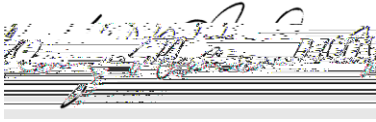


... convicted as adults, those exceptions do not apply to students who were adjudicated as juveniles and may be moved to an adult facility.³⁵ Ultimately, as the state education agency, the LDE bears responsibility for ensuring that all educational programs for children with disabilities comply with federal law.³⁶

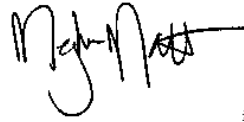
The Educational Needs of Students in OJJ Secure Facilities

The risks of educational neglect and deprivation are high for children in state custody. Without access to meaningful learning (c)7(t)9(hou)-24177(e)7(s)-6(s)-6(t)7(o m)-13(e)7(a)7(ni)7(ngfu)-20(l)7(l)7(e)7

**SP
LC**



Nancy Rosenbloom
Senior Litigation Advisor
ACLU National Prison Project



Meghan Matt, Staff Attorney
Alanah Odoms, Executive Director
Nora Ahmed, Legal Director
ACLU of Louisiana