

LIVE UNITED



United Way of
Southeast Louisiana

PUBLIC POLICY COMMITTEE

2016 Advocacy Legislative Agenda

“UNITED AGAINST POVERTY”

FACT SHEETS

WITH YOUR SUPPORT WE WILL Improve Access to Quality Education for Louisiana's Youngest Children

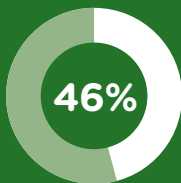
In 2012, the Louisiana Legislature passed Act 3, a law that required a complete reform of early care and education (ECE) for Louisiana's youngest children.

Deep funding cuts imperil this opportunity for progress, and pose new challenges to the state's workforce, its successful education reforms, and its opportunity to invest public dollars at a time of life when the return on investment is the highest.

Effects on Children

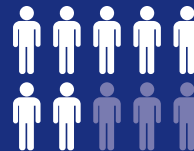


Only 1:8 at risk children below the age of 4 have access to public ECE programs

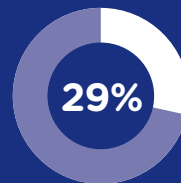


46% of Louisiana children start kindergarten already behind

Effects on the Workforce



7 in 10 children in Louisiana under age 5 have both parents in the workforce



29% employed parents experience child care breakdowns that result in absenteeism, tardiness, and lost productivity

Currently, Louisiana appropriates \$0 state general funds for children under the age of 4.

We need a \$208 million investment in ECE by 2020.

According to economists' estimates, \$208 million invested in Early Care and Education programs will save **\$1.5 billion** in reduced costs for special education, grade retention, public safety, etc.

\$208 million will result in:

- Quality upgrades for 30,000 children in existing ECE programs
- Double the access to state ECE programs for at-risk children under age 4
- Provide access for ALL of Louisiana's at-risk 4-year olds to high-quality Prekindergarten programs

Please see reverse side for the **READY LOUISIANA** Members

Quality early learning programs are important for children, families, and communities.

Louisiana currently appropriates only \$28 million of State General Funds to Early Care and Education (ECE). Given that the total current State General Fund budget is \$8.9 billion, this means that Louisiana appropriates **less than ½ of 1%** of its State General Funds to ECE and \$0 to ECE for children under age 4, despite evidence of extensive returns on ECE investments.

Ready Louisiana proposes \$55 million for early care and education funding for the 2016-2017 year.

Long-term improvements in access and quality for ECE programs in Louisiana will require extensive annual investments. However, in the short-term, Ready Louisiana is asking for \$55 million for 2016-2017 to accomplish the following:

1. Upgrade quality by providing funding for well-trained teachers in child care
2. Create equity between Pre-K and Kindergarten funding
3. Increase access by providing a Pre-K seat for all families who choose one

By the Numbers

- **80%:** amount of brain development that occurs by the time a child is 3
- **1:7:** the return on investment in ECE
- **66%:** percentage of children under 6 who have all available parents in the workforce
- **29%:** proportion of employed parents reporting that child care issues caused challenges at work in the past 3 months
- **\$3 billion:** cost of childcare-related absences to American businesses
- **30%:** share of a single parent's salary required to pay for childcare
- **79%:** cost of child care in Louisiana compared to public college tuition
- **46%:** number of Kindergarteners in Louisiana who enter behind

Short- and long-term funding for ECE will require a combination of federal, state, and local dollars.



Options for funding include:

- Reallocating existing federal TANF or State General Fund dollars to ECE. (Federal regulations allow states to use up to 30% of TANF funds for child care.)
- Adding Pre-K to the MFP
- Reserving 5-10% for ECE programs of any reduction in existing tax credits or tax deductions
- Creating and dedicating state funding streams like sin taxes or lottery funds to ECE
- Authorizing local governments to ask local voters to raise revenues for ECE

ROADMAP TO SUCCESS

Ensuring Children in Small Childcare Settings are Safe and Ready for Kindergarten



Across Louisiana, an estimated **40,000 children** attend small childcare settings, including about 23,000 children from birth-to-three, our youngest and most vulnerable learners. Small Childcare, also called Family Childcare, is often based in someone's home and is the most common form of childcare in the state.

In Louisiana, the crawfish industry is more regulated than the small childcare business! There are no requirements for small childcare settings to register, have inspections, have criminal background checks or meet any health and safety standards.

United Way of Southeast Louisiana's Success By 6 Collaborative convened a group of advocates and concerned citizens interested in improving the quality of what is currently known as family childcare in Louisiana. The goal of the resulting coalition is to improve oversight and support for small providers across the state.

Join us as we introduce *Roadmap to Success* and our work to ensure that all of Louisiana's children in paid childcare settings enter kindergarten ready to learn!

LOUISIANA IS LAGGING BEHIND OTHER STATES IN REQUIRING SAFETY AND ACCOUNTABILITY AMONG SMALL CHILDCARE BUSINESSES.

State regulation is needed to assure uniform, high quality standards for children in small childcare settings.

The 2012 Child Care Aware (formerly NACCRRA) report scored the SCC regulations of states using 16 benchmarks on quality of child care and safety oversight. Louisiana ranked at the bottom along with seven other states that did not meet Child Care Aware standards.

Regulation of SCCs in the South

Louisiana is the *only southern state* without regulations for small childcare businesses (SCCs) of this size.



Source: Child Care Aware (NACCRRA), 2012



For more information, please visit www.unitedwaysela.org





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Taxation and the Family: What is the Earned Income Tax Credit?

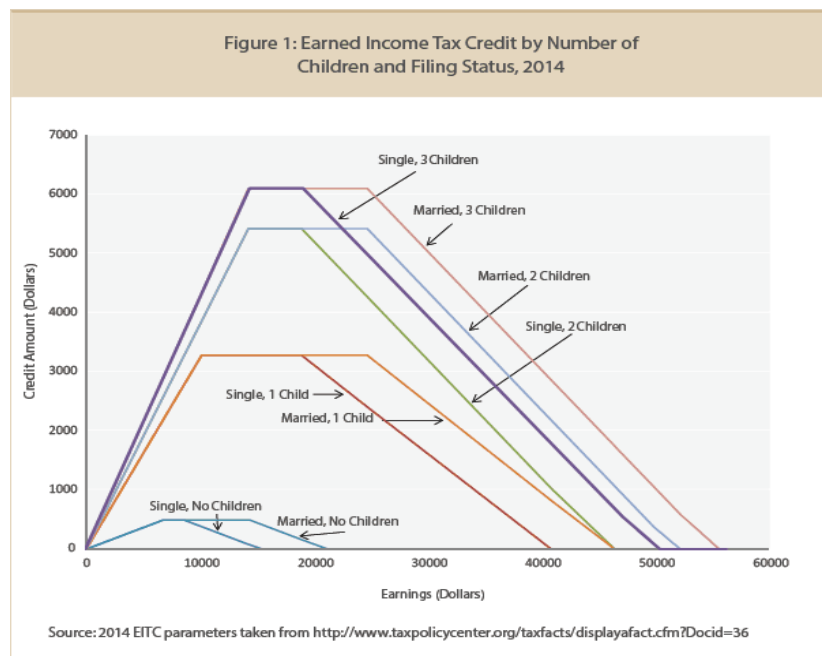
The Earned Income Tax Credit (EITC) is a refundable tax credit that helps workers provide basic needs for their children. The size of one's credit depends on two factors: income and number of children. The EITC incentivizes work by phasing in the benefit amount as workers earn more. The credit flattens at a maximum benefit level as workers' earnings continue to rise, then phases out slower than it phased in. Married couples and families with children receive greater EITC benefits. Families with three or more children may receive a federal credit of up to \$6,143 in tax year 2014. The maximum federal credit is \$5,460 for families with two children, \$3,305 for families with one child, and just \$496 for those without children.

Louisiana's EITC is 3.5 percent of the federal credit, which is less than one-fourth of the national average among states. A modest increase in the EITC would be a significant investment for a stronger Louisiana.

Expanding the EITC Promotes Work, Benefits Children and Supports Local Economies

The Earned Income Tax Credit (EITC) only goes to families who earn income through work and helps them afford basic necessities like food and utility payments. The EITC has been proven to help families transition off welfare, and it is the nation's single most effective tool for combating child poverty. Additionally, the credit is good for small businesses and local economies because it helps families keep more of what they earn, which they spend at businesses in their communities. Additionally, the EITC helps working parents stay on the job by supporting the things that make work possible, like transportation and child care. This further aids businesses because their workers are more reliable. The EITC is mostly used as a short-term support to help families that experience temporary job loss, reduced hours or a pay cut. Most recipients claim the credit for only one or two years at a time.

Children in families that claim the EITC do better and go further in school, which allows them to work more and earn more as adults. And returning veterans rely on the credit to supplement their income as they make their way back into the civilian workforce. A boost in the value of the EITC would be a sound investment for a stronger Louisiana.





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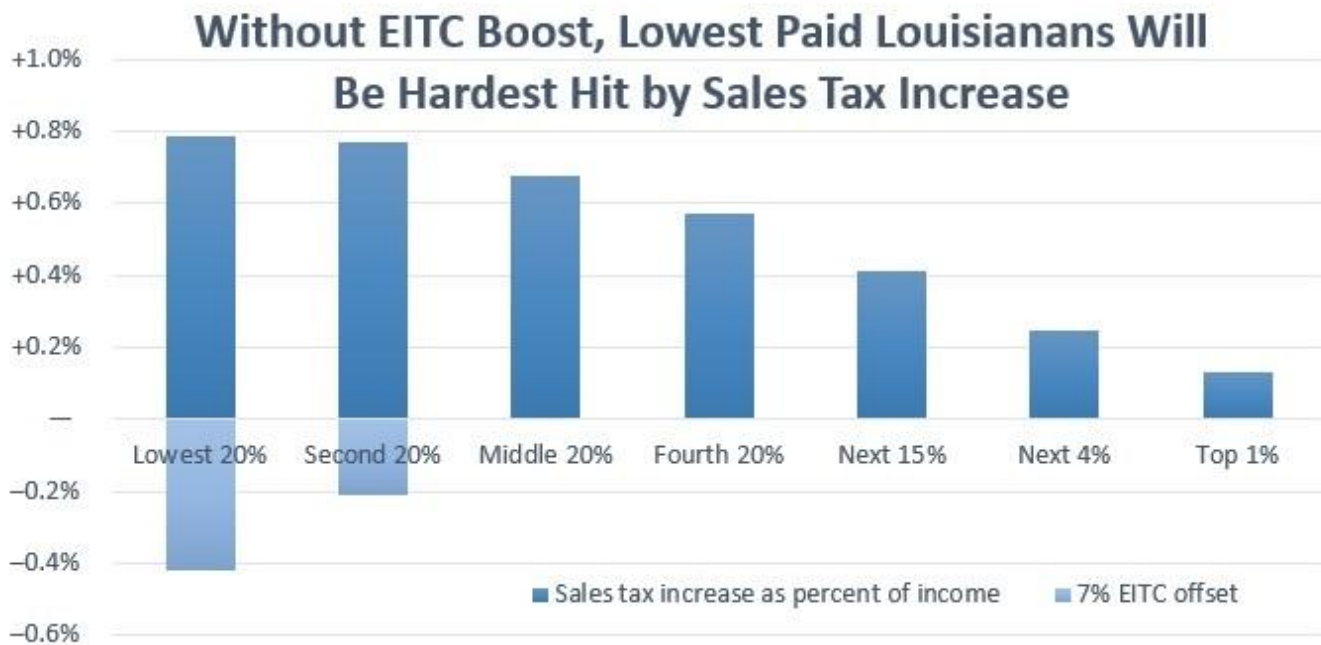
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As a stopgap measure, a one-penny increase in the sales tax is clearly better than devastating cuts to healthcare and higher education. But sales taxes are also regressive, meaning they hit low-income families harder than the wealthy. This is why it's critical that any sales tax increase be paired with an expansion of Louisiana's Earned Income Tax Credit (EITC) to offset some of the impact on poor families.

The Institute on Taxation and Economic Policy (ITEP) calculates that the poorest 40 percent of Louisiana households paid 10 percent of their family income in state and local taxes last year. The richest 1 percent of households paid only 4.2 percent of their total income in state and local taxes.

According to ITEP, a 1-cent sales tax hike translates to a \$98 per year in additional taxes for workers in the bottom-fifth of income earners, who make an average of \$12,000 per year. For workers in the next quintile – who make between \$19,000 and \$32,000 per year, it means \$210 per year in additional costs.



Source: Institute on Taxation and Economic Policy

But if the higher sales tax is coupled with a stronger EITC, roughly half the households in the two bottom brackets would qualify for an offsetting credit of more than \$100 for most families. Doubling the state credit to 7 percent is the easiest way to offset some of the sales tax increase for families on the lower rungs of the income ladder.

A stronger EITC would not only help working families afford basic needs, but it would help local businesses as people spend their added income. Lawmakers must make sure low-income families aren't disproportionately hurt by a sales tax increase – even if such a tax is necessary to prevent catastrophic cuts. The most effective way to do that is to double the state EITC.



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Parish	Number of EITC Claims	Percent of filers claiming EITC	Total State EITC \$ received in parish	Average EITC benefit
Acadia	6,823	29	\$652,073	\$95.57
Allen	2,426	29	\$222,939	\$91.90
Ascension	9,128	20	\$852,533	\$93.40
Assumption	2,554	28	\$254,857	\$99.79
Avoyelles	5,062	34	\$504,326	\$99.63
Beauregard	2,927	24	\$252,149	\$86.15
Bienville	1,737	33	\$170,525	\$98.17
Bossier	11,764	23	\$1,071,116	\$91.05
Caddo	34,832	34	\$3,448,169	\$98.99
Calcasieu	20,323	26	\$1,854,335	\$91.24
Caldwell	1,066	30	\$98,298	\$92.21
Cameron	657	25	\$59,464	\$90.51
Catahoula	1,195	35	\$114,313	\$95.66
Claiborne	1,744	34	\$175,995	\$100.91
Concordia	2,733	39	\$280,986	\$102.81
De Soto	3,426	32	\$329,679	\$96.23
East Baton Rouge	52,892	29	\$5,199,145	\$98.30
East Carroll	1,327	54	\$152,786	\$115.14
East Feliciana	2,136	30	\$209,132	\$97.91
Evangeline	3,911	33	\$381,864	\$97.64
Franklin	2,925	39	\$297,161	\$101.59
Grant	1,948	26	\$174,068	\$89.36
Iberia	9,376	31	\$957,268	\$102.10
Iberville	4,069	33	\$426,382	\$104.79
Jackson	1,648	29	\$158,559	\$96.21
Jefferson	47,425	26	\$4,369,184	\$92.13
Jefferson Davis	3,272	26	\$295,522	\$90.32
Lafayette	22,338	23	\$2,031,999	\$90.97
Lafourche	8,518	22	\$769,958	\$90.39
La Salle	1,123	23	\$97,799	\$87.09
Lincoln	4,703	29	\$437,303	\$92.98
Livingston	11,115	22	\$991,008	\$89.16
Madison	1,928	52	\$226,137	\$117.29
Morehouse	4,467	42	\$464,269	\$103.93
Natchitoches	4,709	33	\$458,722	\$97.41
Orleans	47,780	35	\$4,656,066	\$97.45
Ouachita	20,884	35	\$2,141,040	\$102.52



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Plaquemines	2,270	25	\$206,373	\$90.91
Pointe Coupee	2,590	29	\$254,514	\$98.27
Rapides	15,759	30	\$1,476,773	\$93.71
Red River	1,133	37	\$118,313	\$104.42
Richland	2,926	38	\$293,827	\$100.42
Sabine	2,252	28	\$202,122	\$89.75
St. Bernard	5,362	36	\$532,978	\$99.40
St. Charles	4,835	22	\$458,566	\$94.84
St. Helena	1,772	41	\$191,003	\$107.79
St. James	2,623	29	\$270,911	\$103.28
St. John the Baptist	6,068	33	\$638,135	\$105.16
St. Landry	11,520	34	\$1,158,716	\$100.58
St. Martin	6,316	29	\$616,685	\$97.64
St. Mary	6,886	31	\$705,838	\$102.50
St. Tammany	18,185	19	\$1,581,962	\$86.99
Tangipahoa	15,289	33	\$1,609,644	\$105.28
Tensas	804	43	\$79,113	\$98.40
Terrebonne	11,010	24	\$999,243	\$90.76
Union	2,548	31	\$248,837	\$97.66
Vermilion	5,712	25	\$537,776	\$94.15
Vernon	5,468	27	\$500,788	\$91.59
Washington	5,572	37	\$557,185	\$100.00
Webster	4,997	32	\$462,407	\$92.54
West Baton Rouge	2,878	27	\$271,537	\$94.35
West Carroll	1,280	31	\$121,388	\$94.83
West Feliciana	1,001	24	\$96,718	\$96.62
Winn	1,504	31	\$139,163	\$92.53

Source: "Earned Income Tax Credit Interactive and Resources." The Brookings Institution. Tax Year 2013

For more information on the EITC, or to see district breakdowns of this data, contact **Grace Reinke** (grace@labudget.org) or **Ashley Herad** (ashley@labudget.org).

Working Tax Credits Advocacy Campaign

Veteran's Day Mini-Communications Package



The Earned Income Tax Credit and Child Tax Credit are the nation's strongest tools to promote work and help working families **keep more of what they earn** to pay for things like childcare, groceries, and car repairs so they can get to work. Without Congressional action, 50 million Americans (including 25 million children) would lose part or all of their CTC or EITC. This includes **1 million veteran and military families** that currently rely on these important working family tax credits.

Military and Veteran Families that receive the EITC/CTC, and that would lose all or part of the credits- by state								
Alabama	42,000	23,000	Kentucky	38,000	22,000	North Dakota	5,000	2,000
Alaska	8,000	4,000	Louisiana	38,000	20,000	Ohio	77,000	39,000
Arizona	46,000	23,000	Maine	12,000	6,000	Oklahoma	38,000	20,000
Arkansas	32,000	18,000	Maryland	27,000	13,000	Oregon	32,000	17,000
California	154,000	78,000	Mass.	22,000	10,000	Pennsylvania	73,000	34,000
Colorado	39,000	22,000	Michigan	62,000	32,000	Rhode Island	5,000	2,000
Connecticut	12,000	5,000	Minnesota	27,000	13,000	South Carolina	45,000	23,000
Delaware	7,000	4,000	Mississippi	26,000	14,000	South Dakota	8,000	3,000
D.C	2,000	1,000	Missouri	51,000	27,000	Tennessee	57,000	32,000
Florida	134,000	67,000	Montana	12,000	7,000	Texas	172,000	94,000
Georgia	86,000	48,000	Nebraska	14,000	8,000	Utah	18,000	9,000
Hawaii	14,000	9,000	Nevada	21,000	10,000	Vermont	4,000	2,000
Idaho	16,000	9,000	N.H.	8,000	3,000	Virginia	64,000	34,000
Illinois	62,000	29,000	New Jersey	24,000	13,000	Washington	54,000	28,000
Indiana	47,000	25,000	New Mexico	20,000	11,000	West Virginia	15,000	9,000
Iowa	19,000	10,000	New York	66,000	30,000	Wisconsin	36,000	17,000
Kansas	25,000	14,000	N. Carolina	90,000	54,000	Wyoming	5,000	3,000

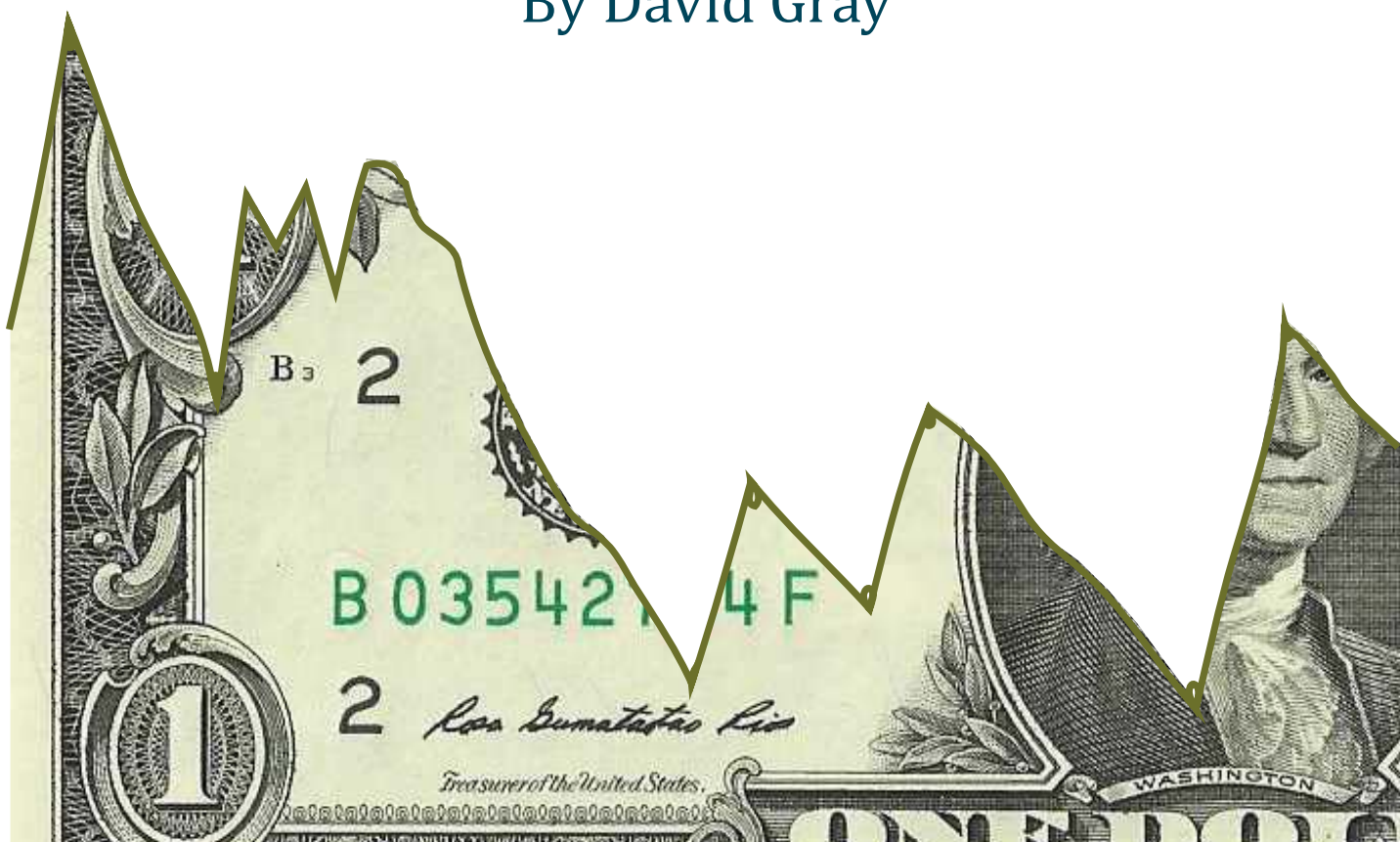


Louisiana

Needs a Higher Wage

An increased minimum wage would help Louisiana's families, businesses and economy

By David Gray



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Acknowledgements

This report was researched and written by David Gray and edited by Jan Moller of the Louisiana Budget Project (LBP). The graphics and page design are by Amy Fowler.

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LBP is particularly grateful for the technical assistance and guidance provided by the Economic Policy Institute (EPI), the Center on Budget and Policy Priorities (CBPP), and Erika Zucker of the Workforce Justice Project at Loyola College of Law.

About the Louisiana Budget Project

LBP monitors and reports on public policy and how it affects Louisiana's low- to moderate-income families. We believe that the lives of Louisianans can be improved through profound change in policy, brought about by:

- creating a deeper understanding of the state budget and budget-related issues
- looking at the big picture of how the budget impacts citizens
- encouraging citizens to be vocal about budget issues that are important to them
- providing insight and leadership to drive the policy debate

LBP is a member of the State Fiscal Analysis Initiative, managed by the Center on Budget and Policy Priorities, and the Economic Analysis and Research Network, managed by the Economic Policy Institute.

Note on Methodology and Sources

Unless otherwise noted, all numbers come from LBP analysis of Current Population Survey (CPS) and Bureau of Labor Statistics (BLS) data from 1979-2012 generously provided by the Economic Policy Institute. All figures are adjusted for inflation and presented in 2013 dollars. For more information, please contact David Gray (david@labudget.org) or Jan Moller (jan@labudget.org).

Louisiana

Needs a Higher Wage

There is no better anti-poverty program than a good job with a decent wage. But in Louisiana — one of only five states without a minimum-wage law — hundreds of thousands of people work hard every day yet still struggle to stay out of poverty.

Establishing a Louisiana minimum wage that is higher than the federal minimum of \$7.25 an hour would lift hard-working families out of poverty, boost the economy of every parish and help create thousands of new jobs. Adjusting this wage on a regular basis so it grows with the economy and the cost of living would protect the most vulnerable workers by ensuring the value of their paychecks

won't erode over time.

A higher minimum wage would not just help the workers who get a raise, it would also help businesses across Louisiana that would profit from workers' increased buying power.

At a time when nearly one in six Louisiana households struggle against hunger and the state suffers from the nation's third-highest poverty rate, this simple policy measure can help decrease reliance on state assistance, boost local economies and make it easier for hard-working families to afford basic needs.

Key findings

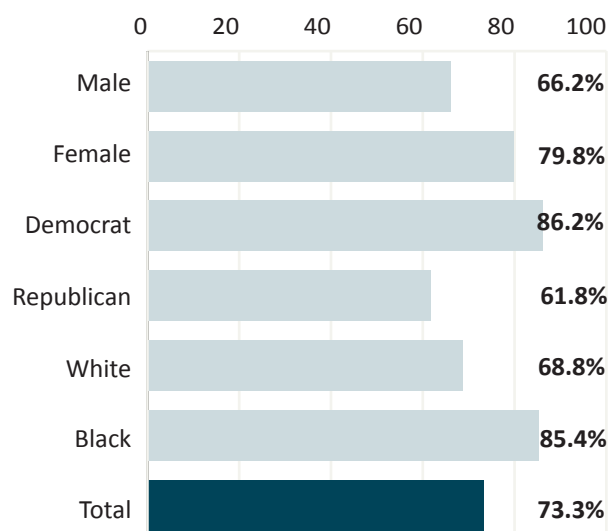
- The value of the minimum wage has eroded sharply since the late 1960s and is now \$3 per hour below what it would be had it kept up with inflation.
- Raising the minimum wage to \$10.10 an hour would provide a direct pay raise for 360,000 Louisiana workers and their families, create an estimated 3,300 full-time jobs and pump nearly \$689 million into the state economy, mostly through new consumer spending. When one accounts for workers who would indirectly benefit from a minimum wage increase — those whose wages would rise as employers adjust their pay scales — almost one in three Louisiana workers would be affected.
- Even a smaller wage increase above the current federal minimum of \$7.25 an hour would pay big dividends for Louisiana families. Raising the wage to \$8.50 an hour would mean a direct raise for 184,000 workers, create an estimated 1,400 new jobs and produce more than \$187 million in new economic growth.
- Louisianans overwhelmingly support raising the minimum wage. An LSU poll found 73 percent of the public favors a higher minimum wage. While support varies somewhat across demographic groups, a majority of Louisianans in all groups — male and female, Republican and Democrat, white and black — favor a higher wage.

FIGURE 1

Most Louisianans are in favor of a higher state minimum wage

Would you favor or oppose establishing a state minimum wage of \$8.50 per hour that would automatically rise with the cost of living?

PERCENT IN FAVOR BY DEMOGRAPHIC



Source: Louisiana State University Omnibus Survey
Louisiana Budget Project

The current minimum wage is inadequate

The value of the federal minimum wage peaked in 1968. Had it kept pace with wages for the typical American worker, it would be worth \$10.65 per hour today — or more than \$3 above the current minimum.¹ If nothing is done to raise the current wage, its value will drop as prices rise and will be worth \$5.99 per hour in 2022.²

The minimum wage's falling value has made it hard for many full-time workers to provide basic household necessities. A full-time minimum wage worker in 1968 earned enough money to keep a three-person household above the federal

poverty line. Today, that same family would be more than \$4,700 below the federal poverty line.³

Louisiana's workers are more productive than ever, but their hard work is not paying off in higher wages.

Productivity, in terms of the amount of goods and services produced each working hour, is significantly greater today than in the past.⁴ If the 1968 minimum wage had kept pace with the rise in worker productivity, it would be worth more than \$18 per hour today.⁵

FAST FACT

If the minimum wage is not raised, it will only be worth \$5.99 per hour in 2022

Source: Economic Policy Institute
Louisiana Budget Project

FIGURE 2

The real value of the minimum wage

The value of the minimum wage has fallen as workers have become more productive.



Source: EPI analysis
Louisiana Budget Project

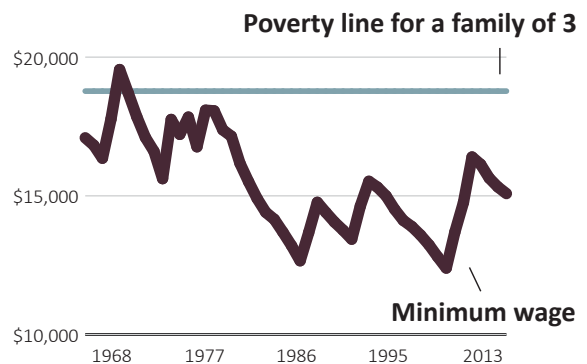
FIGURE 3

The value of the minimum wage has plummeted since 1968

Minimum wage workers in 1968 earned enough income to keep a family of three above the poverty line. That's no longer the case today, with many full-time workers now raising children in poverty.

MINIMUM WAGE VS. POVERTY LINE

In 2013 dollars, adjusted for inflation



Source: Wage and Hour Division of the U.S. Department of Labor
Louisiana Budget Project

Payday Lending Fact Sheet

Louisiana Allows Lenders to Charge up to 1,043% APR

Payday loans are small, short-term loans that borrowers can use to cover expenses until their next paycheck. Louisiana has one of the highest concentrations of payday lenders in the country, which undermines many of the successful anti-poverty policies.

Louisiana lenders are allowed to provide loans of \$50 to \$350 to people who run out of money and have few alternatives to pay rent, buy groceries, or pay utilities until their next paycheck. Borrowers write a check to cover the amount of the loan, plus finance charges and fees, to be held until their next paycheck. To qualify, a borrower must have a checking account and be able to demonstrate employment. Depending on the amount borrowed, lenders charge \$20 to \$55 for each transaction.

- Lenders are allowed to charge **1,043% APR** for a \$50 payday loan, and **782% APR** for a \$100 loan (see attachment).
- The Louisiana Budget Project estimates that borrowers paid **\$205 million in fees** for 4.1 million transactions in 2008 alone.

“ The average borrower takes out nine loans per year and stays in debt for more than six months. ”

Payday loans are designed to trap borrowers in debt. In contrast to most forms of credit, payday loans must be repaid with the borrower’s next paycheck. That’s a tall order for a family already living paycheck to paycheck. Many find themselves short of cash soon after paying one loan back, and must immediately take out another loan to meet their ongoing financial obligations.

- The average borrower takes out **nine loans per year** and stays in debt for more than **six months**.
- Most borrowers do not understand the true cost of their loans and use them primarily for **recurring expenses**, not unexpected emergencies.

Louisiana provides little protection for families in need of short-term credit. That’s a big problem because payday lenders prey on the financially desperate and Louisiana has a high poverty rate, making it a promising place for payday lenders to find profitable customers. To put it in perspective:

- The 945 lenders currently operating statewide **outnumber McDonald’s restaurants four-to-one**.
- That’s roughly **one payday loan store for every 4,800 people**, most of which are located in or near poor neighborhoods.

Working families are spending millions of dollars on fees for these loans, money that could be spent in more productive ways such as paying off other debt, investing in education or buying a home. Louisiana should join other states that have curbed predatory lending practices by capping annual interest rates at 36 percent, limiting the number of loans per year and other important safeguards.

For more information on predatory lending, see the LBP report, “Payday Lenders: Trapping Louisiana’s Working Families in a Cycle of Debt” at www.labudget.org. Tim Mathis, analyst with the Louisiana Budget Project, may be contacted via email at timmathis@lano.org.

CASH 'TIL PAYDAY® Loans

Each CASH 'TIL PAYDAY® loan is subject to a finance charge as listed below:

Loan Amount	Total Payment Due	Finance Charge	ANNUAL PERCENTAGE RATE (APR) ¹
\$50	\$70	\$20	1042.9%
\$100	\$130	\$30	782.1%
\$200	\$250	\$50	651.8%
\$250	\$305	\$55	573.6%
\$300	\$355	\$55	478.0%

- Loans from \$50 to \$300.²
- Term: 7 to 30 days.
- One easy payment.
- \$25 NSF Check Fee.

Payday advances should be used for short term financial needs only, not as a long term financial solution. Customers with credit difficulty should seek credit counseling.

¹ APR based on 14-day loan term.

² Loan eligibility depends on the borrower's income.

The finance charge includes a documentation fee of \$10. Loan refinances are subject to credit approval by the lender. The same prepaid interest charge and documentation fee are applicable to loan refinances. The sum of the loan amount plus the finance charge will be due in one payment at the end of the loan term. For a \$100 loan, a payment of \$130 will be due at the end of the loan term. Term will be based on the borrower's pay date.

In no event will the prepaid interest for a loan be more than 16.75% of the face amount of the check less the \$10 documentation fee.

Loans made by Checkmart of Louisiana, Inc. CASH 'TIL PAYDAY®, MONEY MART® and LOAN MART® are registered service marks of Dollar Financial Group, Inc. ©2011 Dollar Financial Group, Inc. All Rights Reserved.



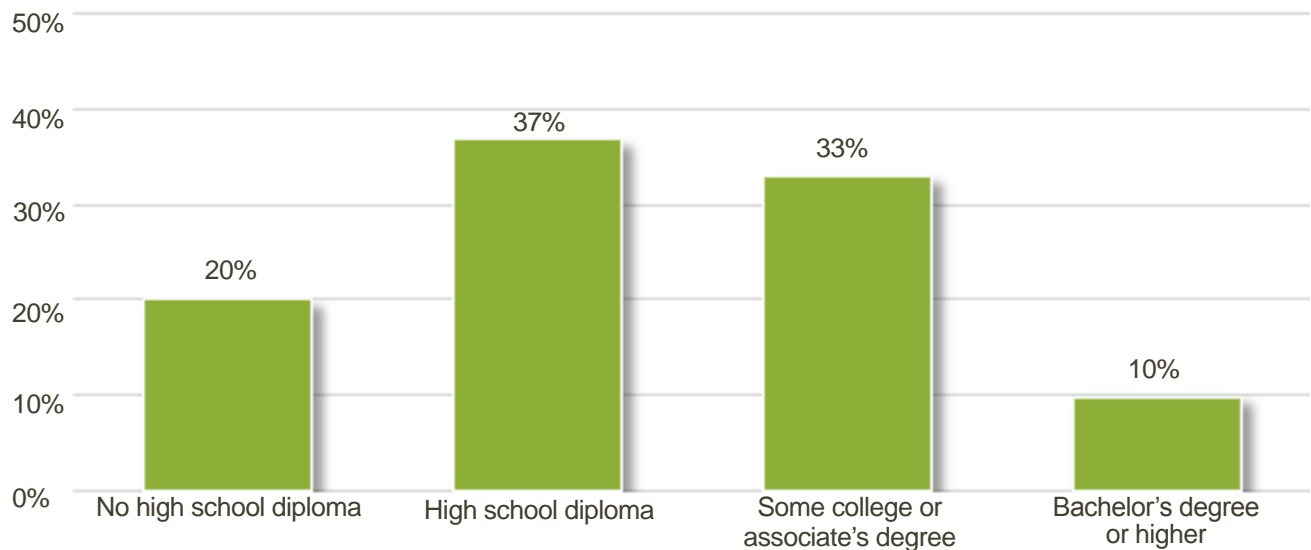
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The women in the low-wage workforce may not be who you think

September 2015 | Anne Morrison & Katherine Gallagher Robbins

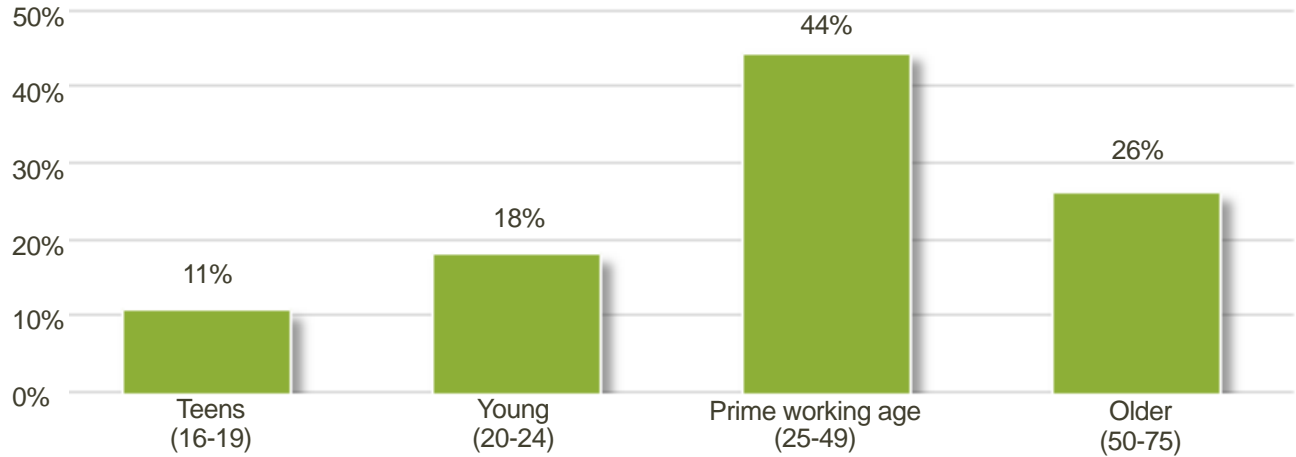
TWO-THIRDS OF LOW-WAGE WORKERS, who work in jobs that typically pay \$10.50 per hour or less, are women. The women who make up the low-wage workforce may not be who you think. The vast majority are neither high school dropouts nor teenagers. Most don't have a spouse's income to rely on. Many are supporting children—and their family incomes are low. Over half of the women in the low-wage workforce work full time and nearly three-quarters work all year. Nearly half are women of color.

Four out of five women in the low-wage workforce have a high school degree or higher



Source: NWLC calculations based on IPUMS-CPS (2014). Figures are for employed workers. The low-wage workforce is defined here as occupations with median wages of \$10.50 or less per hour based on BLS, Occupational Employment Statistics.

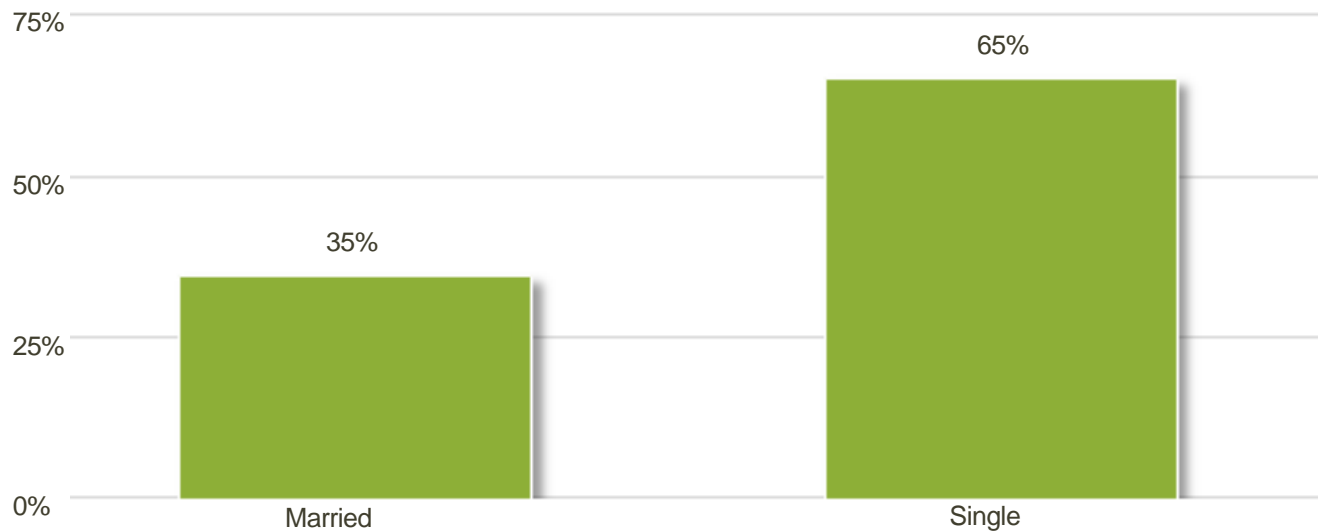
Nearly nine out of ten women in the low-wage workforce are beyond their teens



Source: NWLC calculations based on IPUMS-CPS (2014). Figures are for employed workers. The low-wage workforce is defined here as occupations with median wages of \$10.50 or less per hour based on BLS, Occupational Employment Statistics.



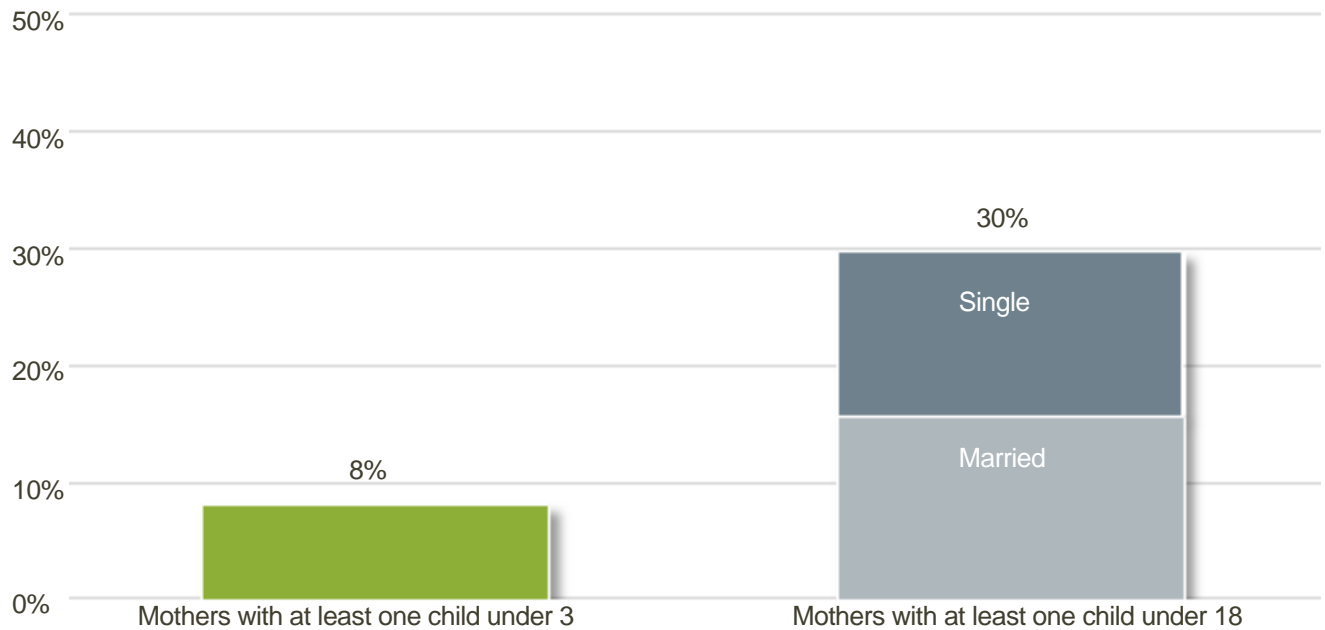
Most women in the low-wage workforce do not have a spouse's income to rely on



Source: NWLC calculations based on IPUMS-CPS (2014). Figures are for employed workers. The low-wage workforce is defined here as occupations with median wages of \$10.50 or less per hour based on BLS, Occupational Employment Statistics. "Single" includes married, spouse absent.



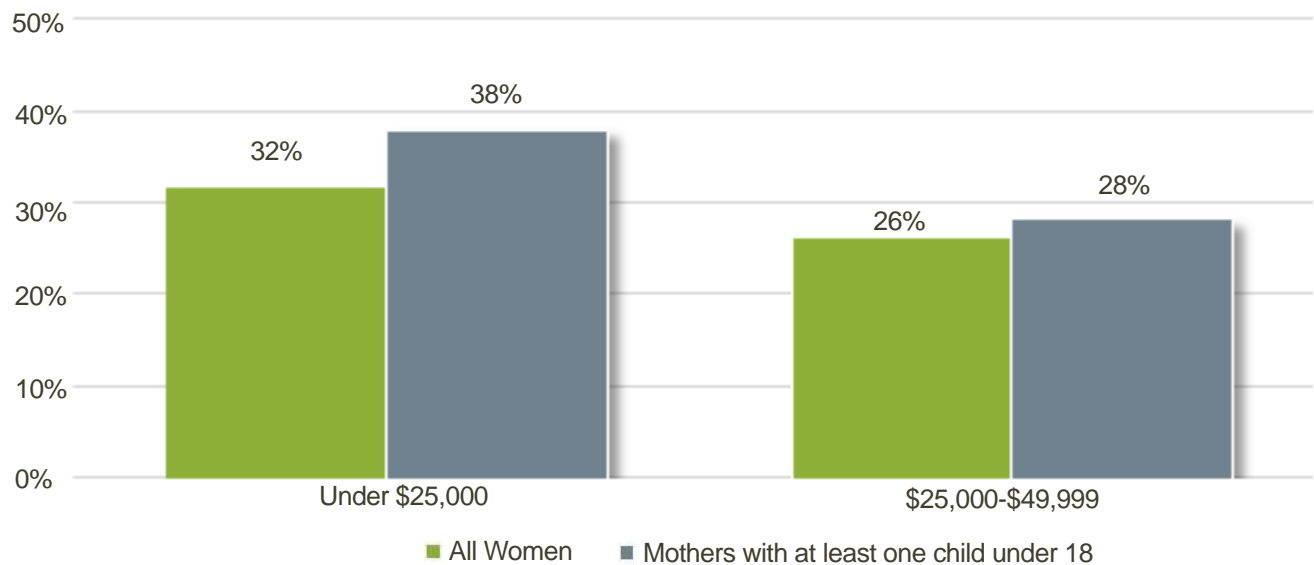
Many women in low-wage jobs are supporting children



Source: NWLC calculations based on IPUMS-CPS (2014). Figures are for employed workers. The low-wage workforce is defined here as occupations with median wages of \$10.50 or less per hour based on BLS, Occupational Employment Statistics. "Mothers" have related children at home. "Single" includes married, spouse absent.



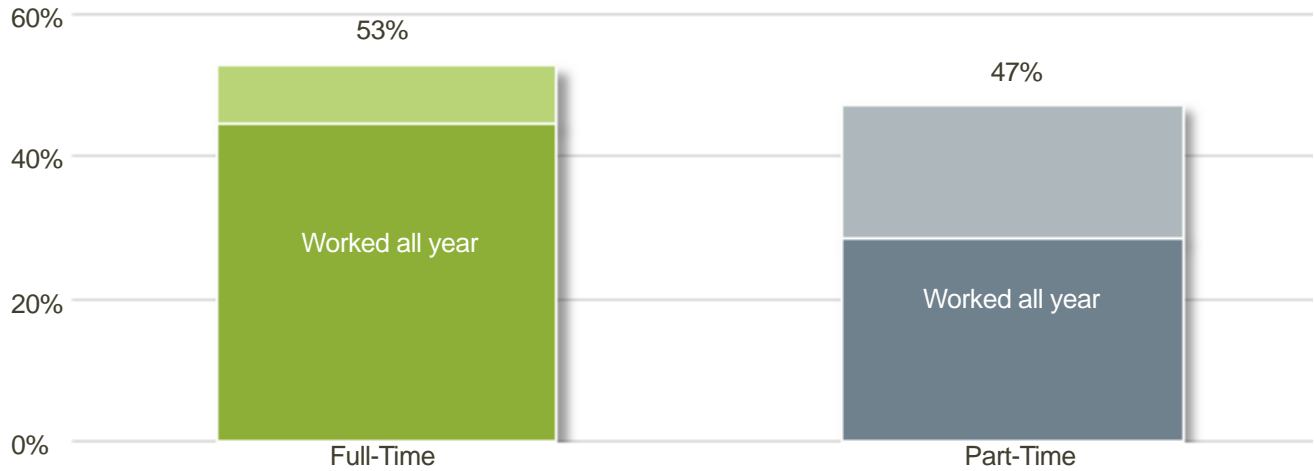
Family income for mothers in the low-wage workforce is even lower than for women working in low-wage jobs overall



Source: NWLC calculations based on IPUMS-CPS (2014). Figures are for employed workers. The low-wage workforce is defined here as occupations with median wages of \$10.50 or less per hour based on BLS, Occupational Employment Statistics. "Mothers" have related children at home.



Half of women in the low-wage workforce work full time, and a large majority work all year

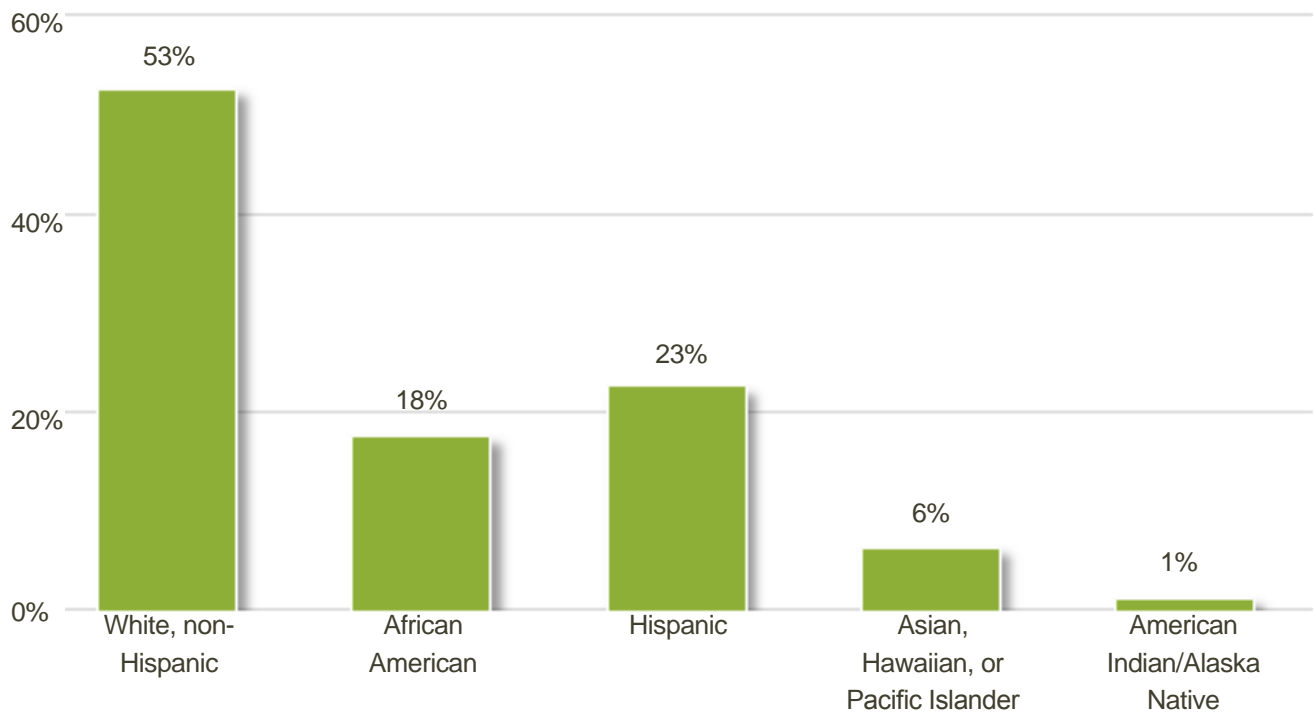


Source: NWLC calculations based on IPUMS-CPS (2014). Figures are for workers who usually work full or part time. "Full-time" refers to working 35 or more hours per week. "Part-time" refers to working between one and 34 hours per week. "Worked all year" is defined as worked 50-52 weeks in the last year. The low-wage workforce is defined here as occupations with median wages of \$10.50 or less per hour based on BLS, Occupational Employment Statistics.



www.nwlc.org

Nearly half of low-wage women workers are women of color



Source: NWLC calculations based on IPUMS-CPS (2014). Figures are for employed workers. The low-wage workforce is defined here as occupations with median wages of \$10.50 or less per hour based on BLS, Occupational Employment Statistics. Women of color make up 47 percent of the female low-wage workforce, but just 34 percent of the female workforce overall.

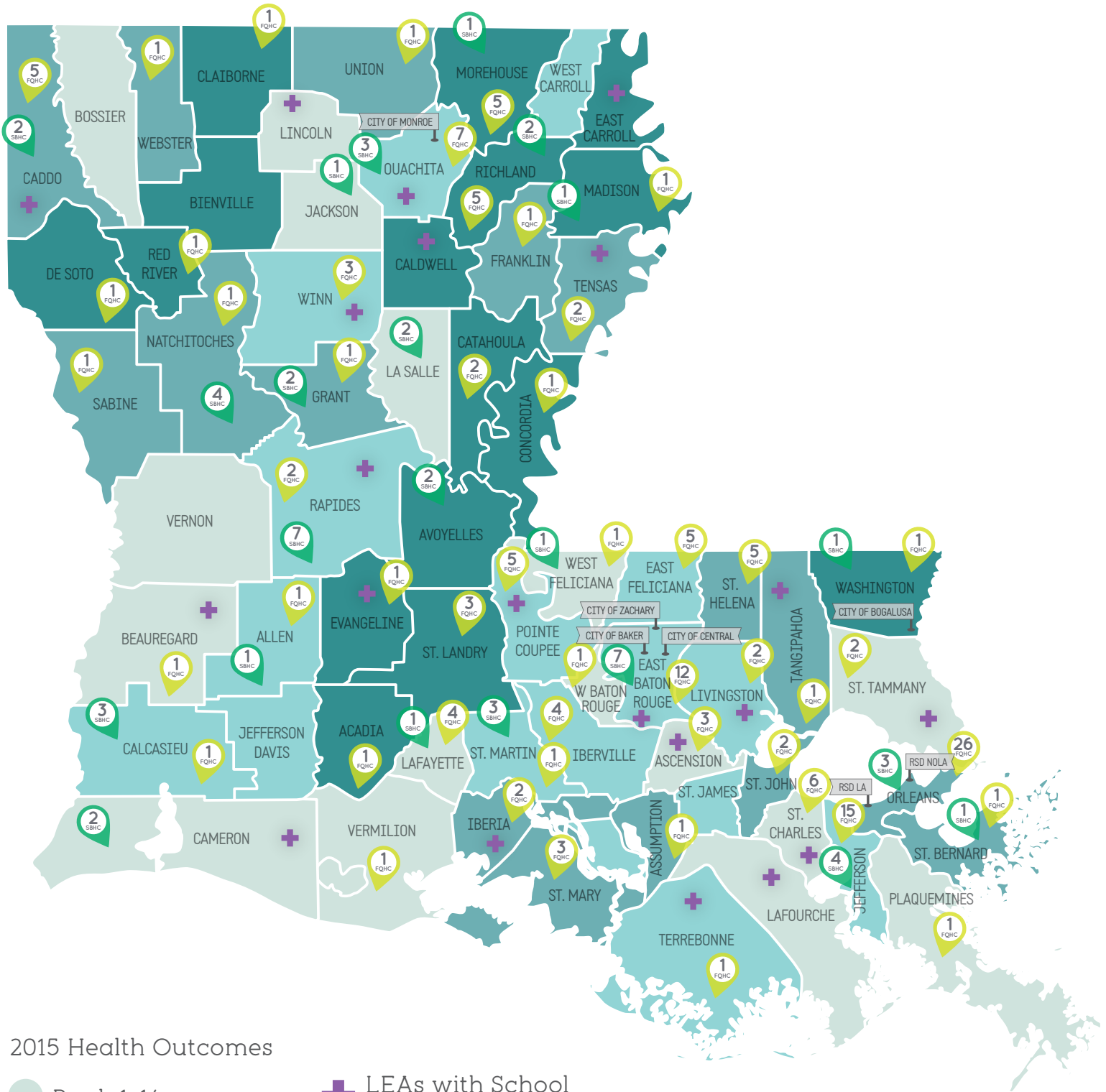


www.nwlc.org

Note on methods

“LOW WAGE JOBS” and the “low-wage workforce” could be defined in different ways; this analysis uses \$10.50 or less per hour because \$10.50 in 2014 is roughly equivalent to \$12 in 2020, which is the proposed new federal minimum wage in the Raise the Wage Act pending in Congress (2015), see David Cooper, John Schmitt, & Lawrence Mishel, Economic Policy Institute, We Can Afford a \$12.00 Federal Minimum Wage in 2020 (April 2015) *available at* <http://www.epi.org/publication/we-can-afford-a-12-00-federal-minimum-wage-in-2020/>. Median hourly wages for occupations are determined using the Bureau of Labor Statistics (BLS) Occupational Employment Statistics data from May 2014 (http://www.bls.gov/oes/current/oes_nat.htm). Unless otherwise noted, data are National Women’s Law Center calculations based on Current Population Survey (CPS) 2014 using Miriam King et al., Integrated Public Use Microdata Series (IPUMS), Current Population Survey: Version 3.0 [Machine-readable database] (Minneapolis: University of Minnesota, 2010). Some detailed occupations listed in the BLS Occupational Employment Statistics are not available using CPS data in which case a broader level of occupation is used.

Whole Child Initiative



2015 Health Outcomes

- Rank 1-16
- Rank 17-32
- Rank 33-48
- Rank 49-64
- LEAs with School Health Advisory Councils
- #
FQHC Number of Federally Qualified Health Centers
- #
SBHC Number of School-Based Health Centers

Whole Child Initiative

WHOLE SCHOOL, WHOLE COMMUNITY, WHOLE CHILD
A collaborative approach to learning and health

	2014 Enrollment	# of Schools	2014 District Letter Grade	2014 District Performance Score	2014 Graduation Rate	SBHCs	FQHCs
Caddo	39,941	88	C	79.4	67.7	2	5
Calcasieu	30,615	57	B	94.2	78.1	3	1
Madison	1,355	6	D	57.1	76.9	1	1
Morehouse	4,307	10	D	59.2	67.3	1	5
Richland	3,131	12	C	72.4	74.5	2	5
Washington	5,111	10	B	87.5	85.4	1	1

	County Health Ranking	Children in Poverty (%)	Adult Obesity (%)	Diabetes (%)
Caddo	43	33	34	13
Calcasieu	25	23	33	13
Madison	56	55	42	11
Morehouse	63	41	40	18
Richland	49	40	39	13
Washington	57	36	39	16

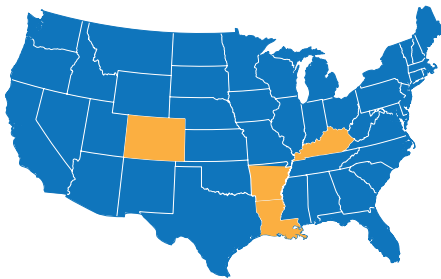
HOW MEDICAID EXPANSION SAVES LOUISIANA MONEY



Medicaid Expansion would provide health insurance coverage to uninsured, low-income residents, keeping them healthier while saving the state money. Without Medicaid expansion, the state would have to spend more money to pay for uninsured care.

HOW EXPANSION POSITIVELY IMPACTS THE STATE BUDGET BY MILLIONS OF DOLLARS

- ▶ Reductions in existing state spending to hospitals for uninsured care
- ▶ Additional federal funding replaces state spending for certain health care services (such as inpatient costs of inmates)
- ▶ Revenue gains through existing health plan and provider taxes as their revenues increase



MEDICAID EXPANSION IS HELPING OTHER STATE BUDGETS

STATE	BUDGET SAVINGS	NEW REVENUE	TOTAL IMPACT
Arkansas	\$88,800,000	\$29,700,000	\$118,500,000
Colorado	\$160,300,000	N/A	\$160,300,000
Kentucky	\$83,100,000	N/A	\$83,100,000

*Source: Robert Wood Johnson Foundation April 2015.
 **Note: N/A = information not yet available

MEDICAID EXPANSION IS AN ECONOMIC DRIVER & JOB CREATOR

APPROXIMATELY
15,600
 NEW JOBS

70% Healthcare
 25% Retail, Leisure, Hospitality and Personal services
 5% Other

TAX IMPACT OF ABOUT
\$120
MILLION
 PER YEAR IN STATE & LOCAL TAX REVENUE

FOR EVERY \$1 A STATE INVESTS IN MEDICAID EXPANSION
\$13.41
 IN FEDERAL FUNDS WILL FLOW INTO THE STATE, STIMULATING THE ECONOMY

\$1.8 BILLION IN INCREASED ECONOMIC ACTIVITY

Source: Data is from the Louisiana Department of Health and Hospitals, the Robert Wood Johnson Foundation, and the Urban Institute

IMPACT ON THE UNINSURED

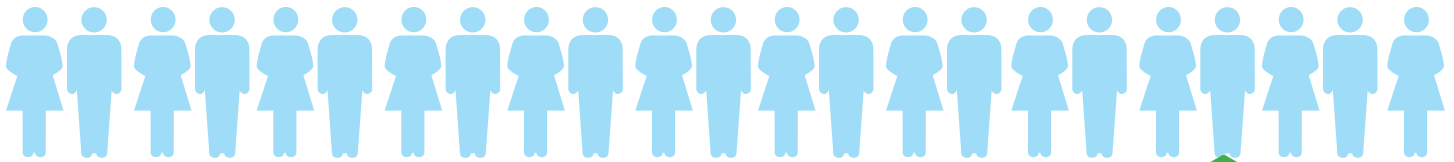
Medicaid expansion will reduce the number of uninsured non-elderly Louisianans by 300,000 or more.

The percentage of uninsured Louisianans will drop to approximately 9.8 percent with Medicaid expansion versus 16.3 percent with no expansion

IMPACT ON THE ECONOMY

15,600 MORE JOBS

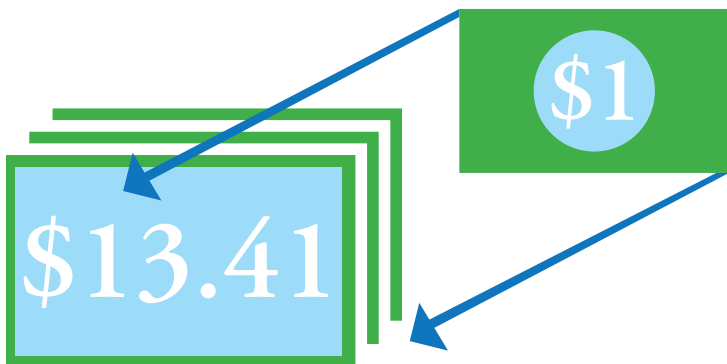
AS A RESULT OF EXPANSION



The state's economy, as measured by gross domestic product, will be larger, resulting in nearly

\$1.8 BILLION

in additional economic activity as a result of expansion



For every \$1 a state invests in Medicaid Expansion, \$13.41 in federal funds will flow into the state. Louisiana will lose \$15.8 billion from 2014-2022 by not expanding Medicaid and hospitals will lose out on \$8 billion for the same timeframe.

Source: Data is from the Louisiana Department of Health and Hospitals, the Robert Wood Johnson Foundation, and the Urban Institute

About Breast Cancer: Breast cancer is the most common cancer in women in the United States and in Louisiana. Breast cancer is a malignancy that starts from cells of the breast which may invade surrounding tissues or spread to other areas of the body. The emotional and physical results following a diagnosis of breast cancer are very different from what they were in the past. Thanks to early detection, improvements in treatment and reconstructive options, millions of women are surviving breast cancer today and leading healthy and fulfilling lives.



Breast Cancer Statistics: The chance of a woman having invasive breast cancer some time during her life is a little less than 1 in 8. The chance of dying from breast cancer is about 1 in 35. Breast cancer death rates have been going down. There are more than 2.5 million breast cancer survivors in the United States and you are one of them.

Breast Cancer Treatments: Breast cancer treatments are varied and include surgery, chemotherapy, radiation therapy and hormone therapy. You will work with your doctor or a team of doctors to decide which treatment is right for you. Ask questions, keep copies of your medical records and lab reports, and do not be afraid to ask for a second opinion.

Breast Cancer Surgery: Most women with breast cancer have some type of surgery to remove one or more breast tumors. Options include breast-conserving surgery (lumpectomy) and mastectomy (removal of the breast). Surgery is also used to check or remove lymph nodes under the arm that may have been invaded by breast cancer cells.

Clinical Trials: Clinical trials are carefully controlled research studies that are done with patients who volunteer for them so doctors can learn better ways to treat cancer. There are requirements you must meet to take part in any clinical trial. The clinical trial must be explained to you fully and you must agree with the conditions. Discuss your eligibility for clinical trials with your doctor.

Other Breast Cancer Treatment Alternatives: For more details on the latest treatment options, including some that may not be addressed in this document and services available to you, please contact the following organizations:

American Cancer Society
1-800-ACS-2345
www.cancer.org/Cancer/BreastCancer

National Cancer Institute
1-800-4-CANCER
www.cancer.gov/cancertopics/types/breast
www.cancer.org/clinicaltrials

CAGNO Breastoration Fund
1-800-624-2039
www.cagno.org or www.breastoration.org

**Louisiana Association of United Ways
Health & Human Services Hotline**
2-1-1

Louisiana Breast Cancer Task Force
504-454-0066

Susan G. Komen for the Cure
1-877-465-6636
www.komen.org

This brochure was developed by the Cancer and Lung Trust Fund Board and the Louisiana Department of Health and Hospitals and is distributed by the Louisiana State Board of Medical Examiners. Physicians are required to inform patients with breast cancer of their treatment options; to provide the patient with a copy of this brochure and to document the date and time when this is done in the patient's medical record.(LRS 40:1300.154 A). Copies of the brochure may be obtained by contacting the Board at lsbme@lsbme.la.gov.

Louisiana State Board of Medical Examiners
630 Camp Street
New Orleans, LA 70130
(504) 568-6820
www.lsbme.la.gov

Breast Cancer Treatment Alternatives

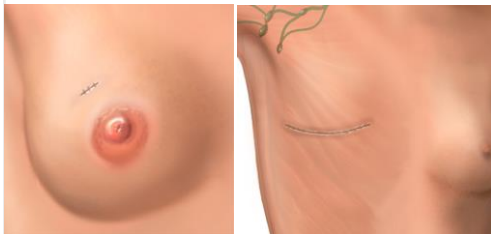


Louisiana State Board
of
Medical Examiners

Louisiana Cancer
And
Lung Trust Fund Board

2014

Lumpectomy or Mastectomy?: Many women with early-stage cancers can choose between lumpectomy and mastectomy. The main advantage of a lumpectomy is that it allows a woman to keep most of her breast; however, you may need to have radiation therapy after surgery. A small number of women having a lumpectomy may not need radiation while a small percentage of women who have a mastectomy will still need radiation therapy to the breast area. Should you decide to have a mastectomy, ask your surgeon about reconstructive options, which may be performed simultaneously for better cosmetic results.



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Axillary Lymph Node Dissection: To determine if the breast cancer has spread to axillary (underarm) lymph nodes, some nodes may be removed and looked at under a microscope. This is an important part of cancer staging to determine treatment and outcomes. When the lymph nodes contain cancer cells, there is a higher chance that cancer cells have also spread through the bloodstream to other parts of the body. Pain, arm swelling and limited range of motion are potential side effects of lymph node dissections.

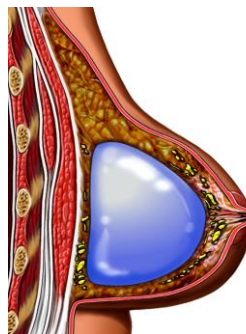


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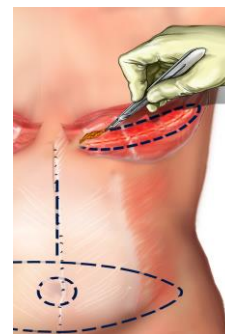
Women's Health & Cancer Rights Act of 1998: Under the Women's Health and Cancer Rights Act of 1998 (WHCRA), group health plans, insurance companies and HMOs offering mastectomy coverage must also provide coverage for certain services relating to the mastectomy in a manner determined in consultation with you and your attending physician. The coverage includes all stages of reconstruction of the breast on which the mastectomy was performed, surgery and reconstruction of the other breast to produce a symmetrical appearance and prostheses and treatment of physical complications of the mastectomy, including lymphedema. Louisiana has its own statute which conforms to federal law.



Breast Reconstruction: The goal of reconstruction is to restore a breast mound removed during a mastectomy using an implant or tissue from another part of your body. It is best to talk about reconstructive options with your surgeon and a plastic surgeon experienced in breast reconstruction before your mastectomy. This lets the surgical team plan the treatment that is best for you, even if you want to wait and have reconstructive surgery later. Each procedure has advantages and disadvantages that must be weighed by you and your physicians; however, the final decision should be yours based on your preference and understanding of the options.



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Radiation Therapy: Radiation therapy uses high-energy x-rays or other types of radiation to kill cancer cells or keep them from growing. External radiation therapy uses a machine outside the body to send radiation toward the cancer. Internal radiation therapy (brachytherapy) uses a radioactive substance that is placed directly into or near the cancer. Side effects include skin irritation, fatigue and swelling. External radiation treatments are given daily for 5-7 weeks. Internal radiation therapy may require hospitalization for several days.

Chemotherapy: Chemotherapy (often called "chemo") is treatment with cancer-killing drugs that are either injected into a vein or given by mouth. The drugs travel through the bloodstream to reach cancer cells in most parts of the body. Chemo is given in cycles, with each period of treatment followed by a recovery period. Treatment usually lasts for several months. The side effects of chemotherapy depend on the type of drugs, the amount taken and the length of treatment. Some of the most common possible side effects include: hair loss, mouth sores, loss of appetite, nausea and vomiting, increased risk of infections, easy bruising or bleeding and fatigue. These side effects are usually short-term and go away after treatment is finished. Let your healthcare team know if you experience any side effects.

Hormone Therapy: Hormone therapy uses drug treatments that target breast cancers which are sensitive to certain body chemicals. The most common forms of hormone therapy for breast cancer work either by blocking estrogen from attaching to cancer cells or by decreasing your body's production of estrogen. While undergoing hormone therapies for breast cancer, you may experience hot flashes, vaginal discharge, dryness and irritation, irregular periods, decreased sex drive, mood changes or an increased risk of bone thinning (osteoporosis).



UNITED STATES DEPARTMENT OF LABOR

Fact Sheet on Women's Health and Cancer Rights Act

The Women's Health and Cancer Rights Act of 1998 (WHCRA) provides protections for individuals who elect breast reconstruction after a mastectomy. Under WHCRA, group health plans offering mastectomy coverage must provide coverage for certain services relating to the mastectomy, in a manner determined in consultation with the attending physician and the patient.

The required coverage includes:

- All stages of reconstruction of the breast on which the mastectomy was performed;
- Surgery and reconstruction of the other breast to produce a symmetrical appearance;
- Prostheses; and
- Treatment of physical complications of the mastectomy, including lymphedema.

Under WHCRA, mastectomy benefits may be subject to annual deductibles and coinsurance consistent with those established for other benefits under the plan or coverage.

Group health plans, health insurance companies and HMOs covered by the law must provide written notification to individuals of the coverage required by WHCRA upon enrollment and annually thereafter.

Additional consumer information on WHCRA is available in the publication [Your Rights After A Mastectomy](#).

Information for group health plans and employers on WHCRA and other health benefit law requirements is available in the publication [Compliance Assistance Guide – Health Benefits Coverage Under Federal Law](#).



2016 LEGISLATIVE GUIDE

DOMESTIC VIOLENCE IN LOUISIANA

BATTERED WOMEN AND LAW ENFORCEMENT

WHAT DO THEY HAVE IN COMMON?

- ◆ Louisiana ranks **4th in the nation** for the rate of women murdered by men. ¹
- ◆ Louisiana women are killed at a rate **3x higher** than the national average. ¹
- ◆ Louisiana ranks **3rd in the nation** for the rate of officers killed with handguns. ²
- ◆ Louisiana officers are killed with handguns at a rate **3x higher** than officers in states with comprehensive background checks.

In the 18 states that require comprehensive background checks:

46% fewer women
are shot to death
by intimate partners

48% fewer officers
are killed with handguns ²

- ◆ **85%** of Louisiana voters support background checks for all gun sales. ³
- ◆ Over **91%** of NICS background checks are performed in 90 seconds or less. ²
- ◆ Over **98%** of Americans live within 10 miles of a licensed gun dealer who can perform a background check. ²
- ◆ It is estimated that that **40%** of firearms acquired in the U.S. are sold or given to people in private transactions by unlicensed dealers. ⁴
- ◆ About **99%** of people who apply to buy a firearm are quickly cleared. In 2013, fewer than 1% of applications to NICS were denied. ⁵

CLOSE DANGEROUS LOOPHOLES

56% of Louisiana's domestic homicides in 2015 were committed with firearms.

79% of abused women who were murdered reported being stalked during the same period that they were abused.

- ◆ Louisiana law does not provide firearm restrictions for convicted stalkers or abusive dating partners.
- ◆ Stalking convictions don't come easily. According to Louisiana law, stalking must be intentional, repeated, and serious enough to cause a reasonable person to be alarmed.
- ◆ Weapons are used to threaten or harm victims in 1 out of 5 stalking cases.⁶
- ◆ Convicted stalkers are among the most dangerous abusers. Keeping guns out of the hands of these criminals will save lives.

Labels don't matter. Behavior does.

Dangerous abusers should not have access to firearms, whether they are married to their victim or not.

- ◆ Domestic violence offenders have unprecedented access to their victims' whereabouts, habits, finances, and information about their family and friends.
- ◆ This places the victim in extreme risk, whether the couple is married, share children, live together or are simply dating.
- ◆ Dating partners who want to leave a violent relationship should not be denied protection. Access to protection should be based on the offender's behavior, not the status of the relationship.
- ◆ Access to firearms increases the risk of intimate partner homicide more than five times, compared to instances where there are no weapons. In addition, abusers who possess guns tend to inflict the most severe abuse on their partners.⁷

In 2015, **67%** of Louisiana's intimate partner homicide victims were not married to their abuser.

38% of offenders had prior domestic violence charges or other violent history.

RESOURCES FOR SURVIVORS

45% of Louisiana parishes have very limited access to services for victims.

A 43% increase in the number of beds would be required to meet the current demand for shelter.

- ◆ Louisiana needs at least 700 shelter beds to house the number of women and children seeking shelter. We currently have 400.
- ◆ In 2014, LCADV member programs reported that they were unable to meet **2,671** service requests from victims due to lack of resources. The turn away rate has increased 67% in the last 2 years.
- ◆ Most of the resources supporting these services are federal and local. Less than **3%** are state dollars.
- ◆ To even begin to meet the current need for shelter, the state line item for domestic violence services should be increased by a minimum of \$10 million.
- ◆ Louisiana domestic violence programs serve approximately 20,000 people per year. By comparison, The Early Steps program serves approximately 9,000 people each year, yet state dollars account for over 57% of its \$15.2 million in funding.⁸

Louisiana Domestic Homicides 2015

In 2015, there were 63 incidents resulting in **72 domestic homicides** in Louisiana.

ABOUT LCADV

Our Mission

The Louisiana Coalition Against Domestic Violence (LCADV) is a statewide network of programs, organizations, and individuals who share the goal of ending domestic violence in Louisiana. LCADV empowers its members and communities through advocacy, education, resource development, and technical assistance.

Our Work

The Louisiana Coalition Against Domestic Violence is the federally designated statewide coalition of programs and individuals working to end domestic violence in Louisiana. Our programs serve people from everywhere in Louisiana and who come from all backgrounds. We oppose violence as a means of control over others and support equality in relationships.

References

¹Violence Policy Center, *When Men Kill Women*, 2015.

²Everytown for Gun Safety, *State Background Check Requirements and Rates of Domestic Violence Homicide*, 2015.

³Everytown for Gun Safety, *State by State Support for Background Checks*, 2013.

⁴US Department of Justice, 1997.

⁵Federal Bureau of Investigation, NICS Operation Report, 2013.

⁶Stalking Resource Center, National Center for Victims of Crime, Stalking Fact Sheet, 2012.

⁷J. C. Campbell, D; Webster, J; Koziol-McLain, C. R; et al. Risk Factors for Femicide in Abusive Relationships: Results From A Multi-Site Case Control Study. *American Journal of Public Health*. 93(7). 2003.

⁸Louisiana Developmental Disabilities Council, <http://www.laddc.org/userfiles/files/FAQSheet02032015.pdf>, 2015.

Louisiana Domestic Violence Programs

Program Name	Parishes Served	Office Number
Chez Hope	Assumption, St. Mary	337.828.4200
Jeff Davis CADA (Communities Against Domestic Abuse)	Jefferson Davis	337.616.8418
DART (Domestic Abuse Resistance Team)	Bienville, Claiborne, Jackson, Lincoln, Union, Winn, Grant	318.513.9373
Faith House	Acadia, Evangeline, Lafayette, St. Landry, Vermilion, Avoyelles, Rapides	337.267.9422
The Haven	Lafourche, Terrebonne	985.872.0757
Iris Domestic Violence Center	Ascension, Iberville, East Baton Rouge, West Baton Rouge, Pointe Coupee, East Feliciana, West Feliciana	225.389.3002
June N. Jenkins Women's Shelter	Beauregard, Vernon	337.462.1452
Metropolitan Center for Women and Children	Jefferson, St. Charles, St. James, St. John	504.837.5455
New Orleans Family Justice Center	Orleans	504.866.9554

Program Name	Parishes Served	Office Number
Oasis, A Safe Haven	Allen, Calcasieu, Cameron	337.436.4552
Safe Harbor	St. Tammany, Washington	985.626.5740
SNAP (Safety Net for Abused Persons)	Iberia, St. Martin	337.367.7627
St. Bernard Battered Women's Program	Plaquemines, St. Bernard	504.277.3177
SAFE (Southeast Advocates for Family Empowerment)	Livingston, St. Helena, Tangipahoa, Washington	985.542.8384
Taylor House, Project Celebration	DeSoto, Sabine, Natchitoches, Bossier, Caddo, Red River, Webster	318.256.3408
The Wellspring Alliance for Families	Caldwell, East Carroll, Franklin, Morehouse, Ouachita, Madison, Richland, Tensas, West Carroll, LaSalle, Concordia, Catahoula	318.651.9314



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Published by the Louisiana Coalition Against Domestic Violence

UNITED AGAINST DOMESTIC VIOLENCE
NEW DOMESTIC VIOLENCE LAWS
Prepared by Kim Sport
Chair, Louisiana Commission to Prevent Domestic Violence
Chair, Public Policy - United Way of Southeast Louisiana

La. C.C. Art. 103 – Immediate Divorce

(2014) There is no 180 day waiting period for a divorce if the other spouse has physically or sexually abused the spouse seeking divorce or a child of one of the spouses – prosecution is not a factor. Art. 103(4).

(2014) There is no 180 day waiting period for a divorce if a protective order or injunction has been issued after a contradictory hearing to protect the spouse or child of one of the spouses from abuse. Art. 103(5).

(2015) Clarifies that acts of physical or sexual abuse or the issuance of a protective order during the marriage qualifies a spouse for an immediate divorce even if the abuse occurred or the protective order was issued prior to August 1, 2014. This provision has no application to protective orders or injunctions issued pursuant to a consent decree prior to August 1, 2014.

La. C.C. Art. 113 – Interim Spousal Support

(2014) If a spouse is seeking final periodic support (formerly “permanent alimony”) pursuant to a divorce under 103(4) or 103(5), Interim spousal support (formerly “temporary alimony”) must be awarded for at least 180 days from the judgment of divorce. Art. 113(C).

La. C.C. Art. 112 – Final Periodic Support

(2014) A court must consider the existence, effect and duration of domestic abuse in determining the amount and duration of final periodic support. Art. 112(C)(9).

(2014) A judge shall consider a domestic abuse conviction and may order an evaluation of the parties to assist the court in determining the existence and nature of the alleged domestic abuse and the appropriate amount and duration of final periodic support. La. R.S. 9:327.

(2014) A faultless victim of domestic abuse committed during a marriage shall be awarded final periodic support. Art. 112(B).

(2014) A victim’s support award may exceed an amount in excess of 1/3 of the abuser’s net income. Art. 112(D).

(2014) A victim's spousal support may be awarded in a lump sum. Art. 112(B).

La. C.C.P. Art. 1702 – Confirmation of Immediate Divorce Default Judgment

(2015) Unless directed by a judge, a plaintiff seeking an immediate divorce due to abuse, shall not be required to have a hearing in open court to obtain a default judgment.

C.C. Art. 2362.1 – Attorney Fees in an Action for Divorce

(2015) Permits a judge to assess all attorney fees and costs in an action for an immediate divorce against the perpetrator of abuse as a separate obligation.

La. C.C. Art. 2315.8 - Exemplary Damages

(2014) Exemplary ("punitive") damages may be awarded to a family or household member in a tort action upon proof that the serious bodily injury or mental distress suffered were caused by acts of domestic abuse. (A spouse in Louisiana can file a tort action within one year of obtaining a divorce for any injurious act which occurred during the marriage.)

(2014) Failure to file for a divorce under Art. 103(4) or 103(5) in no way affects the right to sue a spouse after divorce for domestic abuse. La. C.C. Art. 118.

(2014) Upon motion of the defendant or upon its own motion, if the court determines that any action alleging domestic abuse is frivolous or fraudulent, the court shall award costs of court, reasonable attorney fees, and any other related costs to the defendant and any other sanctions and relief requested pursuant to Code of Civil Procedure Article 863.

La. R.S. 46:2131 - Domestic Abuse Assistance Act

(2015) Clarifies that dating partners are eligible for all civil protections for domestic abuse.

La. R.S. 46:2132(3) – Definition of Domestic Abuse

(2015) Clarifies that domestic abuse includes physical and non-physical offenses against a person as defined in the Criminal Code of Louisiana.

La. R.S. 46:2135 – Temporary Restraining Orders

(2015) Requires that the court consider any and all past history of abuse in determining an immediate and present danger of abuse. There is no requirement that the physical or non-physical abuse itself be recent, immediate or present.

La. R.S. 46:2136 – Protective Orders

(2015) Clarifies that a protective order may be granted to bring about a cessation of physical or sexual abuse or any physical or non-physical offense against a person as defined in the Louisiana Criminal Code, or the threat or danger thereof.

(2014) All Uniform Abuse Prevention Orders must be sent to the Louisiana Protective Order Registry and to the local chief law enforcement officer by the clerk of the issuing court by fax or direct electronic input expeditiously and no later than the end of the next business day.

(2014) All Uniform Abuse Prevention Orders must be amended to include the firearm possession prohibitions.

(2014) Law enforcement officers shall, at a minimum, issue a summons to a person in violation of a Uniform Abuse Prevention Order. La. R.S. 14:79(E)(1).

(2014) Law enforcement officers shall immediately arrest a person in violation of a Uniform Abuse Prevention Order if the officer has reason to believe the violator has abused a family or household member or a dating partner. La. R.S. 46:2140(A).

(2015) Adds that an officer shall immediately arrest a person in violation of a TRO or protective order issued for stalking or as a condition of bail if the officer believes that abuse has occurred concurrently with the violation. La. R.S. 46:2140(A).

(2014) Law enforcement officers maintain discretion regarding the arrest of an abuser if the abuser is not in violation of a protective order. La. R.S. 46:2140(B).

(2014) When faced with conflicting accounts of domestic abuse or dating violence, law enforcement officers shall presume that the person in violation of a Uniform Abuse Prevention Order is the predominant aggressor and arrest the violator. La. R.S.46:2140(C)(2)(g); La. R.S.46:2140(C)(3)(b).

(2015) Adds that an officer shall assume a person in violation of a TRO or protective order issued for stalking or as a condition of bail is the predominant aggressor. La. R.S. 46:2140(C)(2)(g).

La. R.S. 46:2136.3 – Firearm Dispossession for Duration of Protective Order

(2014) Anyone subject to an injunction or protective order (after a show cause hearing) to protect a family or household member may not possess a firearm for the duration of the injunction or protective order if the injunction or protective order includes a finding of a credible threat to the physical safety of the protected person and a statement that possession of a firearm is prohibited pursuant to federal and state laws.

La. R.S. 14:79 - Violation of Protective Orders

(2015) A third conviction without a battery or crime of violence is a felony. A second conviction with a battery is a felony.

La. R.S. 14:35.3 - Domestic Abuse Battery - the intentional use of force or violence committed by one household member or family member upon the person of another household member or family member.

(2014) Domestic Abuse Aggravated Assault is a crime of violence. La. R.S.14:2(B)(45). This means an offender must serve at least 85% of the sentence imposed.

(2014) A second conviction of Domestic Abuse Battery is a felony. La. R.S. 14:35.3(D).

(2015) Adds family members to the class of protected persons. La. R.S. 14:35.3(5)

(2015) Eliminates the co-habitation requirement within five years of the battery and includes persons formerly living in the same residence. La. R.S. 14:35.3(5)

("Family member" means spouses, former spouses, parents, children, stepparents, stepchildren, foster parents, and foster children. "Household member" means any person of the opposite sex presently or formerly living in the same residence with the offender as a spouse, whether married or not, or any child presently or formerly living in the same residence with the offender, or any child of the offender regardless of where the child resides.)

La. R.S. 14:37.7 - Domestic Abuse Aggravated Assault

(2015) Adds family members to class of protected persons and eliminates co-habitation requirement within five years of the assault

C.Cr.P. 334.2 – No Release On Recognizance Following Arrest

- (2014) No personal recognizance bond is permitted for any crime of violence including:
- False imprisonment with firearm
 - False imprisonment
 - Domestic Abuse Battery
 - Domestic Abuse Battery Aggravated Assault
 - Crime of Violence
 - Violation of Uniform Abuse Prevention Order

La. R.S. 15:590 – Fingerprint and Identification Data

(2014) Requires fingerprints, photos and other identifying data of a person arrested for domestic abuse battery

C.Cr.P. Art. 330.3 Setting Bail for Felony Offenses Against a Family or Household Member or Dating Partners (Gwen's Law)

(2014) If a person is charged with a felony domestic or dating violence offense, the court shall order a contradictory bail hearing within 5 days. The court shall, with the consent of the prosecutor, perform an ex parte examination of the evidence against the accused. The court shall perform a risk assessment. Upon proof of clear and convincing evidence the accused might flee, poses a threat of danger to the victim, or a threat of danger to any other person, the court may hold the accused without bail pending trial. If bail is granted following the hearing, the court may require the accused to wear an electronic monitoring device as a condition of bail. (Watered down in 2015 so hearing is now discretionary).

(2015) A contradictory bail hearing, as provided for in this Article, may be held prior to setting bail for a person in custody who is charged with domestic abuse battery, violation of protective orders, stalking, or any felony offense involving the use or threatened use of force or a deadly weapon upon the defendant's family member, as defined in R.S. 46:2132 or upon the defendant's household member as defined in R.S. 14:35.3, or upon the defendant's dating partner, as defined in R.S. 46:2151. If the court orders a contradictory hearing, the hearing shall be held within five days from the date of determination of probable cause, exclusive of weekends and legal holidays. At the contradictory hearing, the court shall determine the conditions of bail or whether the defendant should be held without bail pending trial. If the court decides not to hold a contradictory hearing, it shall notify the prosecuting attorney prior to setting bail.

The judge or magistrate shall consider the criminal history of the defendant, the potential threat or danger the defendant poses to the victim, the family of the victim, or to any member of the public, especially children; documented history or records of any of the following: substance abuse by the defendant; threats of suicide by the defendant; the defendant's use of force or threats of use of force against any victim; strangulation, forced sex, or controlling the activities of any victim by the defendant; or threats to kill. Documented history or records may include but are not limited to sworn affidavits, police reports, and medical records.

Following the contradictory hearing and based upon the judge's or magistrate's review of the factors set forth in Paragraph C of this Article, the judge or magistrate may order that the defendant not be admitted to bail, upon proof by clear and convincing evidence either that the defendant might flee, or that the defendant poses an imminent danger to any other person or the community.

CCrP Art. 335.1. - Offenses Against a Family or Household Member or Dating Partner; Victims of Sexual Assault; Provisions for Forfeiture, Arrest, Modification

(2014) A.(1)(a) In determining conditions of release of a defendant who is alleged to have committed an offense against the defendant's family or household member, as defined in R.S. 46:2132(4), or against the defendant's dating partner, as defined in R.S. 46:2151, or who is alleged to have committed the offense of domestic abuse battery under the provisions of R.S. 14:35.3, or who is alleged to have committed the offense of stalking under the provisions of R.S. 14:40.2, or who is alleged to have committed a sexual assault as defined in R.S. 46:2184, the court shall consider whether the defendant poses a threat or danger to the victim. If the court determines that the defendant poses such a threat or danger, it shall require as a condition of bail that the defendant refrain from going to the residence or household of the victim, the victim's school, and the victim's place of employment or otherwise contacting the victim in any manner whatsoever, and shall refrain from having any further contact with the victim.

(2014) (b) If, as part of a bail restriction, an order is issued pursuant to the provisions of this Paragraph, the judge shall cause to have prepared a Uniform Abuse Prevention Order, as provided in R.S. 46:2136.2, shall sign such order, and shall immediately forward it to the clerk of court for filing, on the next business day after the order is issued. The clerk of the issuing court shall transmit the Uniform Abuse Prevention Order to the Judicial Administrator's Office, Louisiana Supreme Court, for entry into the Louisiana Protective Order Registry, as provided in R.S. 46:2136.2(A), by facsimile transmission or direct electronic input as expeditiously as possible, but no later than the end of the next business day after the order is filed with the clerk of court. The clerk of the issuing court shall also send a copy of the Uniform Abuse Prevention Order, as provided in R.S. 46:2136.2(C), or any modification thereof, to the chief law enforcement officer of the parish where the person or persons protected by the order reside. A copy of the Uniform Abuse Prevention Order shall be retained on file in the office of the chief law enforcement officer until otherwise directed by the court.

(2014) (c) Except as provided in Subsubparagraph (d) of this Subparagraph, if, as part of a bail restriction, an order is issued pursuant to the provisions of this Paragraph, the court shall also order that the defendant be prohibited from possessing a firearm for the duration of the Uniform Abuse Prevention Order. For the purposes of this Subsubparagraph, "firearm" means any pistol, revolver, rifle, shotgun, machine gun, submachine gun, black powder weapon, or assault rifle that is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive.

(2015) (d) If, as part of a bail restriction, an order is issued pursuant to the provisions of this Paragraph and the alleged offense is sexual assault as defined in R.S. 46:2184, the court may order that the defendant be prohibited from possessing a firearm for the duration of the Uniform Abuse Prevention Order. For the purposes of this Subsubparagraph, "firearm" means any pistol, revolver, rifle, shotgun, machine gun, submachine gun, black powder weapon, or assault rifle that is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive.

CCrP Art. 387 – Additional Identification Required for Prosecution

(2015) An indictment, information, or affidavit shall include date of arrest, relationship to victim, and state ID, if any, when instituting prosecution of a domestic abuse battery offense.

La. R.S. 14:95.10 - Firearm Dispossession Following Misdemeanor Conviction of Domestic Abuse Battery

(2014) Anyone convicted of domestic abuse battery cannot possess a firearm until 10 years after completion of their sentence, probation, parole or suspension of sentence, even if the conviction was for a misdemeanor under La. R.S. 14:35.3.

C.Cr.P. 890.1 - No Waiver of Mandatory Minimum Sentences

(2014) Excludes domestic armed battery, rape, stalking, human trafficking, and other violent offenses from the list of crimes for which a minimum sentence can be waived.

CCrP Art. 977(C)(2); CCrP 987 - Expungement

(2015) A misdemeanor conviction of misdemeanor or felony domestic abuse battery cannot be expunged.

La. R.S. 14:35.3(B) - Domestic Abuse Intervention Program - New Definition

(2014) If a person is ordered to complete a treatment program pursuant to the Post Separation Family Violence Relief Act or the Domestic Abuse Battery statute, the program must be court-monitored and consist of a minimum of 26 in-person sessions. See also La. R.S.9:362(7).

(2015) DAIP programs cannot be accelerated and must occur over a minimum of 26 weeks.

La. R.S. 14:40.2 – Stalking

(2015) Adds written threats to the list of acts which may cause a person to suffer emotional distress

La. R.S. 46:1860 - Family Justice Centers

(2015) Creates criteria for the establishment of Family Justice Centers in Louisiana to provide multiagency and multidisciplinary support and services to victims of abuse, sexual assault, stalking, cyber bullying and human trafficking without compromising the confidentiality of victim information and services.

La. R.S. 9:3262 – Lease Agreements – Domestic Abuse Victims

(2015) A lease agreement cannot contain provisions which prohibit or penalize a person who summons emergency assistance. A landlord cannot refuse to lease or renew a lease simply because the tenant is a victim of domestic abuse. A landlord cannot issue a notice to vacate or to terminate a lease and must provide early termination of a lease, if requested, without forfeiture of a security deposit to a tenant who timely provides documentation of being a victim of domestic abuse upon the leased property. A victim who seeks early termination or who wishes to enter a new lease must agree that the perpetrator of abuse cannot enter the leased premises. If a victim's offender continues cause disturbances on the leased premises, the landlord can terminate the victim's lease. In such cases, the landlord may provide another leased dwelling if available. A landlord can always immediately evict the perpetrator of domestic abuse. A victim wrongfully evicted or denied early termination can seek injunctive relief within one year of the act.



Louisiana Institute for Children in Families

The Louisiana Institute for Children in Families (LICF) is a nonprofit, nonpartisan organization dedicated to raising awareness about the need of all children to be raised in safe, permanent and loving homes and to eliminating the barriers that hinder these children from realizing their basic right to a family.

Through our programs, we connect community leaders with those who are directly impacted by child welfare policy, and all in an effort to improve outcomes for families.

Youth Justice Coalition



COMMON-SENSE JUVENILE JUSTICE REFORM IN 2016

Contact Joshua Perry, 504-658-6852, jperry@laccr.org

ACT NOW FOR JUVENILE JUSTICE REFORM

- In 2016, we should implement common-sense juvenile justice reforms to curb crime, use taxpayer resources responsibly, and achieve better outcomes for children.
- We can help prepare vulnerable young people to be productive and successful adults, instead of pushing them out of school and into the criminal justice system.
- Juvenile offending in Louisiana has declined by as much as 40% over the past ten years. Our state budget is tight. That means Louisiana has both the need and the opportunity to conserve scarce public resources by right-sizing the justice system and investing pragmatically in solutions that really work.

RAISE THE AGE

- Louisiana should include 17-year-olds in the juvenile justice system, holding kids accountable in age-appropriate settings.
- Louisiana is one of only 9 states that exclude all 17-year-olds from the juvenile justice system – even for the most minor, nonviolent offenses. Today, all 17-year-olds who are arrested can be sent to adult jails, where they are in danger of physical and sexual abuse. Arrests and convictions for even minor offenses become public record and can prevent kids from getting an education and joining the workforce.
- Raising the age of juvenile jurisdiction from 17 to 18 will make our communities safer. Prosecuting kids in the juvenile system decreases recidivism by 34%, according to the Centers for Disease Control, because the juvenile system is better at imposing accountability and requiring participation in services.
- Statewide polling by LSU in 2015 shows that 66% of Louisianans – a majority of both parties – believes that 17 year olds should be included in the juvenile justice system.
- The vast majority of charges against 17-year-olds are minor, and raising the age would not prevent district attorneys from prosecuting serious offenders as adults.

RIGHT-SIZE THE JUVENILE JUSTICE SYSTEM

- A strong juvenile justice system serves kids in their own homes wherever possible. But 57% of the kids **in Louisiana's juvenile prisons** are there for minor, nonviolent offenses. **That's not safe**, because juvenile prison has been shown to increase recidivism for low-level offenders.
- Imprisoning a child for one day costs \$419. **We're wasting public money on interventions that don't work.** Per capita, Louisiana has twice as many kids in its state juvenile facilities as Texas.

- We should look to Texas and other states that get services to nonviolent youth in their own homes and communities. We can use strategies that have been shown to work, including reducing the use of secure confinement for youth whose offenses don't involve the use of violence or weapons.
- Polling by LSU's Public Policy Research Lab in 2015 shows that 73% of Louisianans believe that we should invest in community-based treatment, not incarceration, for youthful offenders.

OVERHAUL EDUCATION IN JUVENILE JUSTICE FACILITIES

- Right now, only 8% of youth in Louisiana's juvenile facilities are earning credits towards a high school diploma – against a national average of 46%. In every year since Louisiana began grading its public schools, the schools in our juvenile facilities have received failing grades.
- Too frequently, we are sending young people home from custody unprepared to succeed in either the educational system or the workforce. Failing to educate young people in custody betrays our state's core commitments to keep communities safe, use taxpayer money responsibly, and give meaningful second chances to youthful offenders.
- A legislatively-established commission is currently working to make recommendations on improving education in custody for the 2016 legislative session. Those will begin with setting clear quality standards and imposing real accountability for failing to meet those standards.

PROMOTE FAIRNESS FOR YOUTH IN JUVENILE FACILITIES

- Louisiana houses about 1,000 youth each year in secure juvenile facilities. **Some of these youth have done everything possible to change in positive ways. To prove that they have earned the right to come home on supervised release, they can go before the judge who sentenced them.**
- **But there's a barrier: In 2014, 98% of surveyed youth in Louisiana's juvenile prisons had never been visited by a lawyer.** Those young people can become trapped in the maze of the juvenile justice system.
- **As a result, 65% of Louisiana's imprisoned youth serve out their full terms in custody. Those young people come home without any supervision or reentry supports.**
- We should ensure that all kids in prison have legal advocates as guides through the maze of the juvenile justice system. Just like in the mental health and abuse-and-neglect systems, youth in juvenile justice custody should be given lawyers to help them get through the maze and back into court.

THE LOUISIANA YOUTH JUSTICE COALITION

The Louisiana Youth Justice Coalition is a network of organizations and individuals who support common-sense juvenile justice reform that will curb crime, use taxpayer resources responsibly, and achieve better outcomes for children. We believe that Louisiana's juvenile justice system should be:

- Safe.** Our juvenile justice system should **curb crime** and keep our neighborhoods safe.
- Smart.** Our state can't be prosperous unless we ensure that our most vulnerable young people are **educated and ready for the workforce**.
- Cost-effective.** Louisiana must **use taxpayer funds responsibly**. We should use the right tools that will really help young people behave in positive ways – and we **shouldn't** waste money on **interventions that just don't work**.
- Fair.** We want a juvenile justice system that is **fair to every young person** – a system that holds kids accountable while embodying our deepest values about how all people should be treated.

Learn more at www.youthjustice.la

LOUISIANA

Youth Justice Coalition



Juvenile Justice Reform: A Critical Lever for Alleviating Poverty and Improving Outcomes for Vulnerable Youth

The Louisiana Youth Justice Coalition is a network of organizations that support common-sense juvenile justice reform to curb crime, use taxpayer resources responsibly, and achieve better outcomes for children. In 2016, the Coalition is supporting a legislative agenda with four key elements:

- SB 324 will raise the age, including 17-year-olds in the juvenile justice system;
- SB 301 will right-size the juvenile justice system, serving more nonviolent youth in their homes and communities instead of in juvenile prison;
- SB 303 will promote educational accountability for the schools in Louisiana's secure juvenile justice facilities;
- SB 302 will **ensure that youth in juvenile facilities have judicial supervision while they're** in custody and legal counsel as guides through the maze of the justice system.

These bills work as a package to alleviate poverty by promoting positive outcomes for Louisiana's most vulnerable young people. Our legislation will positively affect all of the following levers for eliminating poverty:

Reduce youthful offending. Including 17-year-olds in the juvenile system decreases recidivism by 34%, according to the Centers for Disease Control, because the juvenile system is better at supervision and requiring participation in services that can get kids on the right track.¹

Promote access to jobs for vulnerable youth. Raising the age will keep 6,000 17-year-olds every year out of the criminal justice system for minor offenses. That means they will not have criminal records, which can limit job and educational opportunities for a lifetime.

Keep young people out of custody unnecessarily. When all other factors are controlled for, incarcerating a child has been shown to decrease high school graduation by 13 percentage points and increase adult incarceration by 22 percentage points. Failing to graduate high school, in turn, significantly decreases lifetime earning potential.²

Improve educational attainment. When juveniles are educated, they are less likely to recidivate and more employable, which in turn leads to safe and stable communities. Researchers have put a price tag on these benefits. Helping young, high-risk youth turn their lives around reduces criminal activity, drug use, and government dependency. The results in savings total, over a lifetime, between \$3.2 million and \$5.8 million per juvenile.³

¹ See A. McGowan et al., *Effects on Violence of Laws and Policies Facilitating the Transfer of Juveniles from the Juvenile Justice System to the Adult Justice System: A Systematic Review*, 32 AM. J. PREVENTATIVE MEDICINE (2007).

² Anna Aizer & Joseph J. Doyle, Jr., *Does Incarcerating Juveniles Reduce their Human Capital and Increase the Likelihood of Future Crime? Evidence from Randomly-Assigned Judges* 3 (National Bureau of Econ. Research, 2013), *available at* http://www.mit.edu/~jjdoyle/aizer_doyle_judges.pdf.

³ Mark A. Cohen and Alex R. Piquero, *New Evidence on the Monetary Value of Saving a High Risk Youth*, 25 *Journal of Quantitative Criminology* 25-49 (2009).

Smart On Crime

L O U I S I A N A

Smart on Crime 2016: Putting Louisiana Back to Work

In Louisiana, over 17,000 people are released from prison and reenter society each year. This represents a significant portion of Louisiana's population and workforce. However, under our current policies, men who have been incarcerated work 9 weeks less per year and take home 40 percent less pay annually than their colleagues.

Instead of creating economic obstacles, Louisiana could ensure that employers are able to safely and securely hire those with a criminal record. The state could also ensure that those who have earned a second chance are able to obtain housing and achieve gainful employment. This makes good economic sense but would also make our state demonstrably safer. Employment has been linked with lower recidivism rates, meaning these policies could both boost employment and cut crime. This policy agenda will strengthen Louisiana's economy, lift up its citizens, and restore our communities.

Putting Reentering Citizens Back to Work

Two years ago, Louisiana created protections for employers that hire those with a criminal record, enacting legislation that limited liability for negligent hiring or failure to supervise unless the employer knew or should have known of the conviction, and the acts were substantially related to the original offense, or if the criminal record included a violent crime or sex offense.

This policy is working to expand employment opportunities for Louisianans, but should be updated to allow a judge to issue a "Certificate of Employability" to those under supervision of a reentry court. This would expand protection for employers and bolster employment for those supervised by a reentry court, increasing their chances of a success.

In addition, a policy to limit liability for mentors used by specialty courts in Louisiana would ensure mentors are able to volunteer and serve our communities by guiding and coaching those probationers supervised by the reentry courts. This, in conjunction with employment, could help to increase the likelihood of stable employment and continued crime-free behavior.

Fair Chance Employment

The application for state and local government jobs in Louisiana should not inquire into criminal records. Instead, this inquiry should come at the interview stage, where the applicant has the chance to explain the record, provide context, and offer proof of rehabilitation. This would ensure all have a fair chance at being considered for the state or local government job.

Nineteen other states have already enacted such policies for government jobs, and several large corporations have voluntarily chosen to do so as well, including Target, Wal-Mart, and Koch Industries.

This policy would not require any state or local government to hire a particular applicant, nor would it prevent a state or local government employer from conducting a background check. It would merely prevent a criminal record from being an automatic bar to consideration for employment, and delay the inquiry into the criminal record until the applicant can explain it fully. Further, this policy would apply only to state and local government jobs, not to private entities.

A Chance at a Fresh Start

Current law allows Louisianans to seal certain records of nonviolent and lower-level misdemeanors and felonies if ten years have elapsed and the person remains crime-free. This policy should be expanded to additional Louisianans who have earned a chance at a fresh start. Those who have been deemed factually innocent and entitled to compensation should be able to wipe their slates clean, and, after giving the Louisiana Bureau of Criminal Identification and Information a chance to object and explain why sealing these records should not be granted, extending this policy to aggravated battery, second degree battery, aggravated assault, aggravated criminal damage to property, simple robbery, purse snatching, or illegal use of weapons or dangerous instrumentalities could help thousands more turn their lives around. Importantly, this fresh start would only be allowed for those who have remained crime-free and employed for 10 years.

How the Smart on Crime Louisiana 2016 Agenda Impacts Poverty

The common theme running through the Smart on Crime bills is making it easier for ex-offenders to successfully reintegrate back into society. Specifically, the items on the SOC agenda will help create an environment where those coming out of prison can land gainful employment. Research shows that holding a job greatly reduces the risk of recidivism, so the SOC agenda will help impact poverty by giving more people the opportunity to support themselves and their families and reduce the likelihood that that ex-offenders end up back in prison. This is an important component of criminal justice reform and it is one that enjoys broad bipartisan support.