

Girls in Justice: Photographer Richard Ross in Conversation

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Speakers:

Richard Ross, Photographer; Creator, Juvenile-in-Justice

Patricia Lee, Managing Attorney for the Juvenile Division of the San Francisco Public Defender's Office

Kasie Lee, Assistant District Attorney for the City and County of San Francisco, Juvenile Unit

Michelle De Young, Social Worker, San Francisco Public Defender's Office Juvenile Unit

- Beginning of Recording -

Joshua Nederhood:

All right. The International Symposium on Girls in Conflict with the Law is the work of the following organizations: Dui Hua Foundation is a non-profit organization that brings clemency and better treatment to at risk detainees through dialogue; Patricia Lee is the managing attorney for the juvenile division of the San Francisco Public Defender's Office and today's moderator. Penal Reform International is a non-governmental organization working globally to promote criminal justice systems that uphold human rights for all and do no harm. Finally, the Centre for Criminology and the Centre for Comparative and Public Law of the University of Hong Kong are the remaining partners.

Today's webinar and the Symposium as a whole would not be possible without the support from the following organizations: The Canada Fund for Local Initiatives, the Ministry of Foreign Affairs of the Netherlands, two private funds — the Alice Lam Memorial Fund and Mark Headley & Christina Pehl—and the symposium is also supported by organizations that give to Dui Hua's core work. Those come from the Dui Hua Special Program Development Fund, the Ministry of Foreign Affairs of Denmark, Sida, the Swedish International Development Cooperation Agency, and the Norwegian Ministry of Foreign Affairs.

Today's moderator Patricia Lee has been Deputy Public Defender in San Francisco since 1978 and has been practicing in the juvenile courts since 1981. She's currently the Managing Attorney for the Juvenile Division of the San Francisco Public Defender's Office. I will now turn things over to you, Patty.

Patricia Lee:

Thank you, Joshua. Welcome everybody. Good morning, good evening. I want to also note that this is a webinar and Symposium but I want to also encourage you to attend our upcoming symposium events. So on February 15, we have Findings and Calls to Justice with a Focus on Indigenous Girls and Youth in Canada and in the United States. February 23, we have the symposium on Sex Trafficking, to be announced hopefully, very soon. Sexual violence, the view from Glasgow, and the last Symposium will be the view from Beijing. We have a lot in store, encourage you to continue attending these events.

For today's presentation, we are very, very excited to present the preeminent photojournalist, Richard Ross. He is an activist, photographer, and distinguished research professor of art based in Santa Barbara, California. He is the creator of Juvenile-In-Justice. His work turns a lens on the placement and treatment of American juveniles and he empowers the voices of the youth, the many youth who are incarcerated, so he provides a visual tool to lead to the decarceration of youth throughout the United States and across the world.

Next stop on our tour is Kasie Lee. I'm very honored to have worked with Kasie through the years, and she is now the new assistant district attorney for the city and county of San Francisco. She is a certified Criminal Law Specialist. She is a former public defender of the Los Angeles County Public Defender's Office and she's handled complex cases, and she will give you a short preview on the law of children who've been sexually trafficked and exploited.

Our final stop on our tour this morning will be Michelle De Young, a girl social worker extraordinaire from the San Francisco Public Defender's Office and she will provide you with a day in the life of the social worker as a girl social worker in San Francisco.

Without further ado, I'm going to introduce you to Richard Ross. Thank you, Richard.

Richard Ross:

Thank you. Thanks for having me. My whole focus for the last 15 years has been interviewing these kids and being a co-conspirator with them in terms of trying to be the conduit for their voice. So, I've been to 35 different states. I have interviewed over a thousand kids. It's taken more than 15 years and it's a project that began – I know exactly where it began, but I'm not quite sure when it ends, but the easiest thing to introduce me is Judy Woodruff did a little interview with me earlier in the year, and let me give you a three-minute piece that was just on PBS. [video presentation]

TV Presenter:

Richard Ross has documented the US juvenile justice system for the better part of a decade. In tonight's *Brief, but Spectacular*, Ross shares what it feels like to honor the voices of children behind bars. His books *Juvie Talk* and *Girls in Justice* are available online.

Richard Ross recording:

I went to a juvenile detention center in Texas. And I was used to photographing architecture, but then, all of a sudden, I started talking to a couple of kids there that were very fragile, didn't speak any English. And I realized that I was the conduit for their voice.

When I would go into these institutions, I would knock on the door of the cell, I would take off my shoes, I would ask for permission to come in. And then I would sit on the floor of the cell. I would give that child authority physically above me. And these were usually

teenagers, and they were isolated, bored, lonely. And somebody interested in paying attention to them, they loved it.

These kids all live under the umbrella of trauma, poverty, abuse, neglect. And I'm trying to figure out the world where they get the right resources to help them, and they don't go into the deeper end of the system.

Every one of these children need mental health services. These are kids without a voice from families without resources, from communities without power, and that's got to change somehow.

Getting the images into the hands of the right people to effect change is the battle that I do. The Senate and House was voting to renew the act that kept children in separate courts.

There was an exhibition of my work in the Capitol Rotunda. And then, when the actual vote was taking place, Senators Grassley and Durbin both had copies of my book when they were voting.

I create these images because data, while it's incredibly important, exists in fluorescent sterility, yearning for a fragile voice to make it comprehensible on human terms.

When you have kids from one zip code that are more likely to go to prison than college, then society has failed them, rather than they have failed us.

So, instead of figuring out how to change these kids to fit into our institutions, we have to rearrange our thinking and figure out how our institutions change to fit these kids.

You have seen these images. You have a glimpse of who these kids are. Ask yourself, what would you do if this was your kid?

My name is Richard Ross, and this is my Brief But Spectacular take on juvenile injustice in America. [end of video presentation]

Brief But Spectacular, I apologize for that title but it does give a pretty good overview on professionals at editing and presenting are important. So, I have photographs all over the place, and then as part of it, you look at isolation cells, and any institution might say, well, it's an anomaly. It's a timeout room. It's administrative segregation, any number of words, but when you put them all together, and I can do that in a compelling and artistic fashion that pulls you in - I'm an artist. I know visuals. I know how to sell things. That's what a visual artist can do. I don't just give data.

When you put a 10-year-old into a room like this, and a steel door closes, you could hear the sound, you can feel the cold, and then four deadbolts are thrown across there, how much damage does it do to these kids? How do you imagine that you're doing something good, but institutions are hoarders of bad habits, so they keep on doing it and doing it. My role has been to get into these places, which takes endless emails, endless phone calls, endless who-knows-who. I wear a journalistic hat. I wear a professorial hat. I do anything possible, and I am relentless in terms of getting into these places. When people have said, "You'll never be able to do it," well I think the legal system comes from a background of precedent whereas artists feel like they have to do what is unprecedented. Then once you get in there, you have to very quickly develop trust with the kid, and I do that by knocking on the door, taking off my shoes, asking for permission and sitting on the floor and give these kids power over me.

So, who are these kids? This is the way the media has portrayed these kids, as very violent gangbangers that are terrifying, that are going to come and assault sexually, physical, take away all your resources. This is the way the media presents it. I try to show the actuality of who these

kids are. On the left is a fifth grader that got into an argument with a kid in class, was in the principal's office and then ate a muffin on the principal's desk and ended up at 10:00 in the morning in a detention center. While the director of the detention center asked if she could use the image, sent out that image to all the principals in her district and said, "This is no place for these kids. You settle any issue like that within your classroom or within your office, but you don't have protocols that send them here because it damages them."

I do comparisons. The left is an image that I shot at Abu Ghraib in Iraq, the right is a juvenile detention center in Hawaii. The right is one of my images from Guantanamo Delta Camp where they hold the world's worst alleged terrorists, on the left is a juvenile detention center in Texas. What's the difference between the two? It's exactly the same construction, but for the alleged terrorists, they have a light, they have a window. How do we do this to our children? That's what these comparisons will ask, and then I have to figure out where to present them in order to get the maximum impact, but visuals count. Simple visuals are important.

Let me give you an example on what we act as a conduit and let a kid from Ferguson, Missouri speak in his own words. [video presentation]

I got shot. It was on the 22nd of April. Well, they shattered my thumb, cause it went in my thumb and came out my pinky. Hopefully they took a piece of bone out of my hip. They put it in my thumb, like just like yesterday, two days ago. It's all great. That's all good, I'm still alive, so, okay. [end of video presentation]

"It's all going great. I'm still alive." That shows the lack of a preferential cortex. It shows an access to weapons. It shows violence. It shows a kid in isolation. All these things that we talk about in terms of data, one kid starts talking about it, simple, simple stories, simple data. I need to have this information repeatable for it to have effect. Every child, 13 or 14 years old sentenced to life without parole for a non-homicide has been a person of color in the U.S. I want students to think about these things, be able to read them and be able to read them and say to their friends, "I

heard this and you're not going to believe it." It sets up a conversation in terms of changing a discussion and changing a way a world thinks about these kids.

For example, I went to Maryville Residential Program, I asked the director, "What percentage of the girls here have been sexually abused when they come here? What percentage?" "Everyone. All 88 of the girls in our custody have been sexually abused. It's hard to imagine these kids are perpetrators of crimes when you realize how much they're victims of crimes." The people that they were put in custody to love them, or their family, violated that love on the worst possible sense. When you start thinking about these kids in these terms, it's one thing, but then when you go beyond that and you start having the first-person story, again this is a director talking about girls, but here in Georgia, a girl tells her story in the sense of first person singular. This is me and it has different impact. [video presentation]

First time I was sexually abused was at the age of probably around five. They were with my mother. And I tried to tell her a few times and she said, I didn't know what I was talking about. I was too little. And when I finally gave the time, when I actually finally gave up on trying to get to talk to her about it was when one of her boyfriends after having raped me, left the room and slammed the door so hard that it didn't actually close. It kind of like swung back open. And I saw her sitting on the couch across from the doorway and she looked at me and smiled, and I knew the whole time that she could hear me scream. [end of video presentation]

The power of the voice, the power of telling the story from their own experience. I try to have both audio singular image, not confused, simple images. I want things to haunt you. Politically, in terms of getting the images to have impact, although so many overproportioned kids that are incarcerated are kids of color, I also make sure that I have some white girls with the idea that the policymakers who are predominantly white men in this country can easily dismiss that this is a problem of the other. I want to have an image like this so that they can identify and say, "Maybe we better do something about this because she looks familiar in terms of my own family, my own

community, my own church, my own school, so I can't dismiss it as the other. I can't say, 'oh, well, it's that kid of color that's causing the problem'." Again, let's hear a girl talk about her situation. [video presentation]

Can't lay down, got to sit up. I can lay down at 7:30. They wake me up at six o'clock in the morning. If they see us laying down or falling asleep, then they take our mattress covers. My back really hurts. [end of video presentation]

This is where there are 50 girls being held, 49 of them are white, one African-American girl. She's held for 72 hours in isolation. They won't let her lie down on her mattress and the director of the institution is saying she was intimidating the other girls, one African-American girl intimidating 49 white girls, I didn't see how that was possible, but I couldn't say, "are you out of your mind?" I had to make the case and get them to buy into a different way of thinking. Your strategies have to be to try to bring people into the fold rather than confronting them.

Sometimes, data can be really simple and present a case and you could say, Latino youths are four times more likely to receive an adult sentence for the same crime as white children, and African-American youths are nine times more likely to receive an adult sentence for the same crime as a white child. What do you think your policy of holding this African-American girl is accomplishing, and how does that stand with the data that's been collected? You have a discussion.

Basically, I feel like I am a conduit telling these kids stories, but the story that you have to tell essentially is when you can predict that an infant boy of color in a particular zip code is more likely to go to prison than to college, you have to be able to accept that it's our fault more than his. You have to be able to show that, "Look at this kid. African-American kid in a courtroom facing two white ADAs or public prosecutors." How does it feel? These are lonely, powerless people. This is a girl that was held for more than six weeks in isolation in an institution wearing a suicide tunic. Why was she wearing a suicide tunic? Because there was a horizontal band of red

all across her cell which very much looked like a tennis ball had been dipped in paint and placed there, but it's where she was beating her head against the wall. Can you imagine that? How do you deal with that? How do you talk to these kids? How do you deal with the institutions? How do you try to change it? It's almost impossible but you have to bear witness and you have to show people in power, "this is what you're doing."

So, I took this and I did this work in secret for about five years. Then the publisher, Rick MacArthur of Harper's Magazine said "You can't be a mobile home trying to get all 50 states. These kids need attention now." So in 2012, this was published and it started to gain national attention, more national attention than I think simply data would have done, but it also closed a lot of doors. It became a much more public discussion rather than just driving my wife crazy with the project I was doing, and it became used in judicial subcommittee hearings, somewhat on the federal level but a lot of the battle in the states is on the state and local level. So, you have to figure out who the audience is that's really critical for your information. We're working together today, and we know our audience is very specific and educated, but we also have within the audience, a high school group from Chicago and other people beyond educators.

This was at the Capitol when they were voting to extend the OJJDP. Rather than January 6, this was a little more productive use of the Capitol rotunda. I also published three books which are available online, shameless plug, because the policymakers are older, male, and they feel the weight of the book is important, but in order to get to the policymakers, you have to get to the gatekeepers who were the interns, younger, deal with social media. Some of our tweets, pushing 200,000 engagements, some of our IG account we can get upwards of 70,000 and more, 80,000. It's shaping the conversation for another generation.

This is at American University. I put the images on the walls rather than within the museums, because as Willy Loman said about, "Why do you rob banks? It's because that's where the money is." I'm trying to be in places where the kids are, where the policymakers of the future are. I'm trying to shape the conversation for another generation. The work will be up by on the walls of

institutions that never thought they could put the work up. It's not about commodity. It's not about artifact. It's about idea. I put them up on billboards. I work with other artists who like to do unprecedented things in dance performance.

This is Bloomington, Indiana City Hall. The city counsellors have to go up the stairs and look at it every day. This is Wilks-Barre, Pennsylvania, where they had the kids for cash scandal and two judges were sent to prison for owning a private juvenile detention center and sending kids to their private juvenile detention center. Well there, the district attorneys said "Yes, you could put it up in the courthouse. We won't argue with that." I'll put up simple information and as simple as I can get it, and you have this information and then I'll work with Bryan Stevenson that goes into the EJI Museum. Oprah, Bryan, they are looking at the image, it's on *60 Minutes*, it gets to a wider audience.

Now I'm going to beg for forgiveness from Dui Hua and show one of the images that was presented earlier in terms of texts, general information, Penal Reform International, and that same information can be presented with an image where it's located, personally as the story of a girl which makes it more impactful, I think. Patty, forgive me. One of her slides from an earlier week, same information here and it would be even more effective if this girl was saying, "I am here for a technical violation." "I am here for a status offense." "I need mental health help." "I come from probation." Things like that and then you follow it with a kicker, costs for this 15-year-old girl, more than \$275,000.00.

One of the last things I'm going to do is show you - have you listen for a minute to Bryan Gowdy who is the attorney that spoke in front of the Supreme Court and argued *Graham versus Florida*. *Graham versus Florida* was one of the seminal cases of you can't have a juvenile in a non-capital case be sentenced to die in prison. I interviewed Bryan. I interviewed Terrence Graham. I'm in constant correspondence with them. These are all on the website. These are all being posted, and this is the 10th year anniversary of *Graham versus Florida* coming up, but Terrence is still in

prison. We have these legal decisions, but they are people. So, here's Bryan speaking. [audio presentation]

Patrick Terrance's case is another case that I helped out in. It involved the 12-year-old in Duvall County. And he was indicted by the grand jury. So he was facing a mandatory lifestyle parole. It was Christian Fernandez, and Christian's now 17, but when Christian was 12...The way I put it to people, by the time he was 12, his father completely abandoned him and had no part of his life. He had a stepfather who abused him physically and then he committed suicide in front of him, and a mother who was only 12, when she had to raise him and wasn't equipped to raise him. [Services] came in and investigate and do nothing about the situation and the result of this whole environment that was created by all these adults was that Christian was left at home with his younger siblings one day, and his two-year-old sibling unfortunately died. You know, he was supposed to be looking after all these younger siblings at age 12. And I say, you know, all these people have a part to play in this. His father was absent, his stepfather who abused him and committed suicide in front of him, and his mother who did really nothing to rectify the situation, the Department of Children and Families that overlooked all this stuff. And of all those people, who've made a mistake. There's only one facing the life without parole sentence. And that's the 12-year-old kid. [end of audio]

Rather than have the child accountable to society and institutions, how do we change that so society and its institutions are accountable to the child? Thank you very much for your patience. I do want you to know that I'm going to be exploring doing workshops in different countries to see what tools can be brought, what exists there, I'm always available. I answer emails promptly, books are available, and you've been very generous with your time. I hope you follow these, us on social media.

Joshua Nederhood:

Thank you, Richard. Now we'll be hearing from Kasie Lee.

Kasie Lee:

Thank you all for being here and thank you, Richard for capturing all of those powerful images over the years and really, telling the stories of these youths. My name is Kasie Lee and I'm a district attorney in San Francisco. Can everyone see this presentation?

So, I'm a district attorney here in San Francisco. For those of you in the audience who are not familiar with how our system is, there are 58 counties in California and each county has their own prosecutor, which is the district attorney. In San Francisco, we are both the city and the county and that is what I do here. I am with the District Attorney's Office in the juvenile unit. I'll also say that prior to this job, I represented youth in the same system, in the juvenile and justice system for many years, and it was really in that capacity that I grew to understand and appreciate the stories of these youths, and as one of the mentors that I had before stated and I really agree with this, "It's really in that capacity that one can appreciate and taste the salt of the client's tears." That experience has really informed what I do now, and I am as I said, in the juvenile unit and there I review cases that come in. When young girls and boys come into the system, I review the cases and decide whether or not there is sufficient evidence to bring charges with them and bring them into our juvenile and justice system.

In my work here at the District Attorney's Office, as I encounter the girls that come into our system, I have seen that almost all, the large majority, if not all, are part of the CSEC population or CSEC victims or at-risk. That's really a lot in line with what you just heard from Richard earlier when the director of a residential program said that all 88 girls in her program were sexually abused at some point in their lives, and that's consistent with what we see here in our system. When I say CSEC, what that stands for is the commercial sexual exploitation of children.

Other commonalities that we see in the girls or among the girls in our system and CSEC youth is, first, is that they are crossover children, and what that means is within California we have two systems dealing with youth: one is the dependency or our child welfare system, and then one is the delinquency system, when the youth are accused of committing a crime. Within the child welfare system, the children are brought into that system when there are allegations and/or findings of abuse, neglect, and abandonment, and that's what we see with a lot of the girls that come in into the delinquency system later on in their lives is that there's this history of being foster children in a child welfare system, a history of being abused, severe neglect, abandonment, and so on. Then in line with that, another commonality we see is mental health issues. With this history of abuse, neglect, and abandonment, it isn't surprising that we see that the youth coming in suffer from post-traumatic stress disorder, PTSD, anxiety, and depression. That is something that is very common among the girls who come into the juvenile and justice system. The third thing that we see that I didn't know before, but it's quite common also, is generational trauma and that's when there is a little more digging into the youth's past, the girls' history, and past. We often find that the mothers of these youths were also part of the dependency system, also part of the child welfare system, and that they were victims of abuse, neglect, and abandonment. This is kind of a vicious cycle.

Unfortunately in California, for a long time, we were criminalizing these young victims of sexual exploitation. When CSEC youths were forced to sell their bodies and there were adults who are profiting from this exploitation, it was actually considered a crime, so I think Patty Lee and Michelle De Young, who you will hear from later on, will tell you that it wasn't too long ago that we were seeing youths handcuffed and being brought into the juvenile court for the crime of prostitution even though many within the system, many in the courtroom were kind of aware of the sad reality that these youths were victims, that they were being exploited, but then still charged with a crime. Just that very act, even though some will say that with this intervention is necessary to protect them, the act of bringing them into the system, handcuffing them, and as you can see putting them into these cells in juvenile hall with no windows and being forced to

follow all different types of rules like not being able to lay down and so on for hours, that just re-traumatizes them and it brings into question, is this the proper intervention for these youths?

On January 1 of 2017, the Senate Bill 1322 went into effect in California and it said “We are no longer going to criminalize this act. We are no longer going to penalize the young girls who are being exploited.” Now as it stands, we cannot charge youth girls who are under 18 for prostitution or loitering with the intent to prostitute. They may be detained for the short period of time so that law enforcement can connect them to services so that they can get the help that they need.

The second thing that we have in our systems is Penal Code Section 236.23 and this is specific to San Francisco. A lot of the youth coming in now, a lot of the girls, even though we no longer charge for the acts of prostitution and loitering with the intent to prostitute, some of them may still be, and what we’ve seen is be forced to engage in other acts, other conduct that are in violation of the law, but may be as a result of their status as a human trafficking victim, as a CSEC victim. It’s actually a defense if there is evidence to support that their act was the direct result of being a human trafficking victim and they had a reasonable fear of harm at the time of the act, and that’s something that we will consider when these cases come before us. There are something else that I didn’t put here and those are Vacatur laws, meaning that if there was a conviction or a petition that was sustained for an act, and this will apply for both adults and youth, but for an act that was a direct result of being a human trafficking victim, there is a form of relief where these victims can go back and petition to vacate their convictions or vacate the finding of the sustained petition and that’s important if there are immigration issues at stake. We know that a lot of – sometimes coming to America, coming to the States, some families and some individuals will seek the help of people or agencies to bring the young people over and once they’re brought over, they are told that “You now owe us this amount of money and in order to pay off that money, you have to do these acts.” Some of these individuals are engaging in conduct that will bring them in violation of the law, and as it would turn out later on, it was because they were human trafficking victims, and there is a form of relief there as well.

Recognizing that this is a problem in our city, San Francisco has set up a multiagency protocol. Within the child welfare system, within the public defender's office, the child welfare system, public defender's office, the district attorney's office, and also other agencies that specifically work with CSEC victims, we have start with regular meetings and putting together a protocol, so that we can all work together and communicate in helping these young girls. Then within my office, the district attorney's office, we also set up our own protocols so we have a current strategies unit that will kind of probe and do a little more investigation and see if we can locate the individuals and charge the individuals that are exploiting these girls. We changed our vulnerable victim policy to include not just young people who are named victims in cases, but also recognizing that young people can come into our system as defendants, as minors charged with offenses, and yet still be victims of CSEC.

That's all I have for today, but if you have any questions, feel free to reach out to me at this email address.

Joshua Nederhood:

Thank you very much, Kasie. Now we'll hear from Michelle.

Michelle De Young:

Right. Hey, all. I like to tell you about some of my experiences. I will not use any of my client's names for their exact story in order to protect their confidentiality. A little bit about how I work, I'm blunt, passionate, fierce, advocate and authentic. I've learned that change happens when you invest in one another and when we don't, you suffer. These stories are about relationships, I've talked to dozens of people every day from all levels of our societal ecosystem. Now, let me warn you, my work is full of chaos, so strap in.

I'm tired because last night I dealt with a situation where a father called the cops on my client Diamond. Why? Well, because Diamond didn't clean the room. Her dad is schizophrenic. I spoke with the cop at length who was shockingly nice, we worked together to get my client to a safe place for the night. I had a stroke of luck; not all cops are this collaborative. The cop told the dad that he can't arrest Diamond for not cleaning her room. Before the cop and I end the call, I tell him things and that I appreciate his collaboration.

I spent an hour following up on calls and emails, 9:00 AM rolls around, there are several new kids in custody, so I go up to juvenile hall to do annotations. We at the public defender's office meet with youths as quickly as we can. We walk them through their rights and rights to detail and tell them the roles of the district attorney, the probation officer, and the public defender's office laying out how what they say, who they say it to, can be used for or against them. We also help them understand that the public defender's office is on their side and that's what they say is held by attorney-client privilege.

For my first intake, I meet with Lea. As we begin to talk, I see that she is in a psychotic state. She tells me how in her cell last night, she was watching the walls wave. As we are talking in the visiting unit, another girl comes in. Lea gets up and starts to walk towards the girl and gets verbally aggressive. Lea doesn't actually know the girl. I do my best to divert her and work with the juvenile hall staff to get Lea back to the girls' unit as quickly as possible. I called the mental health service for youth in custody and explained what happened. My goal is to get her qualified mental health help as quickly as possible. The counsellor up in juvenile hall do not have extensive mental health training and there are no mental health staff formally on the units. Unfortunately, this becomes a battle between the public defender's office, wanting her sent to the hospital and probation wanting to keep her in juvenile hall. We eventually are able to get Lea to the hospital.

She was then transferred to a psychiatric hospital and ended up being there for about three months. With continued care, her mental health stabilizes about a year later and it's amazing. She's incredibly smart and highly motivated. Unfortunately, she is sent to a group home where

her psychiatrist derails progress, taking her off for successful drug regimen. Lea is now on the streets, my girl shows me videos of her from time to time and it breaks my heart because I'm thinking about what her life could've been.

I finished two more intakes, which were a great deal smoother and head down to court. I have a couple of kids on today. The first is Ranisha. Ranisha is supposed to be keeping in touch with her probation officer in going to school, the basics. I haven't been able to get a hold of Ranisha for a couple of weeks which isn't good. If she doesn't show up, probation will likely take her back into custody when they see her next. This is what I sometimes think about pulling up my hair, Ranisha's mother doesn't have the ability to parent, not necessarily because she doesn't want to, but because she's a product of her environment and also raised in the criminal justice system. Her school can't support her, not because they don't want to, but they just don't have the capacity to do so. What is so frustrating is that how can the court expect the youth to do well in school when schools aren't providing free resources? Ranisha's principal just told me that the government is cutting their funding again.

Ranisha is also being failed by the therapeutic services that she's ordered to participate in. The therapeutic agency hires young social workers with low to no experience. Our youth need trauma therapy, trauma-informed therapy, which they don't really get. You'd have to pay for that. To top it all off, her probation officer has no concept of how to actually work with Ranisha. Their response is paternalistic, which is an institutional norm from the criminal justice system. As I expect, the judge issues a warrant for Ranisha.

Shantelle's case is being heard next. Shantelle's currently in custody, and the judge will rule that she will serve at her juvenile time by remaining in custody. This is happening because she's almost 18, has failed every group home, and has nowhere else to go. She will be released on her 18th birthday, which is next month. Things unfortunately don't get better for her. Tia's case is on my calendar, just so the judge can hear what progress is being made for stable housing. Tia's case is interesting solely because the public defender's office, district attorney's office, child welfare

department and community organization, and other stakeholders are working together to move away from criminalizing sexually exploited youth. This is actually new and pretty cool.

Tatiana, my last case of the day, it's probably the only one I don't have to stress about. Her court should go pretty quickly. We hang for a while and talk about life while we wait to park. We talked about her dysfunctional and emotionally abusive family as well as her art. She's actually an amazing artist. I found this out not from her of course, but because I spent so much time at her school. Her art teacher pulled me aside and said that Tatiana can make real money if she will continue to pursue her art. Art is where she's getting to explore her personal experiences and be lost in creativity. It's a solo act for her, the one place where she finds peace. Tatiana has chosen to stay a part of the juvenile system because she doesn't want to go home. It's sad that Tatiana has to look through the criminal justice system to attempt to have a normal childhood by being raised in group homes. As I wait for Tatiana's case to be called, there are a flurry of text message, emails from different schools, therapists, probation officers, attorneys, my clients, and parents. There are fires I have to put out and make connections I have to make. However, Tia just called me and told me she got a job. I get one text from Alexa's teacher and it's not good. She said that Alexa stormed out of classroom and is cursing up and down the hall. I'm grateful that the school staff called me rather than the probation officer. They most likely called me because I'm at school all the time. Some schools however use the threat of calling my client's probation officers to try and gain control, and I think we can all guess how that ends up going: not well.

After Tatiana's course is finished, I went in my office, grab my keys and head to Alexa's school. When I get there, I see her outside cursing and yelling at people. Now, my girls know I'm no pushover and that I will not tolerate disrespect. I showed them respect and expect them to do the same. I tell her to stop yelling and be respectful while we hear everyone's story. It's about a phone, which made me actually want to bang my head against the wall. I turned to Alexa and say, "You made me drive all the way here because you lost your control over a phone?" I pinched my nose and looked to the sky and say, "Why me?" I have to purposely get a little dramatic with my responses in a comical way in order to lighten the mood. Alexa says, "Michelle, don't make

me smile. I'm mad." Now I have to laugh and say, "You do know how ridiculous that is." The school rule is you can't use the phone, but the staff member made an exception showing the rule isn't absolute. My youth test out everyone's boundaries, not to rebel or act out but because they're trying to find us on the wall, something that they can identify and hope in it won't budge, something that makes sense and is always constant. They are looking for safety. Thankfully, I was able to deescalate Alexa and avoid probation being called. Alexa and I talked again when she got out of school. We end up talking about the conflict she had with her mother that morning.

One thing I've learned through the years of working in this system is that most of my girls don't know how to process emotions or even know what they are. I also have to explain this to those who choose to work with my clients. Most of my girls can't describe to you what being embarrassed, anxious, sad, happy, or vulnerable feels like. When we ask, they will talk and say, "I'm irritated or angry." Those will be the only emotions they know and the easiest to feel. That's how they have survived. As I'm out in the city, I figured I might as well make the rounds to my other girls' schools. As I'm driving, I see Tamia walking towards her school. I called her and say, "get in the car." It's 1:00 PM. One would think she would be in class. Now this girl, I don't think she's ever sat through a single class. She can't really read and comes from a dysfunctional family that can't get control over her. She has a long history with the child welfare system. We get to school, and I asked her what she plans to do. She said something along the lines of "walking the halls." Once again, I find myself pinching my nose and my girl smiles. I suggest we go to the school's wellness center or just kind of like a community center that is focused around calming young people. I sit with her for a while and I help her read through some of her social studies work. By some miracle, the wellness staff and I are able to convince Tamia to go to her special education reading class, collaboration works. I go and visit more schools, two of my girls aren't at school, and I talked to both of their counsellors in order to try and brainstorm ways to getting them engaged. We talked about their behaviors during school and I often have to explain that their behaviors are symptoms of complex trauma, sometimes compounded by learning disability. I always express my appreciation and respect for their work because they often aren't supported or valued.

I leave the school and I'm starving. I picked up my lunch and I eat instantly in my car when my phone rings. I see it's from a therapist at Jessica's group home. I know it's not going to be good. I answered the phone and I hear a lot of unpleasant dialogue and raised voices. The therapist proceeds to tell me Jessica dragged the couch out of the house, drenched it with a hose and is currently on top of the van jumping up and down. I'm pinching my nose again, I asked the therapist to put me on speakerphone. Now group homes are great in theory, but often fall short on practice. The site does not invest in a bottom-up method. It doesn't invest in the communities who are supposedly caring for these young people. Most group home staff don't have adequate training in child reform care, child development, and harm reductive methods.

Funnily enough, one of my clients just told me the same thing the other day. Oftentimes, my girls end up failing at group homes which leads them right back to juvenile hall. This would end up being a 45-minute phone call. I'm first grateful that the group home staff decided to call me and not just the probation officer. They have learned that the probation officer is a big trigger for Jessica and will just probably make matters worse. I have invested time in getting to know the staff with the group home because I want to be able to help them as much as I can, and I want them to know that they can always call me. As I hang up the phone, I get the feeling that the group home is going to call Jessica's probation officer not because they want to, because they have to. Jessica will end up back in custody and the cycle continues.

Now, I have to get back to my office, have been working on two reports. One report is to help get Natasha's case dismissed with the support from her probation officer actually, and to also help with her immigration case. Natasha has an extensive sexual assault history. About a year ago, she was gang raped and she actually made a report with her child welfare social worker which is not common. Later, Natasha finds out that her social worker wrote a report saying he didn't believe her because she didn't cry when she told of those details of her assault. The police read that report and no known effort was made to identify the perpetrators. Too often, those of color have their words discounted, especially young women of color. I would sometimes take Natasha to

school and pick her up after so she would feel safe. There are some things to be said for the tradition of being dropped off at and picked up from school. It's like the sacred moment when we feel care for loved. Happily, we were actually able to get her case dismissed as well as get her a Green Card.

My second report is a release plan for Sasha. Probation in a district attorney's office is trying to send Sasha to an out-of-state group home without first exploring options in state or if there's anyone who'd be willing to care for her. This happens more often than it should. I start calling family members, the community programs, start formulating a report that could best support my client. 4:00 PM rolls around and I decided to finish my day by going up to the juvenile hall, hang out with one of my girls, Natasha. We just sit and talked about anything and everything. Natasha has an extremely tragic story. She was sexually abused by her uncle and has been a victim of sex trafficking. I just let her lead the conversation where she wants. I don't always spend my time digging for information. It's important to just stop and listen. Natasha's case is frustrating because she's shared between the juvenile system and the child welfare system. The child welfare system just said they can't help her and feels that her needs will be better served in juvenile court, their words. Rather than acknowledging their past failures and looking to new methods of care, they think the best course of action is to criminalize her. How does that make any sense? Anyways, the clock strikes 5:00 PM and I tell Natasha and the other girls in unit goodbye. When I get back to my office, I checked my email one last time. I got an email telling me that one of my girls, now 22, died of an overdose. She was arrested for prostitution when she was about 13. Thankfully, the police can no longer do that. It took her forever, more than three months, to trust me. When I first met her in custody, we would just sit in fence for a while looking out the window. I found that she became more comfortable and less jumpy if she had somewhere to look out to, almost like she could daydream. Finally, one day she asked to talk to me and let the floodgates open. She ended up telling me her life story which is tragic. Since leaving the system, she had many struggles and would call her old attorney and I often just to chat. It had been a while since we had heard from her and when I got that email, I wasn't surprised, but my heart was broken for her. The world failed her. She's one of the sweetest people I've ever known.

The last memory I have of her is taking her grocery shopping. She called me to say she didn't have any money for food. We made a meal together and just hung out and talked about a lot of things. 7:00 PM comes around and I told her I have to go, she pleads with me to stay. After reading the email, I just sit there for a moment and end up driving home with a heavy heart thinking about how grateful I am that I was able to know her and saddened that we, all our systems, failed her. I've only lost two of my kids and I consider myself lucky. Those who work with young people who identify as males aren't so lucky. As I drive home along the ocean, I look forward to the weekend and I'll be taking three of my girls hiking to where there's actually still hope. What I've learned through the years of working the criminal justice system is the importance of relationships, relationships with individuals and institutions. In a criminal justice system, you're working with fractured individuals and fractured institutions. People ask how we can change the criminal justice system. Well, my first say is we have to acknowledge that this system was created from racial institutions because right now, 99% of my clients are young people of color. Second, I'll say we have to invest in the social capital of communities, truly invest in people, believe in the knowledge of the collective. Now, I'm not perfect, I messed up a lot, and sometimes I think I know more than I actually do, but one thing that I'm good at is loving my girls. I tell them they deserve to be loved with no expectations, that they matter if not to themselves then to me. I tell them that no matter how much hair they made me want to pull out my head, I'll always be there and that they should know that someone loves them without conditions. At the end of the day, my girls deserved a world that values, loves, and supports them. This is what motivates me. Thank you.

Joshua Nederhood:

Thank you so much, first, Richard for that really powerful presentation and then Kasie and Michelle for illuminating the contexts, the legal contexts, and then hearing the voices of the girls, your clients there, Michelle. I think we just have time for a couple of questions. Patty, if you want to ask the first one we got from the audience?

Patricia Lee:

Thank you, everyone. I feel so inspired by the powerful presentations and it really gives us resolve to continue working together to make life better for our youth. We have a question. "As a Guardian ad Litem for over three years, I've seen how underfunded and overstretched the services and staff providing those services to children are. What would be the most impactful way to fix or change this so meaningful support and services so that it can be provided to both the children and those around them who act as primary caregivers to effect lasting change for them?" I'm going to direct that question to Michelle in terms of possible services and Richard, in terms of the youth's perspective based on your work.

Michelle De Young:

Thank, Patty. That was quite a question. I think that my basic answer honestly would be truly building relationships and getting to know all the stakeholders and institutions because I think sometimes we like to talk through ideals, rather than really getting on the ground and talking to people to actually know what's going on in the community, and really is to humble yourself. The only reason why I sort of gained knowledge is by acknowledging that I really don't know a lot. I found success within recently, and the cool thing about San Francisco is that we're kind of all focused on about having a more collective view of truly helping because I see those things don't work and I think we have a pattern within kind of western culture to have this top-down method of change which really doesn't need to change and it's really going from bottom-up. I think a big thing that we can all do is the best thing to start especially right now, the Black Lives Matter movement, is educate yourself. It's such an opportunity and wealth of knowledge from people that actually know what they're talking about. I think the big thing is to do that and then actions get involved, get involved in your local community, talk to people, see how you can help, and really engage in dialogue. There's power in dialogue, so I hope that sort of answers.

Patricia Lee:

It does, very well. Thank you. Richard?

Richard Ross:

I've spent the last 15 years listening to teenagers. They're lonely and I simply try to filter out what they're trying to say and give them to people that may not have access to them, may have already demonized them. I think it is as Michelle said, trying to open up a dialogue and cleansing the stories in the sense that teenagers can babble a lot. I try to simplify it and try to convince anybody the world, the policymaking to say if these were your kids, if these are our kids, how do you deal with them? How would you want them dealt with? I don't think there's anybody on the planet that would imagine that these kids benefit from being put in these institutions.

Patricia Lee:

Thank you, Richard. There is one more question and that is Richard, based on your powerful presentation, we know that art can create positive changes as it intersects with the juvenile justice system. I'd like to know from all of our panelists here, what are Richard's strategies for advocacy? And Kasie and Michelle, do you see art as a tool for advocacy in your daily work? Kasie, would you like to answer that first?

Kasie Lee:

Sure. I do see art, and specifically the photographs by Richard, as an advocacy tool just because it conveys such a powerful story, and one picture tells so much more than what any of us can say because in a lot of these cases, we're not hearing from the youth themselves. The stories that we're relaying there are kind of second hand. These pictures, art, are much more powerful.

Patricia Lee:

Thank you. Michelle?

Michelle De Young:

Yes, so I sort of piggyback. A lot of my girls actually write poetry, and I try to encourage them to share it and even read it in court. A couple of my girls have and really everyone stops and listens because I think what was being told by Rich earlier is that when kids are in court, they're actually viewed as adults. They are not humanized. My job is to humanize them and they're able to do that themselves when they could read their art, and I've had several girls who paint and participate in art class and I actually try to encourage them to like when they go to school, to go to art class because often they don't know how to express themselves. I think whether or not that's being shown is a tool for them and when they feel comfortable to share it, people are normally in awe. I have one of my girls' art pieces shown in a gallery which was amazing, and she was incredibly proud of. Not only can it move other people, but it gives them a sense of accomplishment. It kind of has this world affecting, if you can say that.

Patricia Lee:

Thank you, Michelle. We have one final question and this is for Richard. Can you explain how you engaged with young women or girls who have experienced severe traumas in their lives and how – I'm sorry, but I just lost...

Joshua Nederhood:

Sorry about that. Richard, the question is how do you deal with girls who have experienced severe trauma? How do you get them to open up to you and trust you in such a short amount of time? How do you get them to engage in this project that might be foreign to them?

Richard Ross:

Really difficult and I'm sure that it's a longer discussion I would have with anybody in the audience. I'm not quite sure. I don't want to retraumatize them. When I start a conversation with a girl, it may be completely in a typical practice that anybody on the panel may think is legitimate, but often I'll say it to them, "How old were you when you were first assaulted?" It makes the assumption that I already have some idea as to who they are and what their background is and I'm sympathetic. Also remember that I knock on the door and I'm sitting on the ground and I'm not a young person of color and the girls of color, often that's the one that has assaulted them. I'm so distant and so foreign and so sympathetic and I keep my mouth shut in so many ways and they have power above me, so I'm not a threat, but I'm very careful not to retraumatize them and tell them "Please don't talk about anything that makes you uncomfortable." That's a scary world for me.

Joshua Nederhood:

I am sure. Thank you all again so much for sharing and we would love to continue this dialogue going forward. So once again, I've put Richard Ross' contact information in the chat so please follow him, follow his work. We've seen that this is really crucial bringing art into the justice system and illuminating areas that often are hidden behind legal language. Just as a reminder, there are some upcoming symposium events in the international symposium. In a couple of weeks, we have Findings and Calls to Justice with the Focus on Indigenous Girls and Youth in Canada, the presenter, Christa Big Canoe from the Aboriginal Legal Services of Ontario. I've put the link to register for that in the chat as well, so please go ahead and register now if you're interested in these conversations. We will also have panels on Sex Trafficking on February 23 and then we'll be finalizing a date soon on Sexual Violence and then on this issue as it is seen in China.

Thank you all so much for attending. With that, I will conclude, and we'll be sending a follow up email tomorrow that'll have some highlights from today's event. Thank you all so much and have a good day.

- End of Recording -