

Introducing the International Symposium on Girls in Conflict with the Law with Remarks on the Middle East and North Africa

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Speakers:

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

Taghreed Jaber, Penal Reform International, Regional Director for the Middle East and North
Africa

- Beginning of Recording -

Joshua Nederhood:

Good morning, everybody. Thank you so much for joining us from all over. I know it's early here on the west coast. My name is Joshua Nederhood. I would like to welcome you all to the very first International Symposium on Girls in Conflict with the Law. This is our first introductory webinar. We're very excited. Once again, my name is Joshua, I work at the Dui Hua Foundation. My colleagues, Joy Henry and Samy Amanatullah are also on the panel here, there'll be helping me screen some of the questions that you send in with the Q&A feature. Just to give you a quick overview of how today will go, I'm going to give you an overview of what I'm doing now for a couple of minutes. And then we'll here I'll turn things over to Dui Hua Executive Director John Kamm. He will give a 10-to-15-minute presentation, and then we'll hear 10 to 15 minutes from our other partners, Taghreed Jaber from Penal Reform International coming in from Jordan today. And also Patricia Lee of the San Francisco Public Defender's Office. Once they've each given their presentations, our panelists will answer questions that you can submit via the q&a window at any time. There's a button on the bottom of your screen to be able to do that. If anyone wants to try that out, now, you can ask us just how are you doing? Or something with the question-and-answer feature. But otherwise, just feel free to ask us questions as they arise as you listen to the presentations. And then some of them might be answered immediately. But most of them will be waiting for the question-and-answer session at the end. So for people who are still coming in now, I'm going to post some of what I just said in the chat.

All right, attendees, you can do your raise hand if you see that chat to you. All. Right, looks like you see it. Okay. And then without further ado, I'm going to turn things over to Dui Hua Executive Director John Kamm.

John Kamm:

Well, good morning, I hope you can all hear me. My name is John Kamm. I am the Executive Director of the Dui Hua Foundation, which is a San Francisco NGO that focuses on securing clemency and better treatment for at risk detainees. And that group of at-risk detainees includes juvenile offenders and women in prison. Before I begin, I would like to say thank you to my colleagues in the control tower. Joshua, who you've just heard from, in addition, we have Samy Amanatullah. He's our Publications & Grants Officer. And finally, Joy Henry, who's our special events coordinator. And we're especially grateful to Joy. She was the person who created our banner, which you are looking at now. So thank you all. I'll start by just listing out our partners. Patricia Lee is the is our host partner here in San Francisco. She's the managing attorney of the juvenile unit of the San Francisco Public Defender's Office and Penal Reform International, represented this morning by Taghreed Jaber from Jordan. And then our two Hong Kong partners, actually, both are at the University of Hong Kong. And the first is the Centre for Comparative and Public Law. And that's in the School of Law. And then we have the Center for Criminology, which is in this sociology department. So those are our four partners. Okay, next.

Okay, so we have to make this these this event possible. We have received dedicated grants from the Canada Fund for Local Initiatives run out of the embassy in Beijing and the Ministry of Foreign Affairs of the Netherlands, its Beijing embassy. And then we have two private grantors, both Bay Area-based: Alice Lam Memorial Fund and Mark Headley and his wife, Christina Pehl. Dui Hua gets core grants from a number of governments. And we have drawn on those core grants to help finance this series of webinars. They include the Federal Department of Foreign Affairs, and the Ministry of Foreign Affairs of Denmark, Sida, the Swedish International Development Cooperation Agency, and the Ministry of Foreign Affairs of Norway. And finally, of course, Dui Hua has its own loyal group of supporters, and they make donations and some of those wind up in our special program development fund. Now, here are today's speakers. Taghreed Jaber, Regional Director for Penal Reform International. She handles the Middle East and North Africa, she has 20 years of experience in the field of human rights. Patricia Lee is the managing attorney of the juvenile unit of San Francisco Public Defenders Office. She's a widely acknowledged expert on the topic of girls in conflict with law. And she's been practicing in the juvenile courts since 1981. And then there's me. I'm an American businessman, active in China since 1973. Okay, next.

I do want to say a bit about the international nature of this symposium. This symposium started out as an in-person event, but principally because of the COVID crisis, we moved it to a virtual event. And we have 25 speakers, who will be featured on our webinars coming up. And I'll go over a list of those at the end of this presentation. We have 25 speakers from 10 different countries. Today, we have more than 50 people representing more than 15 countries in the audience, which is again, a great turnout. So what are the goals of this symposium, this series of webinars which make up the symposium? Well, first of all, raise awareness of the crisis. Now, you know, we hear this term crisis, this word used quite a bit. You have crises in different parts of the world, you have the climate crisis, we talk about the refugee crisis, and so on. But rarely, if ever, do we talk about the crisis of girls in conflict with the law. And so we're

going to raise awareness of the crisis. Cambridge International Dictionary defines crisis as a serious and increasingly dangerous situation. And that's exactly what we are talking about today. So we want to raise awareness of this crisis. We want to exchange best practices and make recommendations to governments. Speaking of best practices. Later, Patricia Lee will tell us about the decision in San Francisco to close their juvenile detention facility. This is certainly the first major city in the United States to take this step. Many of you have asked me via emails about this. It's so interesting. So Patricia Lee will be talking about that. And finally make recommendations. We all have ways and means to make recommendations, whether it's to government or to institutions, legislators. And so those are the goals of the symposium.

For this slide, I've given you a couple of points drawn from the presentation by Rights4Girls, staff attorneys, in conjunction with the Justice Clearinghouse here in the United States. If you haven't had a chance to look at that presentation, I ask you to do so. You know, we're talking here about an international symposium. What Rights4Girls did is one that is focused exclusively on girls in the United States. Now, I just want to read something that I took off Professor Novak's presentation and I'm quoting, "Although or even though numbers show that girls are much less represented in detention facility than boys, across all regions, there is an increase in girls in detention facilities."

Now, in the United States, you had a 45% increase in a number of girls convicted, I'm sorry, arrested from 1993 to 2013. And during the same period, Chinese courts convicted more than 10%. Now, we're comparing apples and oranges here. Obviously, arrests are not the same as convictions. And thanks to diversion practices, in fact, quite a few girls do not actually enter the courtroom and are tried. Now one of the remarkable things that was pointed out by Rights4Girls is that although girls of color make up 22% of the American population, in fact, they make up something like two thirds of the girls who are incarcerated. Okay. So, yes, 62% to be exact. So 62% are girls. Okay, girls of color. 62% of incarcerated girls are girls of color. But only 22% of the youth population of girls of color. So there you can see the extent to which race and ethnicity contribute to the crisis on girls in conflict with the law.

And what's so notable, and again, I'm drawing on the numbers presented by rights for girls. When you compare girls to boys, this is all quite well known, they're much more likely to have suffered emotional and physical use, more than four times likely more likely than boys to have suffered sexual abuse. And, in fact, 22% of girls have experienced sexual abuse seven days before incarceration. They're more likely to be in a household where substance abuse takes place. And here's a striking one, they're more likely to live in households with mental illness. Around 20% of girls themselves are suicidal when they enter the juvenile justice system.

So how did this all begin? Well, first of all, I've mentioned that we work in the area of juvenile justice. And so from starting in 2008, we conducted five expert exchanges with the Supreme People's Court. And we also did an international symposium in-person on the Bangkok rules, which Taghreed has been very active in and promoted. We did that in Hong Kong in 2014. And there too, we had Penal reform international and Hong Kong, University of Hong Kong, and Patti Lee also participated. So after our most recent exchange with the Supreme Court in Shenzhen, I went up to Beijing to begin talking to our Chinese friends about possible participation in a symposium on girls.

Throughout 2018, we identified our partners that I've just listed and possible participants. Now, again, I mentioned that we have 25 speakers from 10 countries. And who are they? Who are these speakers? Who are these presenters? Well, they're judges, they're attorneys, they're activists. They're journalists,

we're going to have Nick Kristof from *the New York Times* present later. So we have a wide range of people who will be speaking from their experience and knowledge. You know, I'm sorry if I've missed anybody, but those are a few. And then in 2019, we secured our grants from Canada and Netherlands for which we're very grateful. We also got our funding from private foundations, and we began work on an English language bibliography which is a 44-page document listing and annotating all the publications we could find. It's by no means exhaustive. And I have to apologize at this point. It's only in English. If we were including other languages, I have no doubt it would be hundreds of pages. So a lot has been written about this crisis.

Finally, what we did in 2019, was we decided to stage the symposium in Hong Kong in April 2020. However, civil unrest in Hong Kong prompted our rescheduling and relocating to San Francisco to take place in 2020. But unfortunately, here in San Francisco, and up to the present day, by the way, the COVID-19 situation here is very bad. So fortunately, we made the decision to go virtual, the first webinar is today. The next webinar will be November 10. I call these introductory webinars, because this is where our partners have a chance to introduce themselves, their work, and the topic is of great interest to them. And so, we are now about to launch our dedicated website, where we'll be putting up presentations and tapes, resources, like the bibliography there. So the plan is for our webinars to be completed by mid-March, after which there will be follow up.

Here's the lineup. Obviously, I didn't have space to put down the names of everyone who is presenting, but you will know in due course. So our next webinar will be the introduction. We will have remarks from Anna Wu, who I believe is in the audience. Thank you, Anna. Then we have "Pathways Into and Out of Offending for Girls," December 14 very special "Voices from Africa and the Middle East." We're having "International Perspectives," juvenile incarceration, alternatives to that which will feature a specialist from China.

Then we're going to have a webinar dedicated to the view from Hong Kong and Guangzhou on girls in conflict with law. As you will see, on the right side of your screen is a photograph of Richard Ross' girls and justice. If you haven't seen it or read it, I encourage you to do so it is a striking compilation of very moving photographs. And that's one of them on the right. Then we get into sex trafficking with members of the San Francisco collective against sex trafficking. And Nick Kristof is a Pulitzer Prize winning journalist who has specialized in trafficking, especially girls, then we have to be determined the view from Beijing treatment of Indigenous girls in Canada's justice system, and finally, sexual violence. So that's my presentation. At this point, I would like to hand it over to Taghreed Jaber. Thank you all for attending again.

Taghreed Jaber:

Thank you. Thank you very much, John, for this interesting introduction to the whole topic and the whole idea of the symposium and virtual events. We're very delighted at Penal Reform International that we're organizing in partnership with all of our partners who were mentioned by John. And I would like to stress what John has said when he described it as a crisis. And the fact that girls within the criminal justice system are a minority is unfortunately putting them in more risks and facing this crisis and in facing double discrimination within the criminal justice system.

And this is why an organization like Penal Reform International has been very active and working globally and in MENA region, specifically which I'm representing, and promoting juvenile justice and justice for children in general, with a special focus on the girl child through developing different projects and programs that provide technical assistance to government and authorities in order for them to work on creating gender responsive justice systems that can benefit the adult woman and the girl child, and, at the same at the same time, child-friendly justice systems that can respond better to the needs and the rights of little of little girls.

Since many of you may be do not have that much information about the region, I would like to take you through some of the information and the facts about the MENA region. And then we can go back to talk more about how PRI is, through its recommendations working on trying to support governments and authorities to overcome some of the challenges and the problems that that we have. In general, the MENA region is a relatively young nation. For example, if we look at a country like Jordan in 2015, 40% of its population were under 18. And if we look at a country like Yemen, in 2019, where it had 23 million as its population, 12 million of these population were children under 18. So this can give you an indicator about the number of children living in this region where nearly half of the population in the Middle East are under 24 years old. Additionally, and unfortunately, I was not able to really find accurate information about the percentage of the girl child within the MENA region. But I can give you some figures that can give you an idea of the percentage of women in general, which we can reflect on the number of years in Algeria, 49.5% of the population are female, in Jordan 49.8. And in Morocco, it's 50. Point 39% of the population are women.

So we can, if we if we do a comparison, we can say that half of the children in the MENA region are girl child, and these girls are facing similar to the boys also, a number of challenges and difficulties that are arose as part of the ongoing conflicts in the region, including Yemen, Syria and Iraq. And at the same time, as a reason of, unfortunately, the lack of compliance with international standards for human rights through the different systems that we have, for example, you will find out that the number of children who are dropping out from school is a very high number in this region. And the number of children who due to the armed conflict had to leave schools only in Syria, Iraq, and Yemen are 14.3 million. And we all know the relationship between dropping out of school and leaving school and criminality. And this is an issue that we need to have further look at and work at in order to prevent children and young little girls from going towards committing crimes.

Gender inequality continues to be an issue in the MENA region. And this is affected mainly by the culture, and by the fact that many of the governments and the decision making levels at political levels are also dominated my males, and female participation is still very low, which means that women can actually have less access to influence the overall policies in the region related to education and many other issues.

Related to gender equality is the crisis is in general, as I said, increase the vulnerabilities of the children and the girls, the girls, and girl child also in the MENA region face the challenge of early marriage. If you can look at the figures that we have here, you will find out that one in five girls in MENA region marry before the age of 18. And we all know what early marriage, the complications that come with early marriage. These little girls are more subject to sexual violence or are more subject to physical violence, and to bear the responsibility of other children while they are in a very early age of their life. And this in itself is a major violation that results in many cases of them in them coming in contact with the law.

Additionally, violent discipline measures are still very practiced. In many of the countries and in the region aged seven and 10 children are punished by physical means. And many of these children do not have means to go and report against the violations that they are subject to. And some of these violations can be really severe. And then many can, in some cases result in death and loss in life

Additionally, one of the other problems that little girls face in the MENA region is the phenomenon of genital mutilation that you are all aware of. 92% of women and girls in Egypt, have been facing this problem. And this is despite the fact that many of the legal systems that criminalize this act still practice under the pretext of culture. Also, human trafficking is another issue that women are suffering from, and two in three child victims of human trafficking are young girls among all the woman who are victims of trafficking. And in MENA region, unfortunately, girls are still subject to the so-called honor killing, where girls can be killed to protect the honor of the family, just because they might have a Facebook account or had a chat with a boy who is her neighbor. So I guess there's so many challenges in this region, and they consist a high majority.

But as John said, despite the fact that the number of girls is increasing, in different criminal justice systems and their interaction with the criminal justice system, they still are a minority. And this fact is making some of the government's not taking them and their needs into attention. For example, in Jordan today, and I had a call with the head of the juvenile department in Jordan, we have 350 childcare centers in Jordan, and there's only three girls. In a country like Yemen, there are six girls in prison and eleven girls in Algeria. But because of this little number, these girls are usually kept with other woman. And you will find that few countries will dedicate for them a special detention center or a special care center. In Jordan, for example, there is a special care center for girls, but it's a tiny small building with no space to do recreational activities, rehabilitation, or reintegration programs, it's only a space where these girls can sleep, eat and serve their sentence why they are there .

Also, many of our countries have the so-called informal justice system that is run by the tribal structure or by the influential people within the community. And these informal justice systems are not gender sensitive at all. Because the principle of the informal justice system is that usually the rights is used [to help those] who have more power, and in our societies, men would have more power than women. So these informal justice systems lack having gender-sensitive procedures. And usually they are not fair in their judgments towards women. In countries like Yemen, Jordan and Palestine, it's one of the systems that people would resort to to solve many of the of the problems that they are having. In Yemen and Sudan currently, due to the conflict, the informal justice system is playing a major role as an alternative to the official justice system, which presents a major challenge facing women dealing with the Justice Sector.

Desegregated data about girls within the criminal justice system is very little in our region, and you cannot have enough information about it and little research have been done in this field. So we lack the statistics that we can use to influence and inform the decision makers and taking decisions in this regard, and there's a need for more research and more disaggregated data in this field. In general, justice systems are not really as child friendly as they are supposed to be. In some countries we have specialized police, juvenile police, we have specialized juvenile courts, a specialized juvenile prosecutions, but in many others, it's not the case, you will find that regular police these with children, children cannot have legal representation in front of the police and [there are] many other problems that they can that they face while they go through the criminal justice system. Diversion is not a priority

in many of the criminal justice systems, neither at the police level or at the prosecution level or the judiciary.

There is a lack of alternatives to imprisonment in the MENA region in general. Jordan, for example, adopted a law in 2016 that introduced alternative and community services and different programs for juveniles. But unfortunately, up until now, only around 80 children have benefited from that, and the system still needs more support and more work towards promoting alternatives to children.

PRI in general is very active in working globally and within the MENA region, and other regional offices in Africa, Central Asia, and South Caucasus, on promoting justice for children. John talked about the Bangkok Rules, and we're very proud at Penal Reform International that we are one of the main promoters and advocates for the implementation of the Bangkok Rules. And we have developed a series of guidance documents, an index of compliance, and many practical guidelines that can put the implementation of the Bangkok Rules into practice in the different countries all around the world. And I encourage everyone to go to our website and download them. They are available in different languages where you can benefit from them. As I said, diversion is a priority for PRI promoting alternatives.

The issue of working on supporting and enhancing the mental health of children in detention is one of the things we have witnessed during the outbreak of COVID. This issue was a priority and a need for us. And this is why we have developed mental support programs for children in detention in Algeria to help support them during the crisis. And we also work on providing humanitarian assistance and emergency response to children in care centers and detention facilities in Yemen and in Jordan as a response to that.

One of the main issues that I do see as a need globally and in MENA region is to work on comprehensive interventions that aim at creating gender responsive justice systems that include all the justice sector chain starting from the police until and after the release and the aftercare of people who go off and women who go through the criminal justice system. And such systems are still weak. In almost all MENA region countries, we still need to work further on empowering women working within the criminal justice system, including more female police officers, female judges, prosecutors, and at the same time, make the system more sensitive for women and help a child so they can seek justice, which is one of the challenges that we have many women and girls tried. They do not seek justice, because the system is not friendly enough. And unfortunately, many of them, when they get in touch with the system, they face more problems and difficulties and, in some cases, harassment, which makes them refrain from seeking justice, and going through the criminal justice system. There's lots of work still needed to enable and empower women in the process and help them in their pathway and journey through the criminal justice system.

And in my next presentation on the 14th of December, I will be talking more about concrete examples from the region and about some of the best practices that have been done in this in this regard. Thank you very much for joining us for in the symposium today. And if you have any questions, please feel free to send it. Thank you.

Joshua Nederhood:

Thank you so much Taghreed. I think we'll hand things over to Patricia Lee.

John Kamm:

Okay, great. Oh, very good, Taghreed. Thank you very much. And we'll move now to the crucially, who will speak to us, in large part over this fascinating development, his decision to close the juvenile hall in San Francisco. So take it away, Patricia.

Patricial Lee:

Thank you, and welcome, everybody. Good morning, and in Southern California and San Francisco, and good evening to some of you in other parts of the world. I'm very excited to be here and presenting on a very exciting ordinance that has occurred in San Francisco.

Hey, all right. And we do have the slide before we do have a photograph of our juvenile hall. And the far-right corner is the actual detention center where you start place. And then there is a photograph of a room where the youth are detained. It is one youth per room with a metal toilet and concrete slab for the bed. And then down below. In the far-left corner, as you looked at this slide is one of the units there's an upper unit, upper floor and lower floor. And there are eight units in our juvenile hall.

So the Close Juvenile Hall Ordinance was passed almost unanimously. We have 11 supervisors, 10 of them signed on to close juvenile hall. This was passed in June 2019. And it requires San Francisco to close our detention facility by December 31, 2021. That is next year, it's a very aggressive timeline, we had two years to work on this, with the hope to expand community-based alternatives. There's been mention of diversion and also providing a rehabilitative non-institutional place or places of detention that must be approved by the court.

I will say that, as John mentioned earlier, that San Francisco is the first metropolitan area to pass legislation to close our juvenile detention facility and the eyes of other jurisdictions in California and frankly, throughout the nation are looking at San Francisco to see if this is something that they can replicate. And we have over 881,000 youth population in San Francisco with a youth population of 13.4% of youth under 18. And this is a smaller percentage of children than any other major metropolitan area. And right now currently, the total youth in the system come from diversion through those that are incarcerated or on probation in or out of custody is 467. So the population is small. And our juvenile hall houses only youth pre-adjudication, pre-sentence. So there are other jurisdictions throughout the nation.

And in California, we have 58 counties where their detention facilities actually housed youth who are committed to their juvenile hall. Because we are only a temporary holding facility it was easier to conceptualize and draft this legislation. And so I talked about moving very aggressively on our timeline. And so we have the chronology of what has occurred so far. In January and February, we established our work focus areas, and we have 15 members for the various governmental agencies, youth and families, and NGOs that were vetted by our Board of Supervisors and appointed officially to the workgroup have been elected the chairperson. And this has been quite a challenge. Moving this ordinance forward and hopefully realizing our deadline which is occurring within a year and two months to close after the close of facility.

We had our first in person meeting in the beginning of the year. And unfortunately, we have had a number of challenges that all of us are confronting now. But one of the major challenges to our meetings and to our work is that we are required to comply with the San Francisco Sunshine Ordinance. And that is that any meetings of the work group require notice notice to the public notice of agenda, and any meetings have to be in public. And otherwise, we would be out of compliance and we do not want to jeopardize any of the work that's going forward. In March in May, we stalled in having our in person meetings. But we have since moved aggressively to have virtual meetings, which has proceeded, I think, on a monthly basis. And now we're adding more subcommittee meetings with defined tasks and homework assignments.

Taghreed mentioned the importance of having statistics, and that is crucial to the work that we are undergoing. So we have a data and needs assessment. Right now, we are targeting a facility of possibly 20 to 30 use at the most in order to support the notion that we would have a facility of no more than 20 or 30, we have to collect the data, our juvenile hall can house up to 150 youth. And I will say that pre-COVID we were housing usually anywhere from 40 to 45 units on any given day. And post-COVID we have been holding steady at anywhere from as low as 10 youth to today, we have 20 youth, but on average it has been 12 to 15 youth during COVID times and shelter in place. As you can see the majority of youth and I would say at least one third of the youth that are in custody now are being detained for technical violation, warrants and nonviolent offenses.

And I will say that those technical and warrants and nonviolent offenses are our girls. Right now, with 20 youth in custody, we only have two girls in custody. And for a period of time during COVID. We had zero girls in custody. And I will say for every single girl in custody, we have 100% youth of color. And so as you can see, even though the girls comprise a small percentage of youth in custody, they present with very serious behavioral and mental health issues. And any child that touches the carceral system and is housed in a detention facility is traumatized by that experience. And there is research and data that will be discussed in our future webinars that indicates that those youth will most likely move into the adult system. And proportionally youth are detained for less serious reasons, has increased. And what we're seeing during COVID times that the youth in custody are presenting with very serious mental health issues. Very true for our girls, suffering PTSD, sexual abuse, emotional abuse.

And I will say that one of the driving forces in the legislation was the cost of incarceration. A year ago the [inaudible] produced a publication: at that time, the cost of incarceration on average was \$275,000 per year annually. San Francisco now, annually to house a youth in custody is \$374,000 annually. Along with the data across the nation, in San Francisco, in California, crimes amongst youth have decreased by more than 50%. Violent crime has gone down by more than 15%, if not 80%. So those are the driving factors that led to the Close Juvenile Hall Ordinance.

So I touched upon the importance of addressing the issues of programs and mental health for youth that are detained in custody. Based on the data that we have collected so far, we have 42 programs, NGOs, or community-based organizations that serve our incarcerated youth in San Francisco. And also, we have 32 programs that serve in custody with, I'm sorry, 42 programs, total for out- and in- custody. And one of the things that we have identified is that there is still in spite of all these programs, a gap in the mental health services. And this is particularly true in working with the girl population. And Taghreed has mentioned that because of the small percentage of girls that are in conflict with the law or are in

carceral institutions, the money unfortunately is directed to the boy population. So even now in 2020, we are seeing that the girl population is underserved and under resourced.

Another subcommittee that we have is reinvestment and policy. And, strikingly, after working for months in trying to secure the budget from various agencies and from community programs, we were able to arrive at a budget expenditure for five agencies that serve our juvenile justice youth that are in detention. This is the Department of Public Health, our Unified School District, our Children, Youth and Families Agency, and the Juvenile Probation Department, it is \$24 million directed only to the juvenile hall that detains our kids. That is a staggering amount of money.

Of course, this is one of the most important subcommittees we have. That is a facility subcommittee, and the charge is to close our detention center and provide an alternative as I indicated that the courts will approve. So our homework to our subcommittees and to the facility subcommittee is what does it look like to have a home for the most restrictive? And what does it look like to have a home for the least restrictive setting for our youth. And so, if you look at the bullet points we have here, these are the considerations that we have determined is necessary for us to close our juvenile hall and to create an alternative home like environment.

So we have to look at the physical plan, we have to look at which location. We cannot be outside of San Francisco. The security levels are of great significance and importance for our judges, for youth who are brought in on the most serious offenses, space and function, staffing has been a huge consideration. Because we do have counselors who have been employed at our juvenile hall, many for over 20 years, many are folks of color, and we do not want people to lose their jobs. We are looking at repurposing and possibly moving staff to the alternative that we create and build on or to repurpose their work as counselors in the school district. Transportation is a big issue. Currently, our juvenile hall is adjacent to our courts, and youth are brought from juvenile hall and walk to our courts. But when we build a new facility, we're going to have to provide for transportation. And one of the major considerations by our Board of Supervisors was that we would not have a facility outside of San Francisco. And obviously, we have to look at the programs that exist within the facility for the youth that are housed there. Labor is a major, major consideration. San Francisco is a very, very strong union town. So we have to work very closely with the unions to determine and make certain and ensure that we are in compliance with all of the labor law rules and regulations that are local and also federal.

This is what was developed by the facility subcommittee. And if any of you are looking at a facilities, I think it's important whether you build on or you have an existing one, that these are considerations that need to be included in any youth detention facility. No more than 30 youth that should be non-correctional. It should be a home like environment. In other words, have a bright colors on the wall, have murals, it should be a therapeutic environment. And there should be private rooms so that there can be counseling for the youth. And there can be family counseling if it's necessary. Home-like environment, individual rooms, furniture that is not a concrete slab and a metal toilet next to that concrete slab space to support equipment and high-quality education. And this is very important for our youth. It's having the outdoor space so that youth can be outdoors and have recreation. And to me, one of the most important factors is to have the staff trained on a consistent basis in positive youth development, it should be strength based, and that should be incentive based.

So our next steps, obviously, we have a little over a year to actually shutter the doors of our juvenile hall. We are moving from a "lock-em-up" mentality that started in the early 90s with our super-predator

legislation, and now we are moving to a model of alternatives and diversion. And diversion is the term that I adopted because we are also working with the police because they are the gatekeepers, so that they can divert us on the street so that they do not even enter the front gates of the courtroom or of our lockup. And one of the most exciting parts of this, even though it's been challenging and unfortunate that we are in shelter in place, we are doing a virtual symposium. We are in times of COVID, and it is raging. There has been I think, some very very strong progress and reform. Because we have seen our juvenile detention rate drop by more than 50%. We are holding steady at anywhere from 12 to 15 youth on any given day, during shelter in place.

And for the girl population, we're holding for several weeks with no girls in juvenile hall, like today I indicated we only have two girls. So I think in terms of the girl population, we can decarcerate girls from the juvenile justice system, and we can truly divert them to community alternatives so that they do not touch the system and they are not traumatized by a system that is very broken. So with that, I thank you for your time. I'm so excited to have you all here. And I encourage you to attend the many, many webinars that we've planned. This has been a work in progress. And I'm so excited to see that we have so many country countries that are interested, and hopefully willing to join us in partners in moving to reform our broken systems, create holistic systems, and decarcerating youth from the juvenile justice system. So thank you, John. And I thank the recall, for all of the work and certainly to your support team.

John Kamm:

Thank you very much, Patricia. Fascinating presentation. I'm sure I speak to many, and saying I really learned a lot. And same, of course with a great presentation. Fascinating. I'm looking at Q&A.

Joshua Nederhood:

So if the audience could, if you have any questions, feel free to start submitting them. I'll start with a comment actually from our staff. You know, Patti, this is to you. Looking at these photos you submitted of the current juvenile detention center, and Dui Hua staff just remarking, "Wow, that they look like adult facilities," you know, and it doesn't look like that, that ideal you're striving for in the next phase of a home-like center. We were wondering if from your experience working with other colleagues across the country, is this the norm of what juvenile detention facilities are in the United States? Is this a product of a certain time period? Could you maybe just expand a little on these current facilities?

Patricia Lee:

Yes, as you can see, it is a concrete block. It is a concrete bunker. And our juvenile hall actually is a fairly new juvenile hall. So it is shiny, and you do have new cells. But I think anybody that has worked in the system and visited juvenile halls and visited our youth prisons, even though we are only 15 years old, it was based on federal funding that we San Francisco received to build a new and bigger and shinier juvenile hall. It is still built like an adult facility similar to our pods. For adults in San Bruno, where we house our adults, there are architects that build the adult prisons as well. So I think that your observations are correct, Josh, there's no difference between an old juvenile hall and a new juvenile hall

and an adult facility, it serves the same purpose that youth are locked in a 10 by 10 cell with a metal toilet next concrete slab as their bed with as you can see. Those are the tiny windows that are actually provide a little bit of sunlight, but you cannot look through the windows.

Joshua Nederhood:

Okay, actually a follow up question just while we're on this topic from Richard Ross, the photographer in the audience, asking if Seattle passed a zero population law, that's just for context, if you could speak to that. And he's asking, where would San Francisco kids go if they're committed? Or would we be trying to eliminate aspects of commitment and pivot to treatment? And then he's commenting on you know, Alameda County's huge facility, what do you do in pivoting away from that with the leftover facilities? So to be talks of turning into some sort of shelter? How do you remodel concrete and bars? And he says, Good, tough Patty.

Patricia Lee:

Okay, that's a compound question, Josh. let's address the first one. We are mandated to close and shutter the doors of juvenile hall, and you can see the front there on the upper right corner. However, we do have to have this temporary place of detention to have up until our judges sentenced some, either to probation at home, to a group home, or to Well, we've just closed, we're closing our youth prison in California. So those of us that would have been sentenced to youth prison will have to have a place of detention that our judges commit those youth to. So in creating our juvenile detention alternatives, we are looking at a secure, but very home-like environment, it is not going to look like this juvenile hall that you see.

Alameda County is also moving to reduce their populations. So not only are we charged with closing down juvenile hall, the money that we are able to secure by the closure of juvenile hall, the \$25 million budget, that is going to be reinvested into the community. The charge is to have those youth returned to the community under intensive rap services, to work closely with community-based organizations and agencies and to work with the families in their community. So it is a true diversion model to the community as an alternative.

For those youth that have to be committed now, because we are closing our youth prison in jail on January 1, 2020, Governor Newsom signed legislation that our youth prison, not our detention hall here, our youth prison in California is actually in Sacramento, and there's a girls youth prison in Ventura, but there will be no more commitment by our counties. And there's 58 counties here in California, to the Department of Juvenile Justice. That facility is closing down. And so the legislation requires each jurisdiction, and they will receive funding to house those youth who would ordinarily be housed at the youth prison. In San Francisco, we only currently have four youth in our youth prison right now. So it's a very small population. So I think that this has created another challenge for our closed juvenile hall because now we have to look at those for youth who might be housed in the youth prison in California.

Joshua Nederhood:

Okay, thank you so much for that answer. Richard, I hope we addressed your compound question there. This one is for Taghreed. We're just wondering about what types of crimes do you know are girls generally charged with in the Middle East North Africa region? Do you have an idea of that? Or is the data sort of sparse?

Taghreed Jaber:

In general, juveniles in the MENA region commit minor crimes, you know, and this is the majority of crimes and this is out of our experience. And I would say that around 86% of crimes committed by juveniles in Jordan are minor ones like petty crimes. The same applies for the girl child in general, they do commit minor crimes and petty crimes. And in some cases, they are the victims of crimes, but because of the problem that exists within the legislation, they become perpetrators of the crimes. For example, if a girl goes and reports a case of violence, rape or whatever from within the family, and she was forced, due to the pressure of her family and relatives to change her testimony in front of the court. This girl had legal status will be changed from a victim to a perpetrator of crime, who has provided false information to the court. And for example, this case has happened a lot within the system in many of the different countries, and after my 20 years experience working in this field, I would say that I only dealt with around maybe four little girls who were involved in crimes related to murder and in some of the countries, but in general, it's petty crimes.

Joshua Nederhood:

I would encourage the audience to keep submitting questions if you have them. I know we're a little over time, but maybe we could have five more minutes, at least one for each of you if you could briefly talk on this. You know, this is an international symposium. And so there's different domestic political contexts in different countries, but sort of law and order discourse is kind of invoke, again, seems, have you noticed that sort of rhetoric having an impact in the countries in which you're you're working? So maybe, John, if you could speak to China, if there's been sort of tough on crime language turning into policy there, Taghreed about the MENA region, and then Patty about the United States?... Whether there's a sort of tough on crime rhetoric in China, as we have in the American domestic political scene, and whether that turns into negative policies that affect juveniles.

John Kamm:

I certainly don't want to speak for China, we have seen developments both in China and here, and I suppose elsewhere in the world, where there's still very much, you know, do the crime do the time, as they say, in New York. And as a result of that mentality, you do have movements in many countries to lower the age of criminal responsibility. In China, the age is 14. So, you know, due to a lot of heavy media attention to crimes committed by juveniles, you do see this kind of pressure to treat juveniles even more harshly. And I think Patti, in private conversations has said, you know, there's a lot of opposition to closing juvenile halls, coming from people who have that mentality, you know, we're too

soft on kids, you know, spare the rod, spoil the child, that whole mentality. So that still exists out there, for sure. But I'll leave others to follow up on that. Patty, maybe you can speak to the opposition.

Patricia Lee:

Based on our work, as I mentioned earlier, it has been challenging, and one of the challenges that I anticipated was that there'd be a lot of pushback from the law enforcement. The folks that are the counselors, and basically, they're the guards in juvenile hall. And they're saying, well, we have really dangerous kids. And what about the kids that are released, you have data on the kids that are released that committed murders. And so that is a lot of pushback. And we're getting the message from some of the labor unions that they're concerned about public safety. And so we have to address all of those issues of public safety. Our message is that we are not closing down a secure facility, we are creating a humane, home-like environment for those very few youth that need actually need to be detained. And I will say that locally, and throughout California and the nation even though in the 90s we had the tough on crime, we had this three strikes legislation, which is that if you're on your third felony, and when you're 18, you committed another violent offense, you could be put away for life. We are moving away from that tough on crime legislation and sentiment that occurred 20 years ago due to the crack epidemic and because of the changes in our Supreme Court rulings where youth that have committed murders in the past. They can't, they cannot face the death penalty. In California, we just passed the legislation to prevent you from being direct filed into adult court. We have passed legislation in California, and titling just recently, effective January 1 for all youth 17 and younger that are facing the custodial interrogation with the police must have attorney consultation prior to a Miranda waiver. That means that that child is entitled to consult with an attorney before police can question them on any offense. So we are seeing a movement to decarcerating youth to work with youth in the community. And I think that we are right now on the precipice of creating reform by closing carceral institutions, our local institution, and reforming the juvenile justice system, because it doesn't work. We know that the youth that are incarcerated increases their likelihood of going into the adult criminal system. So we are moving towards diversion. And I know Richard mentioned Seattle's zero population. So we are not the only jurisdiction looking at closing juvenile hall. The other, the most difficult part is looking at the other alternatives. Besides just having, you know, an alternative to a small facility, but what are we going to do with the entire system. We need to move these youth into educational systems, into the mental health system, into the child welfare system. So I'm feeling very hopeful about it. It's a huge, huge task that we are undertaking. Sometimes I feel like I have to have a bulletproof vest on, to be honest with you.

Joshua Nederhood:

Thank you, Patti. Taghreed, before we get to your answer on this question, I just want to tell the audience, we probably only have room for one question after this. So if you have anything that you're typing out, send it in. Otherwise, after Taghreed gives an answer, we'll be wrapping things up. Thank you.

Taghreed Jaber:

Thank you. Thank you just Well, actually and I do believe that the policy, the general global policy of tougher on crime is also affecting juveniles in demeanor in the MENA region to a large extent. We have been any facing serious difficulties in raising the age of minimum criminal responsibilities in many of the countries. And I'll give you an example, in Saudi Arabia, Kuwait, Qatar, Sudan, the minimum age of criminal responsibility is seven years old. And we have worked for 10 years in Jordan, to raise the minimum age of criminal responsibility from seven to 12. And you cannot imagine the level of challenges that we have to go through to convince the parliament in Jordan to accept that children who are below 12 should not be brought to the criminal justice system, and they should not be brought in front of prosecutors and the judges. So the overall mentality that we're having from the judiciary also is unfortunately focused more and on punitive approach rather than rehabilitative approach where the detention is the first choice while it's supposed to be the last resort when it comes to juveniles and to children. So even when we have alternatives to imprisonment that are available, you will find that judges will not go to them because they do believe that the proper punishment is imprisonment, unfortunately, and being tough on those children. The other issue that also is very relevant to the MENA region is the whole war on terrorism and radicalisation, due to the fact that many of the children unfortunately, and I do believe that they are actually victims of radicalization and being joined with many of the radical groups. Many of the jurisdictions in MENA countries have dealt with these children as criminals and not as victims of crimes, and this is one of the main issues that PRI is all also advocating for is like children in conflict with the law due to state security crimes, and it's part of the children deprived of their liberty study that Manfred has brought and PRI contributed to drafting ,should be dealt with as victims and not as criminals, and this has made us have to face the harsh discussion with authorities and decision makers about how to deal with these children based on the rehabilitation and giving them opportunities to reintegrate in society, rather than locking them for life, for example, or for long life sentences, and detention facilities.

John Kamm:

Well, I'm afraid that we really are coming to the end of this program. Before I turn it back to Joshua. I would just like to remind people that the next webinar is the second of our introduction. webinars will take place on November 10. San Francisco time November 11. In Hong Kong, that webinar will feature Anna Wu, who will speak to girls in conflict with the law and the view from Hong Kong. So Joshua, are there some closing points you'd like to make?

Joshua Nederhood:

Yep. So thank you, again, wonderful panelists for your presentations. I know I certainly learned a lot today. Thank you, audience members for your questions. As John mentioned, this will be the first of hopefully 12 webinars rolling out over the next few months until March. So keep your eye out for opportunities to register for future events. We do require registration as a security protocol. I know that might have been a hurdle getting you to come here, but we appreciate that and we'll try to make sure registration and reminders are, you know, coming to you smoothly and clearly. In the future. There will be a survey that will be set to pop up in your browser when this webinar closes. Feel free to give us any feedback, including questions that you might not have had time to submit in the q&a. Or, you know,

comments if you would like us to send you some version of the slides that our presenters use today. And then you can also if you're interested in Dua Hua's work, you can go to duihua@duihua.org. You can also go to Penal Reform International's website to find out more about what they're doing. And you can also send inquiries to d-u-i-h-u-a-at-d-u-i-h-u-a-dot-org that email address. It's just Dui Hua two times. So thank you all again for joining and I think with that, we'll conclude the first webinar. Bye, everybody.