

Juvenile Incarceration: Alternatives

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Speakers:

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- Beginning of Recording -

Joshua Nederhood:

Today's moderator is Judge Leonard Edwards. He has served for 26 years as a superior court judge. He's now retired. He provides consultations and technical assistance to courts across the United States and in several foreign countries. During his judicial career, Judge Edwards founded and was the first president of the Juvenile Court Judges of California, as well as founder of the Santa Clara County Domestic Violence Council, Kids in Common and The Child Advocates of Santa Clara County. Judge Edwards was the president of The National Council of Juvenile and Family Court Judges in 2002 and 2003. It is an honor to have you with us today, Judge Edwards. Let's turn things over to you.

Leonard Edwards:

Welcome. We are very fortunate tonight to continue the series that Dui Hua has invented, the international perspectives on girls in conflict with the law. It is the brainchild of John Kamm who will not be with us tonight, but he is healthy. We are very lucky tonight to have three outstanding presenters, but before we do that, I want to point out that there are a number of

organizations which are co-sponsoring this, and the partners include Dui Hua, a nonprofit organization that brings clemency and better treatment to at-risk detainees through dialogue; Patricia Lee, the managing attorney for the Juvenile Division of San Francisco Public Defender's Office; Penal Reform International, which is a non-governmental organization working globally to promote criminal justice systems that uphold human rights for all and do no harm; and the Centre for Criminology and the Centre of Comparative and Public Law of the University of Hong Kong. The sponsors include the Canada Fund for Local Initiatives, the Ministry of Foreign Affairs of the Kingdom of the Netherlands, and two private funds (the Alice Lam Memorial Fund and Mark Headley & Christina Pehl), and general support from Dui Hua's Special Program Development Fund, Denmark's Ministry of Foreign Affairs, the SIDA, Swedish International Development Cooperation Agency, and the Norwegian Ministry of Foreign Affairs. I must give credit to John Kamm for bringing these groups together to sponsor what we believe is the first international conference on women in the justice system.

So we're going to move on, and we have three presenters; I'm going to introduce two of them now because they are colleagues on the San Francisco Superior Court. Judge Susan Breall has been a judge of the Superior Court for the City and County of San Francisco for 19 years. She currently presides over dependency matters in the Unified Family Court. She created the first girls court in San Francisco which handles all juvenile justice cases involving girls at risk of sexual exploitation. She also has a long career, both as a prosecutor and a community organizer. She's the co-chair of the San Francisco collaborative against human trafficking, so she's very appropriate for what we're going to talk about tonight. Judge Roger Chan, as you can see, was appointed just four years ago by Governor Jerry Brown. He's been assigned to the Unified Family Court since August of 2017 and he presides over family, dependency and juvenile justice trials, as well as juvenile justice collaborative courts. Well, Judge Chan also was the executive director of the East Bay Children's Law Office from 2009 to 2016. I know of no other judge in California who was better prepared to go to the juvenile court than Judge Chan because he is a recognized expert in juvenile law and he also has involved himself in the community. Now I'm not

going to introduce a Zhang Hongwei right now. I'm going to turn this matter over to Susan Breall.

Judge Breall:

Thank you so much and good evening and/or good morning, ladies and gentlemen. I want to begin by thanking John Kamm and Patty Lee and all of the sponsors and organizers of these amazing series of conversations, and I really want to thank everyone who has logged in today because your presence and your care about issues facing girls who are incarcerated really reaffirms the worth and the dignity of every girl in the juvenile justice system. This is going to be a bit of a conversation and back-and-forth between me and my colleague and friend, Judge Chan, and I'm going to begin with what we know nationally in the United States. What we know is that girls are the fastest growing delinquency population in the US. What we also know is that historically the delinquency system catered to a male population and it really failed to address the needs of girls or cis-gendered female populations. Examples of this are all the log cabin ranches for boys that have sprung out throughout the state of California, and there has been very little in the way of services or programs for girls. Both the delinquency and the foster care systems have really failed to find solutions to help the population of girls exit the crossover systems of dependency and delinquency or help them thrive outside government systems altogether.

So we feel we really need to discuss gender-specific, female-specific solutions and non-punitive solutions for girls who end up in the juvenile justice system. We're hoping that we can have a shift of focus from the focus of criminal behavior to moving out of the criminal system altogether for girls for a number of reasons that we'll talk about. According to the National Institute of justice, most crimes committed by the female population of girls under 17 are not serious and they are not violent crimes. There's a caveat to that and Judge Chan will explain the difference in San Francisco, California, to the national statistics, but most girls who are arrested are arrested for non-violent, non-serious crimes, but they have been victimized in very

serious and violent ways before they ever come into the juvenile justice system or the dependency system. They've experienced enormous trauma. Many of them are victims of sexual assault, of violence by family members, or they've been exposed to domestic violence in their families or intimate partner violence before they ever end up in the systems that we're talking about.

So I believe, and Judge Chan believes we need to develop a team to help address the needs of girls in the juvenile justice system. We need to look at a non-punitive approach when you're handling girls in these crossover systems and have a harm-reduction approach to girls who've been arrested. There needs to be relationship-building. We need to talk as judges about sexual health and teen pregnancy for girls who end up in the system, and finally, I think we need to recognize the familial turbulence and conflict that has occurred in the home of girls before they've ever even entered the system. Many young girls see domestic violence in their homes. They see substance abuse and addiction by parents. Many of them are not living with parents; they're living with other family members. Studies show that the familial turbulence experienced by a young girl in the home has a greater effect on her than boys, than the male population, and a greater effect on her when she comes into the juvenile justice system. So I'm going to turn it over to you, Judge Chan, to talk a little bit about what we're seeing in San Francisco.

Judge Chan:

Thank you, Judge Breall. Thank you, Judge Edwards, for the very kind introduction, and I also wanted to join in the appreciation of the organizers and sponsors of this event and to all of you for joining us. I see a number of people from our San Francisco juvenile justice community, and I'm glad that you can be a part of this conversation as well.

I wanted to start by going over some of the data from San Francisco which is meant to illustrate the problem, and then Judge Breall and I will talk about some ideas and some ways that we find

alternatives to detention. The data that I'm presenting is directly from the San Francisco juvenile probation department and this first slide shows you generally the breakdown between the number of girls and the number of boys who come through the San Francisco juvenile hall each year. In 2019, 25% of the young people who came to juvenile hall were girls. In March 2020 before the COVID-19 pandemic, it was about 12%, and the last data report we have is from October of 2020 where the number of girls is 7% of the juvenile hall population. I do want to caution everyone that I don't think we're quite ready to draw conclusions about the data from 2020 because of the unusual nature of the pandemic and the way that arrests have dramatically declined in San Francisco, and I think throughout the United States, but I think what these slides illustrate is the point that Judge Breall made. You can see that boys are predominantly the population coming through juvenile hall, and as a result, we have a system that's designed and focused on the needs of boys and not enough on the needs of young women. This slide shows you the ages of boys and girls who have come through the juvenile hall. You can see the range between the youngest at 13 and then we have young people who are 18 or older, not older than - generally for this data chart, it's not older than age 19. I think what you can see from this chart is that generally, there's a rate of detention for girls between ages 15 to 19 that is proportional to the retention rates for boys.

So why are girls being booked into the juvenile hall? What are they being arrested for? What you can see from this slide is that a large number of the reasons for detention in the juvenile hall are not new cases; they are warrants for young people who fail to come to court or who leave their court-ordered programs, or probation violations which can be for various things. This is a different way of looking at the same data. Judge Breall mentioned that nationally, most young women are not being arrested for violent offenses. The data in San Francisco shows that for young women who are being booked into juvenile hall for new cases, more than half of those new cases are for robbery or assault which might be categorized as a violent offense, although if you look at the specific facts of the case, you might see that a lot of these relate to property crimes. But again, this is another way of saying that nearly half of the girls who come to juvenile hall are not coming in for new cases.

One of the reasons why San Francisco data looks like this is I think there are two major reasons. One is that over many, many years, San Francisco has implemented what we call diversion programs, efforts to not bring young people into the juvenile court system unless it was necessary. So a number of less serious or non-violent offenses never come to the juvenile hall and young people would not be booked in for those reasons, and so that's why you also see that the reasons for detention are more heavily toward serious offenses because the less serious offenses are not being referred to the juvenile hall in the first place. Judge Breall and I may talk about that as we think about solutions. The other major reason why you don't see less serious offenses and the reasons for detention is that under California law, there was a shift in public policy to decriminalize young behaviors related to sexual exploitation and victimization and recognizing that many young women who come to contact with law enforcement are themselves victims and should be treated as victims rather than as offenders.

So how long do young women stay in juvenile hall? Let me try to better explain this slide. The average length of stay, the average number of days that a young woman stays in the San Francisco juvenile hall is 17 days, and if you look at the data more fully – and I did not provide you with the full chart - 9% of young women booked into juvenile hall are released in a day or less. Twenty-five percent are released in zero to three days which is about the time it takes to go to court. Forty-one percent of young women booked into juvenile hall are released in seven days or less. One of the reasons why we need to have this conversation, though, is that almost 59% of young women booked into juvenile hall spent eight or more days in a juvenile hall, and 33% of young women booked into juvenile hall spend 28 or more days, more than a month in juvenile hall for various reasons, but this is meant to illustrate the problem that we're here to talk about this evening and recognize that the juvenile justice system may not be well-equipped to meet the needs of young women. Just finally on this slide, to get a snapshot of recidivism, when juvenile probation looked at the characteristics of young women being booked in juvenile hall, probation found that only 12% of young women were booked into juvenile hall more than

one time. So as we start to think about the young women that we're serving, we see that there's a smaller and smaller group who present perhaps that higher risk or higher need.

So Judge Breall and I are going to discuss some solutions. Before we do that, one of the approaches that we've taken in San Francisco is to develop a girls court on both the juvenile justice and on the child welfare side of the juvenile court system to try to bring together gender-specific responses to young women who are in the juvenile court system. Judge Breall oversees the specialized girls court on the child welfare side and I supervise the girls court on the juvenile justice side. So with that context, Judge Edwards?

Leonard Edwards:

Yes, thank you both for those introductory comments. I have a question for you. Have you seen any difference between treating girls through the social service model instead of the juvenile justice model? You might want to say a word or two about what those two models reflect.

Judge Breall:

Judge Chan, you want to talk about social service model versus juvenile justice model?

Judge Chan:

Sure. So when I referred to those terms, in California, our juvenile court has two sides. One is the child welfare side where young people come to court, not through any crime or misconduct on the part of the young person, but due to...So our young people come to juvenile court for protection because they have been subject to parental abuse or neglect. So the primary agency responsible for youth on the child worker side is our social services agency where social workers are assigned to work with the youth and her family. The juvenile justice side is where

young people come to the juvenile court because they've been arrested and charged with some violation of law, some sort of misconduct, and are there for their rehabilitative needs as well as to provide public safety. So the primary agency on the juvenile justice side is the Juvenile Probation Department and the sanctions available on the juvenile justice side are very, very different, including and up to incarceration. So in California in general, there's been a shift to trying to move more young women out of the punitive juvenile justice system and more into the social service side to receive services such as counseling and other supports and to get - as I mentioned earlier, to treat young women as survivors as opposed to being offenders.

Judge Breall:

So the question really is are young girls and young women being rehabilitated by being arrested, by being charged with a crime and often being incarcerated? I think having worked in both the juvenile justice system and now the social welfare system which we call the dependency system, that I've seen a real stigmatization of young girls when they're arrested in the juvenile justice system and when they're incarcerated and made to feel like a criminal, whether they are or not. There's a trauma that happens to them, and remember the statistics earlier that many young women have already been traumatized before they ever act out in ways that caused them to be arrested. They've been traumatized at home, they've seen familial violence, they've seen intimate partner violence, and then if they are arrested and put in the juvenile justice system, they have the stigma and this identity suddenly of being a criminal, whereas if they're in the welfare system, they're not traumatized the way they are in the delinquency system and I think that there's the ability to be a lot more creative in helping a young woman get out of a government system altogether because the system isn't dependent on sanctions and incentives and so-called rehabilitation as it is in the juvenile justice system. I think you can be more creative. That's my observation. What do you think, Judge Chan?

Judge Chan:

I agree, Judge Breall, and I think as we think about what works and what doesn't work, the challenges are so uncommon, and one of the most common challenges, for example, are young women who do not stay in the places that we want them to stay, who exhibit runaway behavior, or who are resistant to treatment, and as a result, we don't know necessarily where they're living. I think one of the objectives of both of our girls courts have been to really focus on how we engage young women and have them stay connected to some support network even though they're demonstrating other at-risk behaviors. Judge Breall, you mentioned before how there're young women who may technically be considered on runaway status, but they come to court and they're still engaged with you and they're still talking about what they need and they're still talking to their therapist or their lawyer or their clinicians. So I think another really important aspect of what we do as we're working with young women is to really think about harm reduction in some ways and really thinking about what is success. What are we looking for and how do you help young people change their lives after spending many years in having experienced trauma?

Judge Breall:

I totally agree. I think there has to be a harm-reduction approach and relationships need to be established between the judge and the young woman. You hear a lot this term "trauma-informed approach" to handling cases, and I think what we need is a survivor-centered approach with every young woman who enters our courtroom. We have to help them connect to services they are entitled to and they have a right to and help them get off the street and have a safe place to lay their head at night, and we can't do that unless we find out what their needs are or what they feel their needs are as a survivor of a whole host of traumas. We have to spend a long time talking to them and establishing a relationship with them so that they'll know if we put word out on the streets through various social service agencies, that they will not be arrested if they come to court. They trust us, they will trust me as the judge and they will come back, and if there's a warrant out for them, the warrant will be recalled.

Similarly, with the child welfare cases, if we have a young woman who's gone from placement to placement and really has no home to go to and needs the services of an out-of-home placement, we need to get her buy-in to not running, to not being vulnerable to be exploited by an exploiter out on the street, a trafficker. In order to do that, we need to spend a lot more time than the normal time spent by a judicial officer, ask her what she needs, ask her how we can help her, ask her to help us as judges, help other young women to go to placements that they want to go to. What are they looking for in a different out-of-home placement and how can we help them with school? Do they want to finish high school? What are their goals? A lot of times, no one's ever asked them before, what do they want to achieve? Where do they want to be when they graduate from school? What occupation do they see themselves in? So I think there needs to be a survivor-centered approach to each young woman and a team approach.

When I say team, I'm not sure what you think, Judge Chan. I'm talking about a caseworker with fewer cases that can devote a lot of time to an individualized plan for each young woman, a mental health provider, someone from the community who can provide the young woman an internship. I mean, we have organizations in the United States like Rights for Girls or Freedom Forward. We need individualized case plans and a team approach and a diverse team because we know that young African-American women are arrested five times more than other ethnic groups.

Judge Chan:

Judge Breall, I think just so perfectly described exactly what our second point is which is what are ways in which you can make the juvenile court be gender-specific or gender-responsive. I agree with everything that you said in terms of the approach which is really about creating a space for young women to feel safe and to be heard and to hear their stories and to build the relationships to important people, important connections, and the role of the case manager or the role of the community person who is working on a daily basis or a much more ground-level

basis with young women is so critical because what I've found in the juvenile justice girls court is that our specialized girls case manager can explain how what we're saying should be understood, that can provide context, that what might look like on paper to be a violation or what might look like on paper to be a reason to bring a person into custody, the case manager can really provide context and say, "You know what? What you see looks like a setback, but if you understand it from the young women's point of view, it's actually a big step forward." There's progress, and to reframe what we're talking about – and so when we're thinking about alternatives to detention even, let's start by taking detention off. Let's start by changing our approach to detention being a response to risky behaviors and start to understand the stories and the unique challenges that our young women are facing.

I think having that team that can trust each other and can come together to help everyone understand, especially the government agencies responsible for the care of the child to understand what we're looking at so that the response can be individualized. This response can be specific to that person and not a blanket approach to, "Oh, you cut off your electronic monitoring device. Oh, you ran away from your court-ordered placement. Oh, you tested positive for marijuana or something," that those responses can be reframed and that we can also, really importantly, identify and celebrate successes that are meaningful to that particular young person so that when the young woman comes to court, we can point out, "Hey, we noticed. We saw that you did this and that must have been a really big deal to you that you were able to do that," because what may seem easy to us may be extremely difficult to that young person with all of the barriers that she faces in her daily life. I think the other part of this team and the trust is that information-sharing, and in terms of building a gender-responsive court, the team has to trust each other in order to share sensitive information and understand that that information will be used to move the case forward and not to penalize and hold a young person back.

Judge Breall:

I think what you just said about celebrating successes is so vital and so important because so often we see young people in the juvenile justice system who never get praised, who never really celebrate much of anything, let alone an achievement. I've seen young women tearful when you say, "Hey, you wanted to communicate better; that was one of your goals. You wanted to stop running so much from placement to placement, and look over the past four months. You've stopped running and you were able to communicate to me everything you wanted to achieve and you've done that. Isn't that amazing?" So I think that celebrating success is so important for each young woman and I think also what you've been talking about is a harm-reduction model. Maybe someone will take one step back and violate their probation by smoking marijuana, but then they've taken five steps forward, and really when you look at the entire pattern of behavior, there is enormous success.

Judge Chan:

Along those lines, Judge Breall, what does a juvenile court judge need to know when working with young women?

Judge Breall:

Well, you and I were talking and maybe you can explain this a little bit better than me. We were talking about how a judge should not be paternalistic, but a judge should be a caring parent, and there's a difference between being a parent and being paternalistic. I guess that says it right then and there, and I also think that what a judge really needs to know, most importantly of all in talking to a youth and helping a young woman is to hear the voice of the young woman, to ask them what they need, to listen to them and listen to their voice, and along those lines, I think it's important, and both of us wanted to share with the audience and with the words of a young woman who I asked - and I'm reading from a transcript - "Because you're so smart - and it doesn't really matter what your grades are. You're very smart and you're smart about people, so do you have any words of wisdom for me to help me and other

young people who end up in my courtroom?" What this young woman said was, "Well, that's an interesting question that you would ask, and I think it says a lot about you that you would care enough to ask me that question."

What she goes on to say is this: she says, "I guess what I'm trying to say is for anybody who works with foster youth to admit their limitations and be transparent about it and say, 'I will make mistakes. I can make mistakes. I don't understand you, but I will try to be understanding of you and I will try to get you what you need.'" I find that so important so I think the best advice to give a judge is to know you will make mistakes, but to listen to the young person, to listen to the young woman and ask the young woman how we can help her and how she can help us help other young women.

Leonard Edwards:

Well, I'm going to step in now. It's clear to me that the two of you have a perspective on girl in court which is different from many courts around the country, and it's a successful approach and I'm very impressed with it. There are questions that are coming in, but first of all, I think it's more important for us to hear from Professor Zhang from China and I will introduce him once again. He is the Dean of the School of Humanities. He's a professor of Juvenile and Family Law Research center in Jinan University, China. He received his PhD in criminal justice from the Sam Houston State University back in 2004. He has published books and articles in American, Asian, and international journals on topics including juvenile justice, victim protection, and child welfare laws. Judge Chan and I met Professor Zhang in China when we visited there as he participated in a judicial seminar that Dui Hua sponsored. So Professor Zhang, you are on.

Zhang Hongwei:

Okay, thank you very much. Hello from China. Right now, it's almost 9:35 from China now. I felt like I didn't speak English for a year, so forgive me if I didn't express myself clearly. Actually, I'm quite interested in...this topic. Actually, I spent a few months trying to find the relevant data on the girls in Beijing, China, but I failed to do that. Instead, I want to present to you a very short introduction about the general crime trends in China.

Basically, I have two data sets from the Chinese Supreme Court and the Chinese National Prosecution Surveys. From the first set of the data, from 1991 to 2018 – that's almost 27 or 28 years – the general trend for juvenile crime showed a very clear downward. So actually, the peak year was set in year 2008. In that year, the courts across all over China handled cases of 86,000, but from that year, the juvenile cases heard by the court showed a clear downward [trend]. Right now, maybe just now, the number of juvenile crime cases heard by courts is only about 38,000 per year. So given the big juvenile population in China, that's not much cases, but from the other set of the data released by the Chinese National Prosecution Surveys, from the years 2017, 2018, and 2019, the juvenile crime cases were slowly moving up. So we don't know exactly what's the reason to cause that, and once more, we don't have clear data on the gender issue, that is we don't know how many girls were prosecuted or sentenced by the prosecution office and by the courts.

So that's the general introduction about the juvenile crime patterns or trends in China in the past few years. Secondly, I want to mention one big background. China has made huge progress in establishing and reforming our juvenile justice system, particularly in the last year, that is 2020. We have four important laws enacted or reformed. One of them is our civil code. That is the first of its kind since 1949, and the civil code is a really big one, and it has seven chapters. So one of the chapters focuses on family and marriage and some of the articles that deal with juveniles such as adoption and custody. In addition to the civil code, we also enacted another new law which is called the community-based correction law, and this law also has a special chapter on juvenile community-based instruction. In addition to these two new laws,

we also reformed two other laws. One is the Juvenile Protection Law and the other is the Juvenile Delinquency Prevention Law. Those two are very, very important laws.

Before these revisions, juveniles were carefully protected and juvenile delinquency was carefully prosecuted and sentenced, but from the reforms of these two laws in 2020, the policymakers focused more on rehabilitation and alternatives to incarceration. That's really remarkable progress. For example, before these two laws were reformed, there wasn't much room for a judge or a prosecutor to find appropriate alternatives to incarcerations; they had no other options, but based on the new revisions of the Juvenile Delinquency Prevention Law of 2020, we really put a focus on the specialized school which is really similar to the reforming school in the United States or in other jurisdictions. Under new laws, the parents and the teachers and the police officers could file applications to the Department of Education if they find some juveniles were suspected of doing some status offense of minor crimes. They could be sent to special schools after screening and evaluation.

So this is really big progress. Actually, these kinds of articles were already prescribed in the 1990s Juvenile Delinquency Prevention Law, but the problem was there was no procedure for the parents, for the teachers, for the police officer to do the process so they don't know how to do the process, but because of these new revisions last October, just a few weeks ago, right now we know if we find the kids are suspected with some status offense of minor juvenile delinquency, then we can file an application to the Department of Education, and then the Department of Education or a police officer will go through an internal evaluation process, and eventually, they will make the final decision whether they will send the kid to the specialized school. This is really good.

Take the example of Guangzhou. Right now, Guangzhou has a specialized school for juveniles, but they don't admit any girls at this moment, but because of the new laws, right now they could ask for more funding or more staffing to recruit the girls into that specialized school so that the girls don't need to go to other correctional facilities; instead, they can go to the

specialized school to receive both compulsory education and other skills training. So we think we don't have enough gender perspectives in dealing with girls in conflict with the law, but steadily, we are moving forward to differentiate how to treat girls differently with boys. I'm sorry, actually I have more information on the PBT files, but because of technical issues I can't open it. So far, that's a major point of my presentation for now.

Leonard Edwards:

Professor Zhang, thank you very much for your comments. Just a couple of basic questions. Are there facilities for incarceration of girls in China?

Zhang Hongwei:

Yes, we do have. According to the Criminal Procedure Code of China, the girls must be held in a different correction facility. They could not be held with the boys in the same room, and also according to the Criminal Procedure Code in China, whenever a police officer tries to question the suspect, there should be a female staff there.

Leonard Edwards:

Is it true that many cases of young girls who commit very minor crimes are settled by the police and not taken to court?

Zhang Hongwei:

That's a really good question. Actually, I used to have a joint appointment as a prosecutor 12 years ago. When I was in my office at that time, we also seen some girls who committed very serious crimes to the court, but we don't know yet whether it happened to the other prosecutor offices or courts. We don't know. I have some friends working as either a police

officer or a judge or a prosecutor. They often speak of different stories. Some say that girls delinquency is becoming more and more serious, but the other said, "No, we saw the downtrend of girls delinquency or crimes," so we don't know yet. Right now, we're still short on accurate data on that.

Leonard Edwards:

One of the observations I made about the San Francisco system is that the girls who are brought into the juvenile justice or delinquency court have often had contact with child welfare services. In fact, we did a study in my county which is Santa Clara County, Silicon Valley, and the average number of contacts with the welfare system was 10 to 30 for the girls who were coming in to the juvenile justice system. What that told us was that these girls have suffered. They have had a very difficult life before they committed a crime. Is that similar in your experience to the girls who come into the juvenile delinquency court in China?

Zhang Hongwei:

Thank you for the question. Like I said, we're short of the data. We don't know for the general picture yet, but we have different stories. For certain crimes, we also find some girls are coming from very wealthy families, but like you said, most of them are from the lower class, so they maybe have miserable lives. We don't know yet, but one good thing is that we also reformed our Juvenile Protection Law last year so that right now, the Civil Affairs Department at different levels in China are responsible for child welfare from this year. So the new law will come to effect on June 1, that is our Children's Day. So we are much expecting that those government agencies could have more responsibilities and contributions to do much more work on child welfare so that they can bring some benefits to the girls with a disadvantageous family background.

Leonard Edwards:

Well, that is interesting, and I think San Francisco has taught us a great deal that these girls often are not welcome in their own homes, that perhaps they'd been molested, perhaps they'd been treated badly and they have no place to go. So one of the challenges in our community is where can we find a place that will be supportive of these children if they cannot return home? Now, do you face that issue in China?

Zhang Hongwei:

Yes, we do. Actually, we call those children the left-behind children. Because many people try to find good jobs with pay in the big cities, they left their children in their home city or hometown or home village. We call those children the left-behind children. Like you said, they're facing a lot of challenges including education, health, and human relations. Right now, we are expecting the government agencies and NGOs and the courts and the prosecutor offices to work together to bring a lot of social resources to them.

Leonard Edwards:

Well, thank you. I would like to ask now the San Francisco judges to describe the Young Women's Freedom Center because I understand that is a resource that's very valuable for the courts to refer these young women to. So Judge Breall, Judge Chan, does either one of you want to talk about the Young Women's Freedom Center.

Judge Breall:

Well, I know that the Young Women's Freedom Center is helping partner with our community providers in training various foster care placements to be resources for young girls who run, who are being exploited, being trafficked on the street or vulnerable to exploitation and they've run from numerous placements. I have a young girl who's 12 and she's already been in 14

placements. The center has adopted a model similar to - I think it's the Florida model to train hosts of homes who will understand who this young woman is, where she came from, why she's running in the first place, what her life was when she was being trafficked on the street so that she'll have a place to stay and hopefully thrive and grow and just stop running and committing acts of self-harm. So the Young Women's Freedom Center is a nonprofit that has really advanced our thinking about where to put young women who've gone from placement to placement and not engaged in services that they have a right to utilize.

Judge Chan:

Judge Edwards, I would just add to that, I think I would also describe the approach of the Young Women's Freedom Center is meeting young women where they're at, and they operate on many different levels from group activities to individualized case management and supervision to the kind of training and kind of spreading better practices among other providers, but I think what I hear from young women about this particular program is that it's a place where they feel empowered and where they meet people who don't judge them and they find a space in which they can just be themselves and safely process whatever they've gone through and then become an advocate for themselves and for other people.

Leonard Edwards:

Last question from one of our presenters from yesterday, and that's Meda Chesney-Lind in Hawaii. Would one of you from San Francisco please elaborate on the survivor approach versus a trauma approach? I think you were talking about that, Judge Breall.

Judge Breall:

Yes, I think to be trauma-informed is to educate ones' self about the traumas experienced by a young person - and we're talking about young women - whether the young woman's been

beaten by a boyfriend, whether she has been sexually assaulted by a stranger, to understand her traumas, but a survivor-centered approach is to talk to her and find out what her needs are, what she believes her needs are, not what we think her needs are based on her trauma, but what she really thinks her needs are, what her hopes are, how she is able to survive and how she wants to survive based on the trauma. So it's a little bit different than just being informed about the trauma. It's centering our help of the young woman by having her be the center of the focus and her helping us understand her needs.

Leonard Edwards:

Thank you, Judge Breall. Zhang Hongwei, one last question to you from Patricia Lee who's one of the organizers of this. Are there risks of sexual exploitation in China for young women?

Zhang Hongwei:

Thank you. Right now, I have some data in my hand. In the year 2017, prosecutor offices across China prosecuted about 7,550, rape cases, that is rapes against juveniles, but in the year 2019, the number reached almost 13,000, so jumping almost 40%. That's a huge increase. So from this data, we can say on one hand, the case of child abuse is increasing significantly over the past three years, but on the other hand it shows also, that the Chinese judicial organs are trying to prosecute those kinds of cases as much as they can. So in the long run, we can say those kinds of cases will continue to increase, but on the other hand, the cooperation to fight against child abuse will also increase as well. Thank you.

Leonard Edwards:

Thank you, Professor Zhang, and thank you, Judges Chan and Breall. This concludes our presentation tonight in this series sponsored by Dui Hua. I want to tell you all that there are a number of future presentations just as we've had presentations from Europeans, from Africans,

from leaders in the Middle East, but here we have a list of six more, including one from Hong Kong and Guangzhou, which you will probably want to listen to, Professor Zhang, because there are probably some of your colleagues. Then we have presentations in February and two more, one from Glasgow and one more from Beijing. So I hope you all can join us for those and I hope that John Kamm has been able to make it back and is listening to some of this.

Once again, I want to thank you all. This has been extremely informative. I believe that that we are seeing some of the cutting-edge approaches to juvenile justice for girls and for the welfare supportive approach which seems to me to be much more profitable and much more successful. So thank you very much and that concludes the presentation for tonight, unless you have something you want to add, Joshua.

Joshua Nederhood:

Thank you very much, Judge Edwards. I just wanted to say one better than one of Professor Zhang's colleagues, we're hoping to hear from him himself at the panel on the 28th, but definitely hearing from some distinguished scholars just across the bay there in Hong Kong as well, so a regional perspective there. I've put a link in the chat to follow Dui Hua publications if you're not already subscribed. That would also make it easier for us to invite you to apply coming events. I know we didn't necessarily get to all the questions, but we'll try to get you invitations to future events and resources like Professor Zhang's slides that we weren't able to show today. So thank you all so much for joining. Panelists, thank you for presenting, and Judge Edwards, thank you one more time for moderating. I'm going to end things now. Thank you so much and have a good evening, California, and a good day in China.

Judge Breall:

Thank you.

- End of Recording -