

## 2021 WORLD CONGRESS ON JUSTICE WITH CHILDREN

**15-20 November 2021**

*“Ensuring access to justice for all children: towards a non-discriminatory and inclusive child justice systems”*

### Workshop Programme

#### Reforms in Child Justice in Three States

<b>Date</b>	<b>Tuesday, 16th November 2021</b>		
<b>Timing</b>	22:00 - 23:30 Geneva	16:00 - 17:30 New York	19:00 - 20:30 San Francisco
<b>Organiser(s)</b>	Elizabeth Clarke, Founder and Board Treasurer of the Juvenile Justice Initiative of Illinois		
<b>Institution</b>	Juvenile Justice Initiative		
<b>Type of Workshop</b>	Panel discussion		
<b>Topics</b>	Systemic racism and the disproportionate criminalization of children from indigenous, ethnic and other minority groups in justice systems across the globe.		
<b>Region</b>	North America		
<b>Language</b>	English		

#### **Abstract**

The U.S. remains the only nation that has failed to ratify the Convention on the Rights of the Child. This failure, combined with the institutional racism inherent in the U.S. legal system, is a matter of grave concern. Yet, there is extensive domestic civil advocacy pushing the U.S. to comply with the fundamental human rights outlined in the CRC. This workshop will examine reforms and developing policies in juvenile and young adult justice in three states in the U.S. and will provide an overview of collaboration among advocates, system stakeholders, and academics to exchange innovative policies, practices and research and to develop collaborative strategies to promote child friendly policies and practices consistent with the highest aspirations of children’s rights. Specifically, this workshop will examine strategies that are advancing reforms to raise the age of juvenile court to 21, while closing the only juvenile prison in Vermont, to set a minimum age of juvenile court in Massachusetts, to end adult prosecution of children and advance the use of restorative justice in Illinois, and reforms to ensure children developmentally appropriate representation throughout the legal process from police interrogation through appeals and parole in Massachusetts and Illinois. The workshop will examine the research and advocacy that identified shocking racial disparities in the justice system, as one component in accomplishing systemic reform. The speakers will further outline other strategies and coalitions that are contributing to success in passing and implementing reforms. The speakers will share information on implementation of the reforms, and they will also share the outcomes to date including the

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impact of the reforms on the profound racial disparities in child justice in the three states. Finally, the speakers will discuss next steps essential to move their states closer to compliance with the fundamental rights in the CRC.

### **Three key take-aways and one output of the session**

Participants will be provided with an overview of some of the leading reforms in children’s justice in the U.S.. They will be introduced to research and strategies that have been used to:

- drive research
- change practices
- promote policy reform to improve legal and life outcomes for court involved youth, as well as to address racial and ethnic disparities.

This introduction to the strategies and research that are driving reform in the three states surveyed in this workshop, will provide practitioners, advocates and academics strategies and ideas that can be used in their jurisdictions to encourage further research, improve life and legal outcomes for young people in conflict with the law, and drive data and science driven policy reforms so as to advance children’s rights.

### **Objectives**

The participants will be informed about some of the leading reforms in children’s justice in the U.S., will learn about the outcomes of the reforms, and will be equipped with research and strategies they can utilize for further reforms in their home state/nation.

### **Expected outcomes**

- The strategies and research that led to reforms in the three states surveyed in this workshop, will serve as a toolkit for advocates and academics to encourage further research and advocacy to advance children’s rights.

### **Speakers**

- **Moderator**  
**James Dold**  
James Dold is the Founder & CEO of Human Rights for Kids (HRFK) a D.C.-based

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non-profit to protect the human rights of children. HRFK’s advocacy has led to the introduction of more than two dozen child rights bills in Congress and across the U.S. Prior to launching HRFK, James developed and implemented the advocacy strategy resulting in a quadrupling of states banning life without parole sentences for children in the U.S. James is licensed to practice law in the state of Maryland, is a member of the bar of the U.S. Supreme Court and is a human rights abuse-survivor himself.

- **Panelists**

1. **Elizabeth “Betsy” Clarke, J.D.**

She is a children’s human rights advocate, and the founder and immediate past president of the Juvenile Justice Initiative (JJI), a non-profit civil advocacy organization dedicated to ensuring human rights for all children and young adults in conflict with the law. Over the past two decades, JJI raised the age of juvenile court from 17 to 18, ended automatic adult prosecution for 15-year-olds, required lawyers during interrogation for children under the age of 15, reduced both pretrial detention of children under the age of 14 and post-trial incarceration by two-thirds, and closed three juvenile prisons. This past year, JJI established a legal privilege for communications in restorative justice practices (P.A. 102-100).

In addition to JJI, Clarke co-founded the Midwest Juvenile Defender Center, the North American Juvenile Justice Network, was a founding member of the National Juvenile Justice Network and is a frequent speaker and author, including *Disrupting Injustice: Fifty Years Post Miranda and Gault: A Call to Action to Re-Examine the Rights of Children in Conflict with the Law*, 62 S.D.L.Rev. 608 (Issue 3, 2017); and *Restorative Justice Lessons from around the World*, Readings in Restorative Justice, Vandepas Publishing, LLC, July 2021.

Prior to the Juvenile Justice Initiative, Clarke served as attorney and policy advocate in both the Cook County Public Defender and the State Appellate Defender.

Ms. Clarke is dedicated to shifting from a punitive to a restorative and humane system of justice for children and young adults and has organized and led stakeholder teams to Northern Ireland and Germany to study the impact of restorative justice and human rights laws and policies. She embraces the theme of the Global Study on Deprivation of Liberty of Children that Deprivation of Liberty is Deprivation of Childhood.

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### **2. Lael Chester**

As the long-time Executive Director of Citizens for Juvenile Justice, an NGO dedicated to improving the juvenile justice system, Lael led a successful campaign to end the prosecution of 17-year-olds in Massachusetts as adults. More recently, at Columbia University’s Justice Lab, Lael has been leading a national campaign to promote developmentally appropriate criminal justice approaches to emerging adults (ages 18 – 25). Her organization conducts cutting-edge research, supports states with systemic reform, and leads the Emerging Adult Justice Learning Community, that brings together researchers, practitioners, policy makers and advocates from around the country to promote policy innovation in this new field.

### **3. Joshua Dohan**

A public defender since 1988, Josh Directed the Youth Advocacy Division (YAD) for over 20 years. Using a Youth Development Approach, YAD lawyers and social workers work with youth in Massachusetts in conflict with the law to advance their legal and human rights, promote their healthy development, and help them achieve their legal and life goals. All YAD attorneys and social workers are skilled in criminal defense and education advocacy and receive training on being trauma responsive and culturally humble. Josh is now a Fellow with the International Legal Foundation, assisting with their efforts to support international legal aid.

### **4. James Dold**

James Dold is the Founder & CEO of Human Rights for Kids (HRFK) a D.C.-based non-profit to protect the human rights of children. HRFK’s advocacy has led to the introduction of more than two dozen child rights bills in Congress and across the U.S. Prior to launching HRFK, James developed and implemented the advocacy strategy resulting in a quadrupling of states banning life without parole sentences for children in the U.S. James is licensed to practice law in the state of Maryland, is a member of the bar of the U.S. Supreme Court and is a human rights abuse-survivor himself.