



Closing Plenary: Juvenile (In)Justice: Human Rights Can Break the School-to-Prison Pipeline

IHRFG Semi-Annual Meeting, San Francisco, California
Tuesday, January 26, 2010, 2:00 – 3:50 pm

Speakers: **Connie de la Vega**, Professor and Academic Director, International Programs, University of San Francisco School of Law; **Kim McGill**, Youth Justice Coalition; **Maisie Chin**, Director, CADRE (Community Asset Development Re-Defining Education); **Leonard Noisette**, Program Director, Criminal Justice Fund, Open Society Institute; **Kirsten Livingston**, Program Officer, Peace and Social Justice, Ford Foundation

Sponsor: U.S. Human Rights Fund, Ford Foundation, U.S. Human Rights Working Group

The hope for the plenary is that grantmakers will leave with a commitment to juvenile justice and support for youth of color. This issue should not belong to only one donor. Alliance must be formed across movements.

The following issues were highlighted:

- Aggressive policing as response to normal youth cafeteria fights
- Youth as young as 13 being tried in U.S. courts
- Juvenile life without parole in the U.S. – Convention of the Rights of the Child has not been ratified
- Latino and black youth are particularly affected

The first issue that was addressed dealt with what a school-to-prison pipeline looks like. **Maisie Chin** asked the audience to think about a time when they disagreed with someone at home, work, and were told that they were “defiant.” Maisie addressed that young people’s experiences with authority in schools were invalidated, and that they could not tell their parents how they were being treated. Children were being dehumanized by teachers. The issue of parents not placing value and worth in their children is endemic in schools and communities of color.

Kim McGill discussed her own experience with gang definition and the targeting of youth of color. She relayed that in the L.A./ community where she grew up, there is only a school-to-prison track. There is no university track. Some youngsters go to community college, but end up back on the streets. L.A. County locks up more people than anywhere else in the world. She identified four tracks for the youth in L.A. County:

- McDonald’s
- Sweatshops
- Prison/Jail

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- Military

She also discussed the following issues:

- Routine stops and frisks leading to arrests
- Young people being expelled from the district
- Schools being mini-prisons (same layout, same security)
- Police presence directly outside of schools

Connie de la Vega discussed her work at the “end of the pipeline.” She raises awareness at international level by bringing issues before the UN. She noted that the U.S. was one of five countries using death penalty on juveniles (until 2005, when the law was ruled unconstitutional). Two other issues Connie noted were: restorative justice, and the privatization of prisons (creating push to put more kids in jail). There is also the issue of judges taking bribes. Connie tries to work on issues at the international level and then bring them back to the U.S.

The advocates were asked to discuss their successes:

CADRE: Used documentation and collected stories from families and youth. Mobilized voices to impact the district to pass policies that will allow stepping away from zero tolerance. They will also issue a shadow report to the district in order to hold schools accountable to parents.

Youth Justice Coalition: Some successes include: list of demands on state to shut down youth prison, dismantling of gang laws, and holding police accountable.

Questions and Answers:

Q: How is a human rights standard used in the work of CADRE and Youth Justice Coalition?

MC: CADRE adapted a human rights framework (coming from a social change framework) because they realized that everything is integrated as one big experience of oppression. A human rights framework also helped parents claim their rights (which they were not aware of). It helped them frame a new reason to get involved and defend their children’s rights.

KM: In organizing young people, they realized that youngsters didn’t know that human rights standards applied to them. They looked at other countries for examples, such as South Africa, where youngsters came out of prison with certificates to do certain types of work. They found that other countries were thinking about the issues very differently from the U.S. For effective movement building, feeding off and participating with other people is critical.

Q: Why do Kirsten and Lenny fund this work (OSI and Ford)?

KL: Because juvenile justice system is pervasive in the criminal justice system and ultimately, the impact is on families and communities. This issue also intersects with rights of persons with disabilities. The system already operates on a social, political, and economic arena – all encompassing.

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LN: Educational policies are extremely important and intersect with overall criminal justice system, as well as the rights of persons with disabilities. There is a willingness to support growth of a movement at the grassroots level.

Q: Will ratification of CRC make a difference?

A: Many treaties are written but then reservations are put on them. Attorneys do not think human rights laws are binding legal concepts. However, this is the same thing that happened when civil rights laws were passed. Rights are important, but leadership development and capacity-building on the ground is very important, and there should be more focus on this.

Q: How can funders spur activity and organizing?

A: Get small communities to tell their stories. Use international models to export ideas. The key is to humanize the issues.

Advice for donor community:

CV: Law school clinic provides opportunities for students to work on specific issues and get funding for specific projects that have impact on the legislative level (example: their law review article cited in *Graham v. Sullivan – USSC JLWOP* case). Also, support the ratification of the ECESCR (International Covenant on Economic, Social and Cultural Rights), which plays a big role in this issue.

MC: Over-reliance by donors on academics has been an impediment for advocacy groups. Donors should also listen to those most affected by policies and those who have constituents' voices in the framework of their organizational models, which lend legitimate expertise on the key issues.

KM: Donors should fund movement work that is accountable to and led by a mass group.

Conclusion - Donor strategies may include:

- Building criminal justice donor community
- Complementing and supporting each others' work
- Engaging grantmakers who do not identify as criminal justice funders, but have a connection to criminal justice issues
- Mapping of criminal justice field to see content of funding, sharing this information, and staying connected
- Site visits: donors should travel together and visit government officials, department of corrections, etc., and ask questions