



North American Council for Juvenile Justice

First Meeting

'Improving cooperation and exchange on juvenile justice in North America'

Concept Note

Wednesday, December 17, 2014; 1:00-3:00 pm

at

Senate Dirksen Office Building, Rm. G11

Thursday, December 18 – Friday, December 19, 2014

at

DLA Piper Law Office, 500 8th St. NW, Washington, DC 2004

Organized by: *International Juvenile Justice Observatory (IJJO), represented by Cristina Goñi, Secretary General of the IJJO and Cédric Foussard, Director of International Affairs of the IJJO*

Co-organized by: *Juvenile Justice Initiative (JJI), represented by Betsy Clarke, President of the JJI*

Co-sponsored by: *Civitas Law Center at Loyola Law School of Chicago, represented by Diane Geraghty, Professor Director; and Wansley Walters, Former Secretary of the Florida Department of Juvenile Justice*





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I. THE INTERNATIONAL JUVENILE JUSTICE OBSERVATORY

Children and young people all over the world are in need of protection and special care when they come into conflict with the law. This is the inspiration behind the establishment of the **International Juvenile Justice Observatory (IJJO)**, which offers an inter-disciplinary system of information, communication, debates, analysis and proposals concerning different areas relating to the development of juvenile justice worldwide. The IJJO was created in 2002 and obtained the statute of Public Interest Foundation in 2006 and has consultative status with the Economic and Social Council of the United Nations (ECOSOC). Its headquarters **are** based in Brussels and it receives support and sponsorship from a variety of universities, NGOs and government departments, as well as from different international and regional institutions.

The IJJO is an **ambitious endeavour** that promotes an international and interdisciplinary approach to issues related to juvenile justice, based on UN rules and standards and implemented through its mission and activities. In the framework of the development of the Observatory's activities, the IJJO attaches importance to the promotion of **a holistic and interdisciplinary concept of juvenile justice**, based on three fundamental axes: juvenile crime prevention, fair justice and educational measures, as well as socio-professional inclusion.

Moreover, the IJJO provides a permanent **forum** for analysis, information and reflection on topics related to juvenile justice. It is also a **network** of juvenile justice experts and observers. The IJJO has a **benchmarking** function; it establishes good-practice criteria and disseminates information on efficient strategies related to policies and interventions. It also helps to generate **research** and offers **technical assistance** to those working in the field. Finally, the IJJO **disseminates information** in English, French and Spanish through its **online resources**, including, news, events and publications databases, and engages in **awareness-raising** with the general public to build support for the protection of young offenders' rights.

The Observatory is geared towards a **varied international audience**. Participation in the IJJO is open to organizations including professional associations, policy makers, legislators and security services, as well as professionals concerned by the situation of young people in conflict with the law.

The IJJO takes a **broad view** of the issues related to juvenile justice. Its interests are not limited only to young people who come into conflict with the law, but extend to include children and young adults experiencing social difficulties or behavioural challenges. The overarching goal is to encourage the positive development of young people so that they may acquire the skills they need to become free citizens outside the circuits of exclusion and conflict with the law.



II. CO-ORGANIZERS

A. THE JUVENILE JUSTICE INITIATIVE

Launched in 2000 as a collaborative effort spurred by the Woods Fund of Chicago, the JJI is a non-profit, non-partisan, inclusive statewide advocacy organization that establishes broad-based collaborations to achieve concrete improvements and lasting changes for youth in the justice system. JJI's statewide approach to systemic reform for youth in the justice system begins with research and analysis, following a circular path linking policy development, policy education, network and coalition building, policy advocacy, evaluation and implementation assistance. During the last decade JJI achieved fundamental reforms in Illinois, such as:

Jurisdictional Reform

- **Raised the Age** of juvenile court to bring seventeen year olds charged with misdemeanors back to juvenile court.
- **Juvenile Drug Transfer Reform.** In 2005, JJI advocacy led to legislation to roll back some of the provisions of the drug transfer law, eliminating about 225 automatic drug transfers to the adult court each year.

Reducing Confinement

- The creation and expansion of **Redeploy Illinois**, a state program that offers financial incentives to counties to provide community-based services to youth in the juvenile justice system, as an alternative to incarceration in the state juvenile correctional facilities.
- **Juvenile sentencing reform.** JJI successfully promoted statutory sentencing reform, effective in January, 2012, to clarify that youth cannot be sent to a state youth prison unless the court has made all reasonable efforts to keep the youth at home and ensures that commitment is the least restrictive alternative available.

Fairness

- **Early appointment of counsel** for juveniles who are in detention.
- **Expungement reform.** Eliminated state reporting of individual juvenile arrest records to federal authorities.

Conditions Reform

- The creation of a new **Department of Juvenile Justice** to shift the youth facility culture from punishment to treatment.



B. LOYOLA CIVITAS CHIDLAW CENTRE

The Civitas ChildLaw Center is an award-winning program for training law students, lawyers, and child-serving professionals to be effective and ethical advocates for children and their families. Its nationally-recognized faculty supports student learning across a broad spectrum of legal practice, including child welfare, juvenile justice, education, family law, health care, and international children's rights.

The Center offers students a comprehensive set of curricular and extracurricular opportunities designed to equip them with the legal knowledge and practical skills they need to work on behalf of children and families in their professional lives.

The Center is housed within the Law Center in space that is designed to create a professional legal environment while at the same time promoting a sense of community among students, faculty and staff.

The achievements of ChildLaw alumni and the talent and dedication of current students inspire the Centre's ongoing commitment to advancing children's well-being through excellence in teaching, research and service.

C. WANSLEY WALTERS, FORMER SECRETARY FOR THE FLORIDA DEPARTMENT OF JUVENILE JUSTICE (DJJ)

Wansley Walters served as the Secretary for the Florida Department of Juvenile Justice (DJJ), which represents the largest statewide system falling under one agency in the United States. She was appointed to head the agency by Governor Rick Scott in January 2011. Florida is engaging in comprehensive reform at DJJ and investing more resources in the front end of the juvenile justice system. During her tenure, delinquency has declined 21%, commitment to residential facilities has declined 39%, and secure detention has declined 12%.

Previously, Secretary Walters was the Director of the Miami-Dade County Juvenile Services Department. Ms. Walters developed and headed a National Demonstration Project with the U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention (OJJDP) and national researchers in the field of juvenile justice.

The program facilitated a ten year reform effort that has reduced juvenile arrests by over 50%, juvenile re-arrest by 80%, and secure detention by 66%. During her period as director of juvenile services, Miami-Dade not only had the lowest youth incarceration rate in the state, but also boasted one of Florida's lowest juvenile crime rates. She is a frequent presenter on juvenile justice at both national and international conferences.





III. THE REGIONAL COUNCILS FOR JUVENILE JUSTICE

As part of its commitment to promote the improvement of juvenile justice systems and policies, and to ensure that activities are carried out with maximum proximity to real local situations, the IJJO launched **Continental Councils for Juvenile Justice** in Europe, Asia-Pacific, Latin America, North America, Africa and the Middle East. These Councils were created as a working cooperative network under the management of the International Juvenile Justice Observatory, set up with the aim of generating spaces for analysis and reflection, developing initiatives, and establishing codes and principles of good practice across the different continents.

In this way the Councils have been established as IJJO think tanks, gathering professionals and representatives of public, academic, judicial and civil society authorities. The primary objective is to generate knowledge in order to guarantee the operational implementation of international regulations regarding the protection of the rights of children and young people in conflict with the law.

European Council for Juvenile Justice

With the objective of establishing a European cooperative network in the field of juvenile justice, the IJJO created the European Council for Juvenile Justice in 2009.

The ECJJ has the function of a European space for reflection, developing initiatives and establishing codes and principles of good practice, to further the education and inclusion of European children and young people in conflict with the law.

The Council formulates recommendations on the development and evolution of juvenile justice in Europe; gathers quantitative and qualitative information on the situation of children and adolescents in conflict with the law through research and Green Papers; and proposes coordinated actions between public administrations, non-governmental organisations and academic and training centres, in various countries in Europe.

In order to present its activities and structure to representatives of public administrations, universities and NGOs involved in juvenile justice in Europe, the ECJJ has organised four meetings so far. ECJJ members are currently working on a European Model on Juvenile Restorative Justice.

Asia-Pacific Council for Juvenile Justice

The Asia-Pacific Council for Juvenile Justice brings together representatives of competent public administrations in juvenile justice, universities and NGOs with expertise in legislation,





implementation, supervision, research or intervention in the field of juvenile justice. The Council assumes the following functions:

- Promoting sustainable collaboration and coordination among all parties and stakeholders in the development of juvenile justice policies for the social integration of young people and children in conflict with the law.
- Developing strategies to ensure respect for the rights of children in conflict with the law and to promote crime prevention policies among regional institutions, based on existing initiatives and programs.

The APCJJ met in 2012 and produced a report on juvenile justice challenges and promising practices in the region. In 2014 the APCJJ created a section for South East Asia countries in the context of ASEAN regional Mechanisms.

Latin American Council for Juvenile Justice (LCJJ)

The phenomenon of juvenile crime is a current and worrying issue in Latin America, which is why the IJJO works to provide coordinated and efficient solutions that contribute to reducing delinquency in this region, and promote the integral development of minors and young people by encouraging social inclusion.

With the aim of developing the Observatory's most relevant objectives and activities, the Latin American Council for Juvenile Justice (LCJJ), part of the IJJO, serves as a body for meetings, debate and analysis. The LCJJ's activities include preparing recommendations on the development and evolution of juvenile justice in Latin America, and compiling information on the situation of children and young adults in conflict with the law.

The LCJJ brings together public administration representatives working in the field of juvenile justice, universities and academic centres, and NGOs with experience in legislation, application, supervision, research and/or intervention in juvenile justice. The objective is to propose coordinated action between the representatives of these three sectors to compile reports and develop projects, with the aim of ensuring respect for the rights of children and young adults in conflict with the law and in situations of social exclusion. In this regard, the LCJJ met in Guatemala in 2010 and since then the IJJO has been working on juvenile justice issues through a programme of international cooperation in more than 15 countries of the region.

IV. THE NORTH AMERICAN COUNCIL FOR JUVENILE JUSTICE

The North American Council for Juvenile Justice (NACJJ) is a regional ad hoc non-governmental organization, organized under the International Juvenile Justice Observatory (IJJO). Like the other continental councils, the NACJJ aims to be made up of institutions and professionals benefiting from





empiric and/or through understanding of the ins and outs of juvenile justice. Experts coming from different backgrounds and organizations/entities, from International Multilateral Organizations, INGOs, NGOs, Universities and Public Administrations, among others, are expected to attend the conference and further collaborate and develop the NACJJ goals.

In North America, juvenile justice has taken major steps forward over the last few decades. Although significant improvements have been made which provide opportunities for further developments in the future, these changes tend to differ significantly between the three main countries of the region: the USA, Mexico and Canada, since the current situation, as well as the cultural and historical contexts, differ in each country.

With the establishment of the North American Council for Juvenile Justice, the IJJO not only intends to correct the defects rooted in the juvenile justice systems in order to implement modern and transparent justice systems, but also aims to provide better protection to the children of the region and to ensure that the rights of children in conflict with the law are respected.

To this end, the North American Council will include the U.S., Canada and Mexico to formulate recommendations on the development and implementation of juvenile justice in this region, gather quantitative and qualitative information on the status of children, adolescents and young people in conflict with the law and propose coordinated actions between government entities, universities and non-profit organizations, NGO's.

V. THE FIRST MEETING: IMPROVING COOPERATION AND EXCHANGE ON JUVENILE JUSTICE IN NORTH AMERICA

A. Introduction

The main objective the First Meeting of the NACJJ is to develop a platform to exchange good experiences, practices and knowledge regarding juvenile justice programmes and further develop projects in the North American region.

Particularly, the First Meeting aims to:

- i) Provide an overview of the International Juvenile Justice Observatory, its Continental Councils and the activities and accomplishments developed by the Councils;
- ii) Provide an introductory overview of the juvenile justice systems of Canada, Mexico and the US;
- iii) Identify and discuss areas of common interest and to establish priorities;
- iv) Develop a plan and timetable for the exchange of experiences and good practices in North America;
- v) Translate the know-how and experiences shared during the debates and presentations into concrete actions and documents which can be used for advocacy purposes as well as for the training of the judiciary and law enforcement officials, civil society and community based organizations.



B. General Briefing Agenda

For interested organizations / congressional staff / US Department of Justice staff / embassy staff, experts.

Wednesday, December 17th

1:00 – 3:00 pm

Open briefing on North American Council on Juvenile Justice

- **Diane Geraghty**, Director, Civitas Law Center, Loyola University *Chicago*
- **Cristina Goñi** IJJIO Secretary General
- **Cedric Foussard**, IJJIO Director International Affairs, *'The International Juvenile Justice Observatory & Regional Councils'*
- **Wansley Walters**, immediate past Secretary, Dept. of Juvenile Justice, state of Florida
- **Adam Backwell**, Secretary for Multidimensional Security, OAS

- **Marisol Blanchard**, Human Rights Specialist, Coordinator, Rapporteurship on the Rights of the Child, Inter-American Commission on Human Rights
- **Andra Nicolescu**, Center for Human Rights, American University
- Questions
- In attendance - **Robert Listenbee**, Administrator, Office of Juvenile Justice and Delinquency Prevention, Justice Dept., United States

C. Closed Meeting Agenda

Location: Meetings at DLA Piper Law Office, 500 8th St. NW, Washington, DC 20004

Thursday, December 18th

09:00 – 09:30

Welcome and Introduction

- **Betsy Clarke**, Juvenile Justice Initiative
- **Cristina Goñi**, Secretary General, IJJIO

09:30 – 09:45

Overview of IJJIO work and Regional Councils

- **Cedric Foussard**, Director of International Affairs, IJJIO

09:45 – 10:00

Coffee Break



- 10:00 – 11:00 **International and Regional Overview**
- **Adam Backwell**, Secretary for Multidimensional Security, OAS
 - **Marisol Blanchard**, Human Rights Specialist, Coordinator, Rapporteurship on the Rights of the Child, Inter-American Commission on Human Rights
 - **Andra Nicolescu**, Center for Human Rights, American University
- 11:00 – 12:00 **Overview of Juvenile Justice System in Canada**
- **Dale Elliott**, Montgomery County Youth Service Bureau
 - **Joel Kealey**, Youth Justice & Strategic Initiatives Section, Justice Canada
- 12:00 – 1:00 **Lunch**
- 1:00 – 3:00 pm **Overview of Juvenile Justice System in Mexico**
- **Martha Frias**, Law Department, Universidad de Sonora
 - **Ana Aguilar Garcia**, Instituto de Justicia Procesal Penal, A.C.
 - **Monica Daniela Ramirez Garcia**, *Red por los Derechos de la Infancia en México (REDIM)*- Children's Rights Network in Mexico
 - **Benito Elias**, Deputy-Director of Law, Mexican Institute of Youth
 - **Ruben Vasconcelos**, Mexican Federal Ministry of Justice
 - **Enrique Betancourt**, Former Executive Director National Center for Crime Prevention and Citizen Participation
- 3:00 – 4:00 pm **Overview of Juvenile Justice System in the United States**
- **Robert Listenbee**, Administrator, Office of Juvenile Justice and Delinquency Prevention, Justice Dept., United States
- 4:00 – 5:00 pm **Consultation on Common Priorities and Potential Shared Projects**

Friday, December 19th

- 09:00 – 09:30 **Initiatives and international programmes**
- **Raye Barbieri**, Center for Court Innovation
 - **Betsy Walters**, Legal Aid Foundation
- 09:30 – 10:45 **Review Discussion from Previous Day**
- 10:45 – 11:00 **Coffee Break**
- 11:00 – 12:00 **Compose Joint Projects for NACJJ**



VI. LIST OF PARTICIPANTS FOR THE CLOSED MEETING

IJJO

Cristina Goñi, Secretary General, International juvenile Justice Observatory

Cedric Foussard, Director of International Affairs, International juvenile Justice Observatory

Canada

Heather De Santis, Counsellor, Public Safety Canada Embassy of Canada

Dale Elliott, Manager, Youth Justice Strategic Policy and Planning - Ministry of Children and Youth Services, Youth Justice Services Division

Joel Kealey, Counsel, Youth Justice & Strategic Initiatives Section - Government of Canada - Youth Justice, and Strategic Initiatives

Mexico

Enrique Betancourt, Former Executive Director National Center for Crime Prevention and Citizen Participation

Benito Elias, Deputy-Director of Law, Mexican Institute of Youth

Martha Frias, Professor, Law Department, Universidad de Sonora

Ana Aguilar Garcia, Director of Projects, Criminal Procedural Justice Institute, A.C.

Monica Daniela Ramirez Garcia, Institutional Liaison, *Red por los Derechos de la Infancia en México (REDIM)*- Children's Rights Network in Mexico

Ruben Vasconcelos, General Director of the Federal Law Council, Federal Ministry of Justice

US

Raye Barbieri, Senior Director, Youth & Community Programs & Planning, Center for Court Innovation

Betsy Clarke, Founder and President, Juvenile Justice Initiative

Diane Geraghty, Director, Civitas Law Center at Loyola Law School of Chicago

Robert Listenbee, Administrator, Office of Juvenile Justice and Delinquency Prevention, Justice Dept., United States

Wansley Walters, Former Secretary of the Florida Department of Juvenile Justice

Betsy Walters, Legal Aid Foundation

Regional and International Organisations

Adam Blackwell, Secretary for Multidimensional Security, OAS





Marisol Blanchard, Inter-American Commission on Human Rights, OAS

Andra Nicolescu, Anti-Torture initiative, Centre for Human Rights & Humanitaria Law

VII. LOGISTICS

Meals – Breakfast and lunch will be provided on Thursday, December 18th and breakfast will be provided on Friday, December 19th. Dinner for participants for the evening of Wednesday, December 17th, and Thursday 18th will be organized in a local restaurant close to DuPont Circle.