

# End-of-Year Newsletter

In 2023 we've been focused on addressing the trauma-to-prison pipeline and uplifting hope for vulnerable children around the country. Our work has taken us to state legislatures and courtrooms, Congress, and for the first time ever, the United Nations in Geneva, Switzerland. It has been an eventful year and as we head into 2024, let us reflect on all we accomplished together!

## New Growth and Opportunities

As our work continues to expand, so too has our team. Teresa Kominos joined our team in May as our new Policy Counsel! Teresa works to advance HRFK's policy agenda in state legislatures across the country and brings a wealth of experience representing children in juvenile and family court in New York City. We couldn't be more thrilled to have her as a member of our team!

Additionally, we have been lucky to welcome three additional board members! Adam Pollet is a litigation partner in the DC office of Eversheds Sutherland (US) LLP. Jazz Lewis is a Maryland State Delegate representing District 24 and serves as the House Majority Whip. Valena Elizabeth Beety is a former federal prosecutor and law professor at Indiana University in Bloomington. We look forward to their new leadership roles at HRFK!



Teresa Kominos



Adam Pollett



Del. Jazz Lewis



Valena Beety

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## Fighting for Children in the Courts

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*HRFK attorneys after a court hearing in Maryland*

In the Spring of 2023, HRFK represented a client who had been incarcerated nearly 40 years for a crime he committed when he was just 16 years old. Our work on his case was made possible through the Juvenile Restoration Act which allows people convicted of crimes as children to have their sentences modified after 20 years of incarceration. Though the judge in our case did not modify our client's sentence as we had hoped for, the hearing allowed him to see his father for the first time in more than 40 years! On November 26th our client was released on parole from state custody in time to spend the holidays with his family.

With the help of our new board member, Adam Pollett, we also filed an amicus brief in the U.S. Supreme Court in *Counterman v. Colorado*, seeking to protect children from government over-reach when it comes to prosecuting cases involving 'true threats.' We helped secure a partial legal victory for kids by ensuring that a child's intent must be taken into account before they can be convicted of crimes involving the use of threats. Justices Sotomayer and Gorsuch highlighted our concerns in their Concurring Opinion, writing: "Without sufficient protection for unintentionally threatening speech, a high school student who is still learning norms around appropriate language could easily go to prison for sending another student violent music lyrics, or for unreflectingly using language he read in an online forum."

Through our Child Conscious Courts Program, we will continue to work to ensure every appellate court, especially the Supreme Court, takes into account the potential impact of its decisions on children.

## Groundbreaking Publications

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Our groundbreaking report, *Crimes Against Humanity: The Mass Incarceration of Children in the United States*, is the first national report to estimate the total number of people (32,359) currently incarcerated in U.S. prisons for crimes committed as children. Throughout our history we have been prosecuting children as adults and disposing of them in our prisons without a second thought of what became of them. This report finally brought that information to light and was shared with lawmakers and state agencies across the United States. We also spoke to the United Nations Human Rights Committee in Geneva, Switzerland, about our findings during their review of the United States' compliance with the International Covenant on Civil and Political Rights.

In late October, we released the most recent iteration of our signature *State Ratings Report*, which rates every state and the District of Columbia on their treatment of children in the justice system. We held a webinar with stakeholders and state lawmakers to detail the report's launch, as well as celebrate Minnesota for being the most improved state. The State Ratings Report has been a crucial tool for state lawmakers seeking to make improvements in their treatment of children in conflict with the law.



*Our CEO at the United Nations*



## Our Advocacy in State Legislatures

2023 was a very prolific year for HRFK in state legislatures around the country. One of our flagship reforms, the Child Sex Crimes Victims Protection Act, was signed into law in California (SB 545), Illinois (HB 3414) and Oklahoma (HB 2210). The Pennsylvania House Judiciary Committee also unanimously passed HB 1843 at the end of the year. Each of these bills seeks to ensure that child victims of trafficking and abuse who commit offenses against their abusers are not given inhumane sentences in adult court, but instead get the treatment and services they deserve. We view these reforms as a “public apology” for the unjust treatment of girls and boys who should have been protected rather than discarded by the justice system. We hope that more states will continue to pass this legislation and allow child victims to receive the protection they deserve.

Another critical reform for HRFK is the Child Interrogation Protection Act (CIPA), which was championed by our board member, Rep. John Mizuno, and unanimously passed this year in Hawaii (HB 781). Rep. Mizuno also carried HB 792 which passed the Hawaii House of Representatives and would have allowed judges the discretion to depart from mandatory minimums when sentencing youth in adult court. CIPA was also passed by the House of Delegates in West Virginia (HB 2122) with the leadership of our Board President, John Ellem. Finally, we were able to pass legislation establishing a minimum age for juvenile court jurisdiction out of the Senate Judiciary Committee in Virginia (SB 1080), but the legislation stalled in the Finance Committee. We are hopeful these reforms and many more will pass in 2024!

HRFK also led a national coalition of organizations to successfully advocate for the introduction of three critical bills in Congress last summer:

- HR 4724, the Child Sex Crimes Victims Protection Act by Congressman Bruce Westerman;
- HR 4976, the Protecting Miranda Rights for Kids Act by Congressman Tony Cárdenas; and
- HR 4792, the Childhood Offenders Safety and Rehabilitation Act by Congresswoman Sydney Kamlager-Dove

These reforms were each inspired by our model law and national state ratings report.



*HRFK staff members at the bill signing ceremony in Oklahoma*

*HRFK Hill Briefing*



*Our partners at ARC & Rights4Girls at the Hill Briefing*



## Directly Impacted Leadership



*Sara speaking at our Capitol Hill Press Conference*

Our inaugural Stoneleigh Fellow, Sara Kruzan, was the pillar of our national outreach and organizing efforts this past year. She pioneered the creation of a Quarterly National Newsletter for women who have been incarcerated since childhood. The newsletter publication serves as an organizing hub to elevate the voices and advocacy of directly impacted women. Through her work Sara was able to cultivate ground breaking research to tell the traumatic stories of these forgotten women. Sara also built out the Survivor Advocacy Network, which is a safe space for survivors of childhood abuse who were incarcerated for offenses committed against their abusers.

We're also excited to highlight the incredible work that was done by one of our consultants, Laura Nicks, who has been working tirelessly to ensure the effective implementation of a new Arkansas law that allows formerly incarcerated youth to be discharged from parole and have their voting rights restored. In December, Laura met with the elected prosecutor in her county who agreed to support her parole discharge and restoration of voting rights! We're looking forward to Laura becoming the first of many, formerly incarcerated youth to have their voting rights restored.



*Laura embracing the Prosecutor from her County*

## Thank You

We have a great deal to look forward to in the new year, but we'd be remiss if we didn't thank all of the supporters who made our work possible this last year, including, The Just Trust, Justice Action Network Foundation, Annie E. Casey Foundation, Stoneleigh Foundation, Grantmakers for Girls of Color, Abell Foundation, Weissberg Foundation, Winthrop Rockefeller Foundation, Roddenberry Foundation, Hill Snowdon Foundation, Herb Block Foundation, New Breath Foundation, Polsinelli P.C., Eversheds Sutherland LLP, and the hundreds of people who have contributed to HRFK over the years! THANK YOU!