

The 2016 Global Case Competition & Awards Ceremony

CHRISTINE

Thank you, everyone. Welcome. There are some seats on this side. If you're looking for an

OAKLEY:

empty seat, there are a couple. Welcome to the sixth annual Global Case Competition. My name is Christine Oakley and as the Director of Global Learning in the Office of International Programs, I have had the distinct honor of facilitating five of the six Global Case Competitions here at WSU.

There's a little bit about the Global Case in your program, but let me give you a little bit more information. Global Case Competition began at WSU in 2011 as an opportunity-- as our teams can attest-- for graduate students, undergraduate students, domestic students, international students, students from across the disciplines, and students from across WSU's campuses to come together and to create innovative solutions to complex global issues.

And this year, this group of students and the students that you will see up here who could not be with us today represent 10 of the 11 WSU colleges and five of the six WSU campuses. So yeah. Before you hear this year's student teams' presentations, I'd like to introduce to you some people without whom this Global Case competition couldn't have happened.

So would the members of this year's steering committee please stand up as I call your name? Josh is back there. So he has to stand up. Stand up, Josh. Yeah. Josh is with our Global Campus, Global Connections. Cassie Rolland with the Center for Civic Engagement. Ashley Volman-- she is a student volunteer with the Office of International Programs. She was probably out there helping you and will be helping our students move back and forth.

And Dr. Karen Weathermon with the Office of Undergraduate Education, who couldn't be here. And for those of you who know Karen, she coordinates the Common Read Program. So those of you who are here to get a stamp for your Common Reading Passbook, if you can stay until the end of the program and Myra, who will be sitting outside, will stamp your passport. So just to let you know that that is available for you.

And I'd like to introduce our esteemed panel of judges-- oh, here's Ashley. Yeah. First, Phil [? Ferris. ?] And we have-- so these individuals will be deciding who will have the opportunity to be the first place winner of the Global Case Competition. I'd also like to acknowledge-- who you can't see right now-- our peer advisors from the Office of Global Learning.

They are volunteers who have been abroad, who work with us on a daily basis in the office,

and they are helping to assist in making sure that our program runs smoothly today. It is my genuine pleasure to introduce you to Roland Adjovi. Mr. Adjovi was appointed, in 2014, to the UN Working Group on Arbitrary Detention with the United Nations and to represent the African region. And Mr. Adjovi is from Benin.

He currently is that group's second vice chair. In this capacity, Roland worked with us to develop the case that the students will be working on today. We had a brief conversation at our first meeting. And after I heard his research interests and the work that he was doing with Arcadia, and abroad, and with the UN, I thought, this is an ideal topic for the Global Case Competition.

And so Roland's research, focusing on international law and conflict resolution, lent itself well to what we wanted to do with Global Case this year. He will also be working with us to facilitate the winning teams travel to Geneva to present their ideas to the UN Working Group in November. So without further ado, lets give him applause. Roland?

ROLAND ADJOVI: Good afternoon, everyone. When I met Christine, the first time, I was just giving a talk on my campus. And I was very happy to showcase what I do with the students in the framework of my parallel life with the UN. And I didn't realize that she will pull me so far in the world, in the US. And I told her, it's too far. I can never make it. So I'm not coming on your campus. We can do everything online.

And she managed to convince me-- drag my feet until I got here. And throughout the day, it has been surprise after surprise. She told me, there will be only five people and the teams. It's full and I'm very impressed that what we do, this part of the UN, could attract so much interest.

And I'm happy that the students have been able to spend some time and offer ideas that we, lawyers, unfortunately could not always think about because we feel that the legal framework we know gives answers to everything. And what the student have done-- I have seen things in it, which will be very useful. But my talk is not about that. It's to give you a quick overview of the Working Group and how the Working Group needs this type of experiment.

But I'll start with my own story. I'm from Benin in West Africa. I'm a lawyer. I also had a degree in political science. And I work at the tribunal for Rwanda for a few years and in the International Criminal Court. I resigned because of frustration, because of politicization of a judicial process-- and not an ordinary judicial process, a criminal justice process.

And I thought I was done with the UN. I won't do anything with the UN ever because it's a screwed up process, it's people that don't like human beings, all kind of things you can say about so many other institutions. And when we were talking over lunch, we named so many of the institutions who we could dismantle from our society. But here I am, teaching. And everyone wants me to teach about the UN. I'm like, why are you guys interested?

There is nothing. And I resigned. I'm not the right person to teach you about the UN. At my university, I'm the expert on the UN. And I take students to model the UN every year. And they are very happy to say Roland is our teacher on the UN. And one day, in New York, we met with friends who I have been working with in the past, who are still in the system.

And they said, look, there is of a vacancy in the Working Group on Arbitrary Detention. We need an African. And it's use we want to put there. I'm like, oh, you give me a break. I'm not going there. Your organization is full of nonsense. I like you, but you know that everyone else is screwed. So I'm not going. And one of them said, you apply or not, we have the power to put your application there because it's open.

Everyone can apply and you can put whoever's name you want with the resume of the person. So I end up saying, yes, I will apply. And I will do what's necessary for me to get there.

And the bottom line of what they thought I could do is-- here is someone who doesn't like the institution, who knows the failure of the institution, who is independent enough not to get corrupted by the institution, and who doesn't care about making money, and who is stupid enough to be a scholar, who-- everything wrong. I'm like, OK I can do it. I apply. I thought they would not take me. They hire me.

Now it's a position where you our pro bono. You don't get paid for doing the job, but it's a job which is very demanding because it's a kind of tribunal where people around the world send an application and complain about the condition of deprivation of liberty. And that's an important word because when you talk about detention, you think people are in prison.

But when you look at deprivation of liberty, even if you are in your house, under house arrest, it's still a detention condition. Even if you are in your own room as a grandpa and your kids don't want you to get out because you have Alzheimer's, it's a detention. And we want to prevent your kids from abusing you as an elderly person. You need help, which the society should give you, not frustrate you and lock you in a room.

So detention is far larger. So we get applications from all over the world about people who are in those conditions. And some of them make their headline of the news-- for instance, Assange, WikiLeaks-- but some, you will never have heard about them. So that's something really demanding because when I get a case from Australia, I have never been to Australia. I know nothing about Australia.

I need to learn everything about it to be able to give an opinion which is fair enough, but that society, based on international, knows. But that's just part of what we do. There is a second part of our job, which is more political. We visit countries, based on invitation of the government, to help them improve their legal framework, so that they avoid arbitrary detention in the future.

And you can imagine, that is necessary every way, whether it's in Syria, in Benin, where I come from, in Russia, which is an authoritarian regime-- I'm a free man, I can say what I think-- and in the US. There is not country where you could say there is nothing wrong happening in terms of deprivation of liberty.

Every country needs it. But the powerful country tends not to allow structure like us to come in, investigate, and tell them what is right, what is wrong. So about Assange-- if you watch some of the interviews I gave-- one of the questions was, you are from the third world. Are you not trying to take your revenge against the Western world, teaching them how they should deal with a whistle blower?

And I smiled at the journalist. I said, look, I didn't write the opinion on my own. We had three who made the majority in this group. One is from Mexico, one is from South Korea. So if you put all these people with me in the third world, I'm very proud because you have upgraded me in a category I'm not part of.

And that's the second part of our job, which is a very political, very dynamic, and where my frankness-- the way I talk usually, which has nothing politically correct-- cannot walk because you need to be nice to people, to make them feel happy, and to allow you to get into the detention places, even if it's a private house, and then you tell them what is wrong.

But if you tell them ahead, you will never get into that room where an elderly person is locked down. But we do it with the framework of lawyers. We are five individuals in the Working Group. There is one former prosecutor, there is an international law professor, there is an international human rights activist, there is a political scientist professor with a human rights

past, and there is a lawyer. What do we do?

We look at the book and we say, you meet this criteria or you don't meet. Out. And often, we don't look at all the dimensions of the detention of the deprivation of liberty. And that's one thing which your competition has allowed me to see. And that's one thing we need for the second part of my mandate. If we visit a country where there is a legacy of racial discrimination-- and I'm not naming any country-- you can take it into account.

When you visit a country where there is huge economic divide, where people think that having a health care program is against their freedom-- yes, there is a lot you can do. There is a lot you can do outside of the legal framework scope. And that's what I like about your competition and about what students have done. And I'll be very proud to show you to my colleagues, if you come to Geneva, if you are the winning team.

So you better do your best because you know what is up. And I'll be proud to show you and to share with the other colleagues in the Working Group ideas you have expressed, which we could not think about despite all our knowledge. And your expertise is not always expertise close to what we can understand. I know nothing in physics, chemistry. Biology, I learned long ago. I can help my kids do their homework. Beyond that, I'm useless.

So everything you have done, just offer us ideas we could not have thought about and which we will try to see which one can make their way to the next level on the political discourse with the country. And make sure it appears somewhere. The challenge of the US is extraordinary. So I mentioned the racial discrimination legacy. And I say, I don't want to name the country, but I will say it-- you have it in your society.

Despite the fact that I'm black, I still don't understand it fully. Despite the fact that my society itself has played a role in the slave trade, I don't understand these parts of that story fully. I need to understand it. It's not about blaming. So if we come to the US, those are things we will be seeing. The current discourse in the political arena in the presidential race also brings other issues not only about economic divide, but immigration.

One of the things we do in the Working Group is you cannot keep migrants in any form of detention too long. And too long is vague. And as a lawyer, I'll tell you, the circumstance will determine what I call too long. If you keep someone in isolation for a week without food, without anything-- oh, lord. That's already too long.

If you keep someone in a five star hotel where the person can go out, night and day, for a month-- oh, come on. That's good conditions. Put me in. I want to enjoy that life as well. So too long is very relative. But when you put that in a context where we disparage migrants-- I'm a migrant in your country and everywhere I have been in the world. So imagine, since '92, I'm outside of my country. I have been a migrant longer than the time I live in my country.

If you disparage them, then it will allow some policies which will abuse their rights. And that's also part of our mandate. So you see, already two elements which make this country very attractive for the Working Group to help prevent. And if we can prevent abuse against one human being, I think it will have been very successful. We can't correct against everyone, but if we can prevent it against one single individual, that's already a victory.

And that's how I want you to see the human right activities. The UN-- there are a lot of flaws in it. There are a lot of failures in the system. But the system is the one which allowed the Working Group to exist. These member states, despite everything they are doing wrong in the country, they allowed experts, independently, to judge their work and help them improve it.

You listen to them-- so you listen to UK and Sweden about the Assange case. We had got everything wrong. We don't understand the law. We are bad people. We are bias. But what does the Working Group say about Myanmar? About China? About Russia? These same countries-- they love it. And they send us a letter to say, you guys are great. So maybe it depends on the country we talk about.

So these same states create institutions, like the Working Group on Arbitrary Detention. So no matter the criticism we make against them, no matter the failure we see in the UN, in their operation, because they allowed institutions and organizations like us to exist and to challenge them in the way they manage our society, they deserve our respect. And they deserve our consideration for cooperation.

So we try to make things improve. That second part of the mandate, which you don't see often, is a very important. When we help a country re-write their law-- oh, yes-- we prevent the deprivation of liberty, the abuse of deprivation of liberty for so many other individuals who will benefit from it. So I'm very happy that the short talk I gave on my campus attracted Christine enough.

I'm very happy that within your university, you accept to consider the Working Group as the subject of the Global Case Competition. And I'm happy that the students have put so much

effort in it. I'm also here to observe, and see who will win, and know who I will be taking to Geneva. I hope it's people I like. I'm not yet sure who I don't like, but I wish you well. And thank you very much.

CHRISTINE OAKLEY: Thank you, Roland. I hope all of you have a clearer idea of what the case is all about, the work that the students have put into that, the challenge that was placed before them. For those of you who are unfamiliar with how the Global Case Competition works, students sign up to participate and then we give them a case. So they didn't self-select for this particular topic. Without further ado, let's begin with our first team.

This is all that you have come to hear and you've been waiting for. So I'm going to ask Team CREA to come up. And I'm going to have Ashley or someone have the other teams go to the green room, so that no team can get ideas from the previous teams or ideas about what the judges might ask.

This is a very strictly timed set of presentations. Each team has exactly 10 minutes. And then the judges will have an opportunity to ask them questions and for them to answer for exactly five minutes. And I have the watch. So come up. This is Team CREA.

SPEAKER 1: That's not ours.

CHRISTINE OAKLEY: That's not you?

SPEAKER 1: No. That's the Justice Team.

CHRISTINE OAKLEY: OK. Nope. You want to-- I don't know.

SPEAKER 1: Did you load everything on there?

CHRISTINE OAKLEY: Yes. Everything is on there. You should be right there. Right there. So there's your mic. Make sure you pass it.

SPEAKER 1: I do not speak English and I had no idea why I was being held. I was told by ICE officers that it was my fault that I was being detained. And it was my fault I was being separated from my family. And that I should accept an order of deportation. After nearly three weeks in detention with no indication of when I should be able to return to my family, I tried to kill myself.

I started feeling a nervous breakdown. Can you imagine? I was being locked up, away from the children. They needed me. I started to hang myself. I don't know what happened, but everything started turning dark. When the officers responded, instead of helping me, they handcuffed me and took me to another to another cell. I was later released on bond. And I'm still waiting to hear the final determination of my case.

SPEAKER 2:

So this previous story illustrates one story of how arbitrary detention affects families. So in the US, arbitrary detention is defined as detaining a person without probable cause or not allowing the person to have their charges be brought into the court of law.

Currently in the US, there's two instances where arbitrary detention is actually legal-- that's when the US is at war with the country or if they perceive a person as an imperative security threat according to the Human Rights Watch.

Given these definitions on arbitrary detention and the political discourse in the US, Team CREA decided to focus on Category IV of arbitrary detention, which is when asylum seekers, immigrants, or refugees are subject to prolonged administrative custody without the possibility of administrative or judicial review.

SPEAKER 3:

According to 2014 research, there are approximately 11.3 million undocumented immigrants recorded. And the number has been consistent over the year. Furthermore, there are about 250 privately run prisons used to arbitrarily detain immigrants. According to grassroots organization, like Detention Watch Network, the US has the largest immigrant detention infrastructure in the world.

During President Obama's first term, around 1.4 million undocumented immigrants were deported. Furthermore, due to the lack of care, health, and medical resources-- among many other reasons-- it was stated that over 107 deaths were reported within detention since 2003.

These deaths and the lack of clear guidance for the immigration office threatens the life of these vulnerable populations, such as asylum seekers, torture survivors, pregnant women, and individual with chronic and serious illness, including mental illness.

SPEAKER 4:

Charlie, a Mexican elder, suffered from a high fever. He was given an appeal. The fever continued overnight. The emergency staff told him that they need to put him in the shower to cool him off. The fever continued. The emergency staff came the following day to offer medical services.

The stories we have heard today, and the statistics previously presented, plus the report, *Voices from Detention* from the Washington Detention Center in Tacoma evidences that medical services and the quality of those services being given to detainees represent a violation of both domestic and international law. So there is an urgent need for us to create programs that are targeting both educational and health programs, in order to prevent these violations.

And I'm going to leave you with this Principle 24 of Detained Persons who states, "a proper medical examination shall be offered to a detained or imprisoned person as promptly as possible after his admission to the place of detention. And thereafter, medical care and treatment shall be provided whenever necessary."

SPEAKER 5:

All right. Due to these cases that demonstrate the lack of medical and health care for immigrants, especially those who have been detained, our campaign in the recovery of human dignity focuses on a health and an educational component geared towards addressing the lack of resources and awareness of health condition and human rights for those who have been detained.

It also addresses the physical and psychological effects that detention has on their families. So we are working to partner up with AMEN, which stands for Adventist Medical Evangelism Network. They are a nonprofit organization who offer free medical and dental health care. So they are in the communities in the United States. And they target communities that don't have medical insurance or are under-insured.

So most immigrants are under-insured or don't have medical insurance. Therefore, they seek help through these organizations. So our partnership will further allow us to find detention cases to gather valuable information and inform our knowledge about the needs of families who have been affected by arbitrary detention.

SPEAKER 2:

In addition to partnering with various organizations to address the health component, as Anna already mentioned, we plan to include an educational impact. What we found when trying to understand arbitrary detention is that a lot of people are unsure or unaware of their rights. So what we wanted to do is to partner with other organizations to create informational brochures and have workshops in various languages that would give information about detention.

Within the workshops, we would create a safe and inclusive space for people to feel

comfortable to attend. Finally, we would like to build a website in various languages, so people could have multiple forms of access to understand their rights.

Our long term goal is to do ongoing research and collaborate with researchers that are currently doing work within the field and that have already made an impact to address people's needs more in-depth and to understand what people's needs are.

SPEAKER 6:

It's very vital for us to partner with the right organizations in order to implement our ideas into viable solutions. We feel that it's very important to involve the students as much as possible and to create an awareness about this in our community through their voices. That is why our partnerships with campus organizations, like C.A.M.P and Center for Civic Engagement, is very vital because that allows us to give students community service hours for participation.

And also, it allows us to access students who are bilingual and can help us translate. At a national level, we seek the strong support and partnership of the organizations who have been grounded in this advocacy in the United States for many years. Both Advocates for Human Rights and Detention Watch Network employ to promote civil society and protect international human right.

For our campaign and to implement our solutions throughout the state and, hopefully, to Congress, we've reached out and made valuable connections with the directors of both programs for resources and possible partnerships in the future These partnerships are valuable assets in order to build a strong case for social change.

SPEAKER 4:

So In the Recovery of Human Dignity, the name of our program, we have envisioned three stages. The first stage is for us, the members of the Team CREA, to develop a further understanding, in terms of arbitrary detention from the perspective of the detainees. And then, in this respect, as [INAUDIBLE] mentioned before, we have already talked to Mary Small from the Detention Watch Network.

And we have already established contact with The Advocates for Human Rights, with Michele Garnett, in Minneapolis, who have expressed their desire to support with materials in order for us to include in our educational campaign. So our goal, in the first stage, is to visit those organizations, talk to detainees, and fortify this partnership.

In the planning stage, we plan to design, obviously, create the materials. And finally, in the taking action stage, we are intending to pilot the program and to create ideas for research.

SPEAKER 1: So in conclusion, Team CREA's ultimate goal, through these multi-disciplinary solutions from the health and both the education sector, is to bring critical awareness to the ongoing issues for arbitrary detentions of immigrants in the United States. Our hope is that Congress and also other policymakers would seek the support and advocacy of the Working Group on Arbitrary Detention for much needed change in the United States. Thank you.

JUDGE 1: Thanks. I really enjoyed that. I just wanted to ask-- when it comes to your implementation, you talk about you guys doing that. And I mean, your students in a four year program. And I suspect that you're not in your first year, so you're not necessarily going to be around here for too long. So I wonder how the program's going to be sustained in a longer term because it seems like there's a timeline for your plan of action.

And if you weren't actually going to be implementing the program, who could be responsible for implementing the program? Who would be able to do so over a longer period? Thank you.

SPEAKER 6: Well, I'm actually in my first year. And I plan on making sure that this is definitely a student involved action. I don't want it just to remain in our team, so I plan to leave a legacy behind at this school. I have four years to build a club and I plan on doing everything I can to get students as involved as possible.

SPEAKER 4: Please, on top of that, CREA is originally-- it has been envisioned as a student club here, on campus. So the idea is to settle it down, so that other graduate students that are in their first or second year, who have been hearing about this story, take charge of that.

So our idea is to create a critical community that can be sustained for generations to come by creating this student club on campus with the support of, obviously, students that we have in the team, international students. And we have for many different visions.

JUDGE 1: Thank you.

JUDGE 2: One of your partners is AMEN, which appears to be a religious organization. And will that create any conflicts, in terms of the population that you're hoping to address?

SPEAKER 5: They do also focus on the psychological well-being of humans or anyone that shows up to their organizations or events. So I don't think the religious part will affect our goal.

JUDGE 3: You mention Category IV asylum seekers as a target. Yet, the cases and everything else didn't really deal with that. So how are you going to focus more on asylum seekers? Because most

of the undocumented immigrants are not asylum seekers that have been in these cases.

SPEAKER 2: I think, given the political discourse that's in the US, we purposely decided to take Category IV, but mostly focus on immigrants because just everything that's kind of going on right now with immigration. So I think that's kind of why we focus more on that.

But I think if we definitely had more time-- as you all know, we only had two weeks to figure this out-- I think if we had more time, than we can break it down more into depth and look at the entire category versus focusing just on immigrants.

JUDGE 4: Thank you for the presentation. You mentioned that you reached out to some organizations in the process of crafting this presentation and creating CREA. So what would you say is one or two things that is actually an innovation compared what the organizations are doing?

SPEAKER 4: In our conversations with The Advocates for Human Rights, for instance, they have been very interested in listening about both the educational and health campaign because they don't have those campaigns settled down. What they are needing to do is like-- they are trying to figure out how to reach out to people, and educate them, and tell them how to file a complaint, which is something that is much in need.

So people don't even know what arbitrary detention is and in what ways their human rights are being threatened. So that is why we are keeping in mind-- by using the resources that they are willing to share with us-- they are already going to send us an e-mail-- well, if we win-- in order to proceed with all of this. So they're willing to share those materials, so that we can really target those little things. So that's one example of that.

JUDGE 5: Thank you. My question is also about AMEN, as Faith's was as well. So the health care you're proposing is for immigrants or for people in arbitrary detention situations? And is that what AMEN does? Or do they provide health care to immigrants?

SPEAKER 1: I think the main goal for AMEN-- they do target more of that population because, as Anna mentioned earlier, that population is predominately uninsured.

JUDGE 5: Which population?

SPEAKER 1: The undocumented immigrants. And so the reason why we chose this program is because they already are making these connections in the communities. And so we're hoping that this partnership with them will also open doors for us to go on talk directly to those who've been

arbitrarily detained. So those who have been impacted and not necessarily just the immigrants.

SPEAKER 4: Right. Just to say one little thing-- it doesn't mean that-- just one minute.

CHRISTINE OAKLEY: A big hand. Thank you. Our next team should be here. Can you go out and see? We have a shuttle system working with our students. And we will see how well that works.

SPEAKER 7: They're on their way.

CHRISTINE OAKLEY: They're on their way. Our next team, who will be coming in shortly, is The Justice League. And you can read a little bit about them on the first slide of their program. All of the teams' names and their faculty advisors are in your program. So if you're curious about who they are or who their faculty advisor is, you can read about that.

SPEAKER 8: Excuse me?

CHRISTINE OAKLEY: Yes?

SPEAKER 8: Can I get a program.

CHRISTINE OAKLEY: Yes. I'll get you one. Can we get a program? OK. You can come forward, Justice League.

DARBY: Hello? Hello, my name is Darby. My team and I volunteered to be here today on behalf of the UN's Working Group on Arbitrary Detention. Arbitrary detention is the arrest or detention of an individual in a case which there's no likelihood or evidence that they committed a crime or where there's been no proper due process of law. Our case highlights the issues within the legal sector of civil society.

Our cases relate to Category IV of arbitrary detention, which refers to immigrants, asylum seekers, or refugees who are subjected to a prolonged custody without the possibility of administrative or judicial review. Article 9 of the Universal Declaration of Human Rights says that, "no one shall be subject to arbitrary detention, arrest, or exile." Yet the federal government requires there to be 34,000 detainees on any given day.

Since 2009, there's been a 50% increase in immigration. As a result, more people are put in detention centers, lawyers become scarce, and the waiting period is a elongated. 15% of

these people are children under the age of 12. Article 10 clearly states that "everyone is entitled in full equality to a fair and public hearing by an independent impartial tribunal in the determination of his rights and obligations in the criminal charges pressed against him."

Yet not everyone gets a fair hearing. And those that do, wait, on average, 550 days. This is a major violation to the rights of all individuals. And migrants should be no exception. As President Jimmy Carter said, "America didn't invent human rights, human rights invented America."

We are here today to stand up for the children, families, and individuals who are not being treated fairly under the guidelines of the Universal Declaration of Human Rights and to recommend our realistic resolutions. I'm now going to pass the microphone off to Adalia who's going to share with you one of the first cases we dug up.

ADALIA:

Thank you, Darby. The average time a migrant waits in a holding period in the United States is 550 days and up to 660 in the state of California. That's almost two years. Immigration and Customs Enforcement, also known as ICE, detained more than 429,000 migrants in the year of 2014 alone. This quota implemented by the Consolidated Appropriation Act of 2012 states that at least 34,000 individual should be detained on any given day.

This quota creates an overburdened system which further leads to deplorable detention conditions and a lack of proper medical care. This results in many deaths of treatable conditions, such as diabetes and ammonia, as well as has increased the suicide rate.

In the 2015 case of Rodriguez versus Robbins, Alejandro Rodriguez and other individuals in similar conditions filed a class action lawsuit against Timothy Robbins, the Field Office Director of the Los Angeles district of ICE. These individuals challenged their prolonged detention and lack of bond hearing to the United States Court of Appeals in the Ninth Circuit.

The ruling in this case was that all migrants must receive a mandatory bond hearing after six months of detention-- which is still too long-- and alternates to detention must be considered by the immigration judges. However, these only apply to the Ninth Circuit and not to states with high populations of migrants, such as Texas and New Mexico. We will now bring up Jessica to introduce case two.

JESSICA:

Our second case relates to the arbitrary detention of migrant families. The United States regularly detains women and their young children in prison-like facilities, often denying children

access to education and medical services. In cases where children actually do get to see a doctor, they have reported being denied medication and instead prescribed water as a treatment for serious ailments.

Denying children access to education is a violation of Article 26 of the Universal Declaration of Human Rights, which states, "everyone has the right to an education." The number of families in detention facilities has increased as a direct result of the explosion of gang violence across Central America. These brutal gangs routinely murder people, and kidnap young boys to serve as soldiers, and force young girls into prostitution.

Women and their young children sought asylum at the US border and instead found themselves forced into detention facilities, languishing without immigration hearings. ICE often boasts that the Dilley Residential Facility has many amenities, including a chapel and a beauty salon. However, the fact remains that this is a prison facility housing children. And the average age of a child at Dilley is just nine years old.

The 1997 case, Flores versus Meese, established guidelines for the treatment of migrant children who are detained. ICE is required to provide children with access to health care and education. After the surge of migrants from Central America in 2014, the Department of Homeland Security decided that Flores only applies to unaccompanied children, so that children who fled with their mothers are not entitled to the same rights as unaccompanied children.

Furthermore, they also implemented a no release policy for female headed families, thereby detaining innocent women and their children indefinitely as a deterrent to others by declaring them a threat to national security. And now Allegra will introduce our solutions.

ALLEGRA:

Thank you. We have a three part solution with remedies which are easy to implement and will reduce the amount of Category IV cases of arbitrary detention in the United States. Our goal is to draw the attention of the government by reducing the amount of money spent on detaining immigrants. Our solution encompasses more ethical conditions for migrants and refugees and complies with the Universal Declaration of Human Rights.

Our team decided that by incorporating a three part solution, we will help to reduce Category IV of arbitrary detention. Part one of our solution addresses the treatment of immigrants before they have been given a trial. Article 9 of the International Covenant on Civil and Political Rights, the ICCPR, states that "immigrants have the right to liberty and the right to be free

from arbitrary arrest or detention."

The US system has a mandatory detention policy, requiring asylum seekers to be detained upon entering the country. This goes against the laws laid out in both the ICCPR and the UDHR. We will propose that the government hold interviews to determine the detention status of immigrants on a more personal basis. Only those who are determined to be a threat to society will be detained, while those who are determined to have more legitimate cases will be given ankle monitors.

In the past, over 93% of people wearing ankle monitors have shown up to their trials. The new ankle monitors and interview process will lead to the improvement of the overcrowded system. As students, we understand that experience in the field is of the utmost importance before entering the job market. Part two of our solution will ensure that immigrants are given adequate representation in the courtroom.

We will team up with the immigration law clinics at UC Davis and the University of Texas. And we will expand those programs to other universities in areas which are also populated with migrants. This is a cost effective alternative to hiring more lawyers. In doing this, the law students will gain valuable experience, the trials will be expedited, and more immigrants will have access to a lawyer. I will now hand it over to David for part three.

DAVID:

Thank you. Part three of our solution is to focus on removing the quota added by former Senator Robert Byrd in 2012, requiring that 34 beds must be filled on any given day. The \$2 billion cost to taxpayers will decline by \$1 billion if the quota is removed. Last year alone, through private prisons, companies made over \$450 million in contract with ICE.

The CCA spent millions lobbying the congressional committees that controls the budget for ICE. We will work with ACLU, who is currently working to remove the limit. Eliminating the quota will [? eradicate ?] the over boarded system. In conclusion, we have Darby.

DARBY:

Thank you, David. Detention can harm the long term emotional and psychological development of a child. It is the last thing a vulnerable child needs in arriving in a new country. By distributing ankle monitors, hiring more student lawyers, and removing Congress's lock up quota, the United States will alleviate the detainees suffering and take the first major steps in reducing Category IV of arbitrary detention.

Taking the first steps will save our taxpayers millions as well as set an example for other

countries by exemplifying how the Universal Declaration of Human Rights implies that humans should be treated.

On behalf of the suffering children, families, and individuals, we humbly ask for your support in taking this case further, so that the United States can set an example for the rest of the world. As President Jimmy Carter said, "America did not invent human rights, human rights invited America." Thank you.

CHRISTINE Thank you, Justice League. Do we have-- yes.

OAKLEY:

DARBY: Oh. Do we not need it? No, we do.

JUDGE 5: Thank you for that presentation. I'm intrigued by your idea to use ankle monitors, but I'm a little concerned about your cost analysis. Do you imagine that anyone will have to track people wearing the monitors? And wouldn't there be a cost associated with that?

JESSICA: The cost that we have listed of \$12 per day includes tracking the migrants so that ICE would know where they were at all times, so that they could show up for their court dates on time. And so the \$12 per day, that includes tracking them as well.

JUDGE 4: Yeah. I wanted to talk about solution number one, too. So I'm wondering-- most people who have issues with immigration and other stuff in our society will always say that-- if you listen to what is going on in the political debate these days, it's about criminality and what will happen. So if you put an ankle monitor on somebody, they can still commit crimes, so how do you prevent that? Because people are going to ask you that question, for sure.

ADALIA: There's an interview process that will make sure that only the people that are not a danger to society can be given ankle monitors. The people that are a danger to society or a flight risk may continue being detained.

JUDGE 3: Regarding the quotas, I have two questions. One is unfair, which is-- while you were preparing this, border agents and others are discussing changes in those rules. So can you tell us what's happening right now, while you've been working on this, as an update? But specifically, you keep mentioning undocumented immigrants and asylum seekers in one breath.

I'm wondering what percentage actually are asylum seekers and are the statistics that you report sort of the same to that subgroup as they are to the whole group?

JESSICA: Well, for the statistics that we found-- at least for the families-- all of the families that are coming from Central America currently are asylum seekers because they're fleeing violence in their home country and they're facing persecution. So all of the families and the children who have been coming from Central America qualify as asylum seekers.

JUDGE 3: Really? That seems to just change the definition, but that's OK? But in terms of what's going on now and in terms of quotas-- the newspapers are making reports and various things. Are you aware that, in fact, maybe that final point is a completely different situation today than it was a month ago?

ADALIA: So we know that ACLU is working on removing this quote, in particular-- the 34,000-- but it has not been removed to this day. So it's something that we would focus on removing because it's the one that keeps the innocent people in there just to fulfill the numbers. So it hasn't been removed quite yet.

JUDGE 3: So you're unaware of whether, in fact, the non-enforcement of that rule actually makes it unimportant as to whether the rules changed or not. Is that what you're saying? You're not aware?

ADALIA: Can you repeat that?

JUDGE 3: Never mind. Next question.

JUDGE 2: I also had a question about who will monitor because that's a huge undertaking. In criminal justice, we monitor offenders. And it takes a lot of personnel to do that and technology, which is also expensive. So I'm going to accept your \$12 a day, but it is expensive. But I'm wondering-- so who gets monitored? Who wears a bracelet? Adults? Children?

And then secondly, who owns those contracts to monitor? Will it be a government agency? Will it be ICE? Or will it be a private industry that currently runs the detention centers?

ALLEGRA: So we looked at a few companies that would provide the ankle monitors. And one of those was 24/7 Ankle Monitors. And sorry-- I forgot the first part of your question.

JUDGE 2: Well, who wears it? Is it adults? Is it children? Is it both?

ALLEGRA: Yeah. It would be adults. And then the children that are coming in with their families, they would not get them. Just the adults. And then those children that are unaccompanied minors,

they would not be given ankle monitors. Well, they would be given ankle monitors. And those that are not with their families would also be suggested to go into foster care, if they're of legitimate cases as well.

CHRISTINE OAKLEY: OK. That's all the time we have. Thank you. Our next team is Women United for Health Rights.

SPEAKER 9: I think it's Future Body. Future Body.

SPEAKER 10: It's Future Body.

CHRISTINE OAKLEY: Oh. I'm sorry. What do I do?

SPEAKER 11: Try escape.

CHRISTINE OAKLEY: Try escape? Yeah. It works. Future Body.

SPEAKER 12: Ladies and gentlemen, honored judges, we are the Future Body of WSU UN. And we represent the education and social sciences sector of Civil Society.

SPEAKER 13: You are in a warehouse, in a cell. It's dark and full of stench. If you're lucky, you're not hurt. Still, there are many fearful ideas going on in your mind. There is no lawful reason why you are in custody, but you are. You are at the mercy of people you don't know. People you don't trust. You are wondering if your legal human rights will be respected or if you will ever get released.

Ladies and gentleman, honored judges, every day, everywhere around the world, such scenarios are happening. Even during this moment of our speech, people are arbitrarily detained. Farhan an Afghani who worked as a translator to the US Army in Afghanistan. After his life was threatened because of his work, he was forced to flee his country, looking for safety and protection.

After a long journey full of struggle and hardship, he finally made it and crossed the US, Mexico border. But here is what happened-- Farhan was detained for almost 23 months in a South Texas detention center before he was approved with asylum. He recalled, "I was so ashamed to tell my family back home that I was locked up after being in the front line for the

US."

SPEAKER 14: Upon graduating with a legal degree, Ms. Kristina Brown volunteered at a Southeastern New Mexico detention center, where she helped women and children from Guatemala, El Salvador and Honduras cross the borders. When she was speaking with the families, she noticed a disturbing trend.

The people were in terrible health condition and they were all fleeing violence directed at them and their families from violent gang organizations in their home countries. She said while she was there, it was a constant refrain-- I'll die, if I go back.

SPEAKER 13: Many immigrate to other countries, looking for a better educational and economical status, while others flee to other countries, escaping torture, violation, and armed conflict. The Universal Declaration of Human Rights-- 1948-- along with the 1951 convention and the US adoption of the 1967 protocol declare, "the the contracting states shall not impose penalties on illegal entry or a presence of refugees whose life or freedom was threatened."

However, according to the Center for Victims of Torture, in an estimate of less than three years, from 2010 to 2013, the US detained almost 6,000 survivors of torture and violation as they were seeking asylum protection. For decades, the United States was a role model for a national generosity and openness to refugees.

However, when President Clinton signed the Illegal Immigration Reform and the Immigrant Responsibility Act of 1996, asylum seekers crossing the US, Mexico border became subject to mandatory detention and deportation process, resulting in the deportation of many in need of protection. Still, according to the Immigration Policy Institute, the US has the largest resettlement program in the world.

In 2013, the US accepted almost two thirds of its refugees-- almost 66,000 out of 98,000 refugees. Ladies and gentleman regardless of the fact that the contracting states have obligations to protect the rights of refugees, they also have the rights and the priorities to control their borders and to secure the safety of their citizens.

Within such a paradoxical relationship between the international law obligations and the US rights in exercising power over its borders, we believe that there is no optimal solution to the refugees' dilemma. And instead, we suggest some alternatives that might reduce the struggle of refugees.

SPEAKER 12: Last year, a US federal judge showed strong support for the 1997 Flores Settlement Act. Unfortunately, current detention centers are not meeting these standards. Extensive background checks carried out by the United States on refugees often extends the duration of detention.

And long term detention has been shown to have significantly negative psychological and physical effects. So we offer some alternatives to detention in the form of a family rehabilitation center. These family residential facilities would offer medical care, access to legal help, recreation centers to build community and enhance morale and quality of life.

And finally, education. ESL-- that's English as Second Language-- educators would be employed to not only facilitate bi-cultural awareness and knowledge, but also to help smooth the transition for incoming refugees into American culture. That is, incoming refugees would be educated about American culture and Americans would be educated about the incoming refugees culture.

SPEAKER 14: In 2006, the UN High Commission for Refugees' international survey stated that almost any alternative to detention would prove cheaper. So contrary to the solution that we just proposed, we would suggest a reduction of detention centers and instead a replacement of those detention centers with bridge communities. In these bridge communities, we would provide the same resources that we just described to you.

However, this would provide immigrants and refugees liberty and independence early on, which would allow them to invest in their future American lives as soon as possible. Furthermore, this would reduce the physical and psychological harm that we know detention centers to cause and would facilitate a more positive integration into American society.

In the last half decade, the Immigrations and Customs Enforcement has been experimenting with what they call Alternative to Detention programs. And what they found is that-- as you can see on this chart-- the alternatives prove to be 15 to 16 times cheaper than the standard detention method. The data shows us that full investment in these alternative solutions would save an already overpopulated social welfare system millions of dollars every day.

SPEAKER 13: In a recent global study on homicide, the United Nation highlighted a mix of factors that could be associated with the high murder rate in Latin America and the Caribbean, some of which are gang activity, availability of guns, and poor public education. We believe that these factors

are the main reason behind the influx of refugees toward America.

So to find a solution for this dilemma-- to reduce the crime rate in Latin America and in the Caribbean-- we suggest that the United States government officials, and educators, along with the United Nations efforts, and the international anti-violence development actors collaborate with neighboring countries, mainly the Caribbean and Latin America, to promote the following.

We believe if these factors were really implemented in Latin America, in particular, and neighboring countries, this would reduce the influx of refugees toward America.

SPEAKER 14: To conclude, we understand that there is no definitive answer to this problem. However, the solutions that we've posed today could reduce the number of sufferers in the world and reduce the length of time suffering. We also believe that countries accepting refugees and immigrants into their countries have a duty to respect the human rights and the fair and equal treatment of those immigrants as afforded to them by the 1951 convention and the 1967 protocol.

JUDGE 1: Thanks. I enjoyed that very much. I was wondering if we have to make a distinction here between refugees and immigrants because being a refugee-- one of the things that's different from being an immigrant is that if you're an immigrant, just being here, if you're undocumented, means you've already broken the law, which, even though I totally don't agree with that, it still means that, technically, the detention's not arbitrary.

You're being detained for a reason, which is that you've broken a law. Whereas in the case of a refugee, it's a different kind of situation that could be considered separate-- your situation isn't such that you've necessarily broken the law because you're in a position of having refugee status or at least applying for it. So would you want to draw a distinction there? And if so, would that change your solutions? Thank you.

SPEAKER 13: Yeah. Thank you for this question. Actually, the United States has already adopted the 1967 protocol. And especially this, along with the 1951 convention and all of them, when they ratified, they have the Articles 5, 6, 7, and 9. And all of them emphasize the idea that no one shall be arbitrarily detained.

And the right of refugee should be protected, even by the Bill of Rights and mainly the International Covenant on Civil and Political-- sorry. All the terms are fairly new, but we are there. The International Covenant Right of Civil and Political rights, especially Article 9, covers the right of the refugees to be protected because it's not a matter of choice. For me, I'm an

immigrant. I chose to do that, looking for a better education and economical status.

But those like the Syrian refugees, for example, or those in Latin America, they were forced. There was no choice for them to make their minds up. Maybe we can just say they are caring about their beloved ones. So the only solution is to find the nearest place for them where they can enjoy safety and protection. Thank you.

JUDGE 2: I have a question about the detention rehabilitation program. So it's still detention, is that correct?

SPEAKER 12: Yeah.

JUDGE 2: OK. So what makes that really so much better than-- isn't it still arbitrary? Just because you call it rehabilitation it suggests, one, that there's something wrong with the people who are there. And then second, isn't it still arbitrary detention? Just because you call it rehabilitation, does that change?

SPEAKER 12: So there's a difference between a reduction in liberty and a complete removal of liberty. So arbitrary detention, as we all know, is multifaceted. There's no one single definition. If there are elements of inappropriateness, injustice, and unpredictability, that would define it as being arbitrary.

SPEAKER 13: So can I go with that? Sorry.

SPEAKER 12: Yes.

SPEAKER 13: Actually, it's a rehabilitation program. And we have already emphasized the idea that countries have the right to practice power over their borders and to secure the safety of their citizens. So there is no sense that any country will make whoever come to their borders. There should be-- there is a need or at least a few days for a background check for those who are newcomers to be integrated fully in that community.

So as we said, there is no final solution, but we recommend that these rehabilitation detention centers to have at least the minimum standards of the human rights needs, like the recreation center would provide them with ESL teachers to at least teach them the basics, in case they've been already adopted by the United States. Also, to have easy access to lawyers and the judicial system.

So these are the things that we really emphasize in this solution or alternative, actually. Just to make it easier. Because it's important to preserve the dignity of an immigrant. In order to guarantee that they will really be a part of that community, we need to give them at least their minimum rights.

Otherwise, all the psychological, the physical, and the mental negative consequences will be incurred within them. And we don't want that. We are sure that the human approach will always win and work.

JUDGE 3: Regarding the bridge communities-- historically, it's been tried a couple of times. The ghettos in Eastern Europe. And the Palestinian camps in Lebanon, and Israel, and the occupied territories. These became permanent communities, decades long. And they're not necessarily a step in the right direction. Have you thought about the resistance to creating them because of this fear and ways to avoid this?

SPEAKER 14: Yes. When you're working with an issue as sensitive as this, you're always going to run into solutions that may be stigmatized. What people have found with these solutions in reports done by the Department of Homeland Security and by the Immigration and Customs Enforcement is that there's a 99% increase in appearance at court hearings regarding immigration.

And that these actually help speed along the process of transitioning from their home country to the US rather than what you see in the detention centers, which are truly exactly what you just described-- people in isolation, people cut off from society, and people in terrible conditions. Hopefully, these would be much less than permanent.

JUDGE 2: Thank you.

SPEAKER 14: Thank you.

CHRISTINE OAKLEY: Thank you. Now we will hear from Women United for Health Rights as soon as they are led into the room. Did you take the stand away? Please, use the mic.

NATALIE MARTINEZ: Good afternoon. We are team seven, Women United for Health Rights. So the United States has seen immigration as an issue for several years. And Category IV defines arbitrary detention when asylum seekers, immigrants, and refugees are subjected to prolonged administrative custody without the possibility of administrative or judicial review.

Arbitrary detention is imminent in detention centers. And there is great concern for the health of the detainees-- more specifically, pregnant women. On behalf of the Women United for Health Rights, we aim to propose a solution to this problem.

Working on behalf of the Women United for Health Rights, we aim to propose a solution to the lack of proper medical attention and care for these pregnant and female at risk detainees. We aim to solve this problem by limiting the need of excess medical professionals in the 250 detention centers and increasing the use of medical monitoring . Devices

CATALINA LE: Mexican immigrant, Juana Villegas, was 9 months pregnant when she was arrested after a traffic violation outside of Nashville, Tennessee in 2008. She was wrongfully detained because of an arrangement between the county and federal authorities that gave immigration enforcement powers to the Sheriff's office.

Her detainment was extended for several days when officers found out that she's been living in the United States since 1996 and already has been deported once. And according to the New York Times, Juana welcomed her newborn son into the world, shackled to a hospital bed. Juana stated, "when I was in bed, I was begging the sheriff, please, let me free. At least one hand. And he said, no." He didn't want to, according thinkprogress.org.

Shortly after she gave birth, she returned to her cell without her newborn child. A hospital nurse gave Juana a breast pump. However, she was not allowed to use it and developed a breast infection as a result. Juana, like many other women in arbitrary detention, gave birth to her baby while restrained to a bed-- in the company of a prison guard instead of her husband.

These women are not violent criminals, but simply just undocumented immigrants charged with immigration related offenses. Most of these women spend about two months to a year in detention. And during which, they are not allowed to nurse or hold their babies until their release from immigration custody.

NATALIE MARTINEZ: Our mission, as an organization, is to improve the conditions of prenatal care within these immigration detention centers in the United States. Our main goals are to monitor the health of detained pregnant women by increasing communication between detainees, staff, and medical professionals and provide them the treatment they need in a timely fashion.

We aim to do this through a variety of both short term and long term medical monitoring devices that will minimize the cost of administering this necessary health care. Solution one is

a product that's already being produced and implemented in underdeveloped nations as an affordable health care monitoring system.

It's a portable testing kit, similar to what we have sitting on the table, that will test for over 25 biological health markers that are indicative of a healthy pregnancy. Each kit contains enough of these blood and urine test strips to test for dozens of women. And they're easily reliable, based on the needs of each individual detention center.

Strips are analyzed through a user-friendly smartphone app, meaning that all of this work can be done by volunteers unless the results show that there is an imminent danger to the person and there's further medical attention needed. This device will effectively increase accountability and communication between the patients and the doctors because after administering the tests, they are automatically uploaded into the smartphone app.

From there, the information is sent to a larger medical database, which will automatically send out any kind of abnormality alarm. If there is any kind of issue seen in the tests, that will go to both the doctor in charge and to our organization. We will have representatives that will be responsible for making sure that these women are provided with the treatment that they need, based on the results of their test.

YUCHAO MA:

Our solution two is a long term approach in relation to solution one and it's based on wearable technology. Last year, the Obama administration launched a wearable technology research and development center in Silicon Valley to improve the medical health monitoring and the personal finance. So why is it promising? Because it provides continuous and accurate measurement for daily physical activity.

And it has potential for event detection, and a real time response, and it is relatively expensive. There were several successful commercial products in the area, such as Fitbit, smartwatch, and Nike shoes. But our solution is our novel product, which was designed specifically to help pregnant women. It's a customized wearable sensing system, including a wrist band with embedded electronic components and a software for data analysis.

So we are tackling two major problems here. The first one is the swollen hand. That's one symptom of preeclampsia, which has a higher risk for pregnant women. So we use a stretch sensor inside the wrist band to continuously measure the change of the wrist circumference. Another problem is accidental falls. It is reported that pregnant women are prone to fall easily because it's hard to balance. And a fall may cause some serious danger.

Therefore, we use motion sensors embedded in to capture the sudden falling movement. And if there is an abnormal event happening, then an alarm will be sent to the person in charge as well as physicians immediately to bring them emergency treatment.

PAIGE

SCHOENGARTH:

Our plan for implementation-- the price for these is very low compared to other forms of early detection that would include more expensive equipment, a doctor to run it, and transportation to get to a medical facility. The first year of our program, we plan to provide this equipment to 20 of 250 detention centers. This will keep our initial costs low and allow us to show how many lives these devices can save or improve.

Having this concrete data will make fund raising easier later on. After the first year, we will continue to supply this equipment to facilities. After five years, we will have supplied all 250 immigrant detention centers in the US with the monitoring equipment and have assigned them an advocate that will ensure their access to medical care, once a problem is detected.

The advocates will be assigned 20 centers to look over and they will regularly call and stop by to make sure the equipment is being used and the information received is being acted upon. How we'll fund it-- our organization will fund this through the individual and corporate donations we already received, plus launch a social media campaign to raise awareness and social support.

Our organization will send a camera crew and writer to one of the detention centers. They'll collect individual stories and show the actual conditions that people are living in. Then we will share them over social media with no cost to us. We will also partner with Humans of New York, a blog with over 17 million followers.

They will help us share our stories and link back to our website, where all the stories we collected will be archived, and we can ask for donations, and tell people how they can volunteer. The volunteers will be responsible for running the equipment, which is very simple to use. We will also reach out to universities across the US to ask for student volunteers to administer the tests.

These students will gain experience working with medical equipment and with handling patients. Our plan will ensure women, like Juana, get the medical care they need to maintain their bodily integrity and safely deliver their children into this world. Thank you, I'm Paige.

YUCHAO MA: I'm Yuchao.

SAMANTHA I'm Samantha.

PALLADINO:

CATALINA LE: I'm Catalina.

NATALIE Natalie.

MARTINEZ:

PAIGE And we're Women United for Women's Health.

SCHOENGARTH:

YUCHAO MA: Thank you.

JUDGE 5: Thank you for that. The case of Juana is a compelling one and very tragic. And your ideas for how to improve situations for women's health are also interesting. I'm not sure how they're connected. It seems that Juana, delivering shackled to a bed, would still be the reality. So how does your solution address those examples you gave us at the beginning?

YUCHAO MA: So for the case we mentioned-- currently, there is actually a lack of facilities to really make sure of the health of pregnant women and their detainment. So our solutions-- no matter if it's the shorter one with the chemistry testing card or the long term one with the wearable technology-- can keep track of their health condition.

And if it detects any abnormal signs, or any dangers, or potential risk, then it can send the alarm to someone else-- no matter an assigned physician or the security guard-- to alert them to pay more attention to this pregnant woman instead of ignoring their condition because of maybe a lack of professional knowledge about their health or something else. Thank you.

NATALIE In addition to that, I think, to answer your question as well, our solutions are to include the
MARTINEZ: advocates. And the advocates would assure that the person who is in custody is being properly addressed because in our case, Juana-- she was shackled.

She was not able to have any contact with her husband. Her husband wasn't there during labor. But our advocates who volunteer would be able to help her through the process.

JUDGE 4: This device would probably generate a huge amount of data, right? We all agree. So who is going to monitor the data? And who's going to protect privacy? And who's going to make the

decision about when to take a woman to the hospital?

YUCHAO MA: This is a very good question. So currently, based on our consideration, based on solution one, the testing result will be automatically uploaded to a mobile phone. And it can be shared with assigned physicians. So it will be kept by physicians under the general privacy and security laws because they are kind of hospital-based physicians.

And for solution two-- this data is automatically collected through the wearable devices. And it's not continuously uploaded to the local computer, but it only will upload based on specific trigger, which is like if there are some dangers be detected.

Then there will be a message sent to a specific person or physicians to let them handle this situation. And the record will also be kept by the person in charge as well as the physician, but it will not be directly sent to any other person.

JUDGE 3: I really like two things about your presentation. Taking the film crews in and publicizing is a really good idea. I'm not sure it's going to be very popular. I don't know if you've thought about that. But the first thing is you focus-- your report says 559 pregnant women in the camps in 2012. This is a really small subset of the entire problem.

I'd consider that a strength of your solution because you're focusing really small, but do you think that this overly focused target will negatively impact the support you get?

SAMANTHA PALLADINO: So the 559 people are only within six facilities because they do keep this information very confidential. And it's really difficult-- a lot of the facilities don't want to release their information to the organizations trying to get in there to get the information. And the fact that it's such a small subset-- we have to tackle very small problems that we can get the results that we want.

And of course, we want the health of all of the detainees to be taken care of and for all of them to be represented, but we do have to take the issue from a smaller perspective until we can work out broader, and get the word out, and get more advocates to solve this issue.

CHRISTINE OAKLEY: Thank you. Our final team is Dignity Before Detention. And they have an off-site member of their team. Hello, off-site member. So the on-site individuals are coming forward. I just want to remind you to use the mic.

MADDIE: OK.

CHRISTINE Thank you. Is she the only one?

OAKLEY:

MADDIE: Yeah.

CHRISTINE OK. Because everybody else is under the [INAUDIBLE].

OAKLEY:

MADDIE: Does it work? Does it?

CHRISTINE Yeah.

OAKLEY:

MADDIE: OK. Hello, and thank you for being here today. My name is Maddie. This is Kasey, Margaret, Kiana, and Kari. And we are Dignity Before Detention, aiming to voice the concerns of the indigent, presenting to you today on arbitrary detention in the form of economic discrimination - the modern day debtors' prisons.

KASEY: Qumotria Kennedy was living well below the poverty line with two dependent children and an annual income of less than \$9,000 per year. She was arrested due to \$400 in unpaid traffic fines that resulted in her being put on probation and being charged over \$1,000 that she was incapable of paying. This caused her to be jailed, forcing her out of her job and she's still currently fighting this.

And as of October of 2015, she still owes over \$1,000 in fines and fees to this private company. In Tom Barrett's case, he was also well below the poverty line. He was even having to donate blood plasma to pay for \$25.00 per month subsidized housing. He was arrested due to a \$2.00 can of beer theft that resulted in a \$200 fine that he was incapable of paying. He was then sentenced to 12 months probation that he was required to fund himself.

These charges racked up to more than \$400 per month. He was unable to keep up with these payments. And as a result, he was jailed for nearly two months before he was eventually pardoned by a judge. So the main aspect of the system that really perpetuates this poverty cycle is the government use of private probation companies because they offer a free debt collection service.

But the issue with these companies is that they charge the offenders themselves to pay for their own probation. So things like supervision fees and, like in Tom Barrett's case, he had an

ankle monitor that he was required to pay rentals on.

There is no consideration taken of the ability of these people to pay these fines. And when they are incapable of doing so, the companies will encourage jail time for those who fail to pay. This is in direct violation of the Working Group on Arbitrary Detention, Category V, in, specifically, the economic discrimination section.

KARI: So to solve this problem, we propose a two pronged solution of education, and community outreach, and economic policy reform. For education and community outreach, our solution is to issue bench cards and to educate the judicial system on non-jailing alternatives. Bench cards are two sided flyers that provide instructions and guidelines to judges during proceedings.

Our bench cards will list alternatives to jail-- such as no-interest payment plans, fines scaled to income, community service, and driver's license forfeiture-- so that the judge can easily reference the options available. These cards will also provide instructions to the judge, a reminder, if you will, that the defendant's right to counsel must be protected.

The cards will also outline the regions procedures for determining a defendant's inability to pay. In addition to issuing these to all judges, we recommend that they also be given to all district attorneys and public defenders who work in courts that conduct probation hearings and sentencing. Localized bench cards are already in the hands of judges in some regions and they appear to result in a reduction of debtors' prison related complaints. We need to broaden their use and provide training.

But the alternatives and remedies should not be limited to judges and lawyers. Therefore, we recommend that similar cards be made up for the defendants and that they be issued at the time a policeman writes a ticket or the court gives the defendant an invoice. We call these dignity cards. These inform the accused that an inability to pay the fine cannot result in jail time. And they give instruction as to how to show proof of inability to pay as well as instructions on obtaining legal counsel.

And education is essential to making sure that judges understand the remedies available. We recommend that judges receive mandatory training in the use of the bench cards. Training will be made available whenever a region's bench card is updated to reflect changes and legal alternatives to jail, defendants rights, or regional economic shifts.

MADDIE:

To implement and define the solutions presented to you today, we suggest that the UN Working Group partner with a non-governmental organization, such as the ACLU or the Southern Poverty Law Center, who are already doing a lot of work to promote the problem that we're presenting to you today in the public eye.

But we recommend the UN Working Group work with them to lobby to the government directly and create effective social media and news media campaigns that will raise public and private awareness, putting added pressure on the government to make these necessary reforms.

Once these necessary reforms are made, we suggest that the government fund these reforms-- as they're not cheap-- through grants, subsidies, tax breaks, and tax incentives given to other organizations, such as the ACLU or Southern Poverty Law Center, that will implement through providing and distributing bench cards, dignity cards, and the training.

KIANA:

So now we get to the economic related solutions. First of all, we recommend that courts should investigate the offenders ability to pay based on their income, their wealth, how many dependents they have, and, generally, if they are the primary income of their family. And if they are found indigent, they shouldn't be required to pay anything.

So actually, this kind of punishment helps the punishment feel the same for the poor and the rich. Another idea that we came up with was imposing some practical restrictions on the actions of these profit probation companies, like imposing a maximum income that they can earn, so that they can't go beyond that profit. We can also impose a maximum on the interest rate that they can achieve.

And we can take a look at the different interest rates in the market. We can look at the lending rate that commercial banks provide. And it shouldn't be much above that because it's like they are lending the money to the poor. We can also look at the stock market interest rate or the bond's interest rate. And we can see that all of these interests rates in the market are well beyond the return rate that these probation companies are earning.

So another solution is providing incentives for other types of probation companies to enter the market. And we can do that by providing tax exempt status for them and also simplifying the legal process to get to that status. So this way, they can break in more easily, given that they are providing their service, free-of-charge, at least for the poor people.

So as said before, many of these victims got to this problem simply because they weren't

aware that they have the right to counsel. And one reason for this is simply because no one was there to tell them. So this emphasizes the importance of encouraging more lawyers to participate in pro bono activities, and to help these people know about their rights, and what they can do.

There are lots of ways we can do this-- litigation funds, professional liability insurance, and reducing their taxable income, which is different from their gross income. And we should pay attention that these people are there without-- there is no financial incentive for them to do this, so we should simplify other aspects of the work. We can all agree that being poor is not a crime and it shouldn't be a crime. And still, some people get into jail because of their inability to pay for their fines.

And this is illegal, based on the 14th Amendment of the Constitution of the United States. People involved in this process, including judges, and lawyers, and probation officers that advocate this kind of process and sentence these punishments should be held responsible for what they have done.

MARGARET:

So to implement some of our economic solutions, we're going to need to work with existing infrastructure and existing institutions. So the profit restrictions that we talked about for the companies that are profiting off of offenders and the tax deductions we talked about for encouraging companies to enter the market that don't profit off the offenders-- we would want to work with the state Attorney General's offices and local municipal governments to write into their contracts some sort of tax exemption or profit restriction, as appropriate.

Additionally, we would want to work with companies to provide these incentives for lawyers-- so working with professional liability insurance companies to see if lawyers practicing these types of pro bono work could get additional discounts and what sorts of insurance options they would have. And maybe we could work with the American Bar Association to see about providing some type of CLE credit for learning more about this because lawyers are required to fulfill a certain amount of those.

The American Bar Association, in particular, has published a couple articles on this topic. And it seems like they would be very receptive to working on something like this. And through working with these types of organizations, we can start addressing some the economic policies we want to see effecting government reform that is going to stop these injustices and that will address this type of arbitrary detention, where poor people are being fined in spite of their best

efforts to pay a fine.

MADDIE: Thank you very much for being here today.

JUDGE 1: Thanks. That was really enjoyable. I just want to ask about-- if you say the court has to identify whether or not people are capable of paying, that, in itself, is going to delay a person getting out, right? Because that's going to take time. But it also is going to be expensive.

And how is a court to do that? So what kind of system would you have in place that would put the-- you have the dignity cards for the person who's the accused, but maybe the courts could just ask them one question-- are you capable of paying these? And then the obligation would be on them to prove that they can't. How are you going to deal with that?

Our courts are already so full and so overburdened that you need to have a mechanism that's not going to take a ton of time for them to discover that, 98% of the time, oh, you can pay it, right?

MARGARET: So the people in question, at the time of their initial infraction, are not in jail. They get a traffic violation and their sentenced to pay \$400. So one of our cases-- we have someone whose sole income was donating plasma. And he cannot afford a \$400 fine. So they're later caught and put in jail. So addressing this at the beginning-- it would actually save the system a lot of money because it wouldn't be hunting after these people.

Part of our goal with promoting involvement of lawyers is that they would have someone there to help them navigate this process, to help say, OK, you have this fined indigent, here all the forms, here is the exact process you need to follow to provide the documentation to show us that you don't have income or that you have income, but you're supporting all these people and you're not able to pay.

JUDGE 1: You mean when they're getting the ticket?

MARGARET: When they're getting the ticket, the dignity cards would have a link-- so like developing some sort of website or some sort of process that's easy to follow. I know for a lot of existing--

JUDGE 1: You get the dignity card when you get your ticket?

MARGARET: Yes. So those are handed out at the time of an infraction.

MADDIE: And then-- like if you get a speeding ticket-- you can go to court to protest it. It can be

assessed at that time whether or not you're able to pay. So when you get like a speeding ticket, for example, you can often choose to go to court to contest it.

The ability to determine when you can pay or your ability to determine-- that can be assessed at that time, so nobody has to go through the whole court system, just to be like, at the end, oh, well, you couldn't pay. Let's go out of jail. As the case with Tom Barrett-- that's how it went down. They realized he couldn't pay and they let him out, but it was months late.

JUDGE 2: So I have a question about the companies that are contracted with to collect fines. So what does the government get in return for that? I liked the way you built in incentives throughout the system, so what is the incentive for the government, local and state, to basically use these firms? And how do you manage that?

MADDIE: So are you talking about the probation companies in the beginning as exist now?

JUDGE 3: Yeah. The ones who are profiting from it.

MADDIE: So the companies don't charge the government anything directly, they charge the offenders. So if it costs \$100, for example-- that's not what it costs, but if it costs \$100 to put somebody on probation for a year, the government's not paying for that, the offender is paying for it. And the whole idea is to stop that from happening because it's creating this cycle of poverty and people being imprisoned for it.

JUDGE 4: I think that I find your solutions very intriguing. And I wanted to go back to the government incentive. How do you incentivize DAs across the country-- district attorneys across the country-- to actually adopt this card system and work with probation companies that might be tax deductible, or offer tax breaks to public defenders, and other stuff?

KIANA: So actually, we think that first, there should be information around this. We should actually involve media. We had no idea of what was happening here. And events like this can inform people of what is happening. If the media gets involved and people start caring, then I think even many profit oriented companies will get involved in this and they will fund these events.

It's the same thing that happened for environmental issues-- as soon as people started caring, then these companies came in and they were like, we are environmentally friendly. So I think one way would be informing people about this and holding events like this.

MADDIE: Which would push the government to take action to create the tax incentives-- which would

cause the government to take action because they're being pressured to take action to implement these tax incentives to bring companies in and bring organizations in.

JUDGE 5: Do some of the things you had listed as alternatives the judge could use-- looking at the bench card-- also unfairly punish a poor person? It may not put them in a debtors' prison, but if you take a poor person's driver's license away, which is one of the ideas you had, couldn't that also cause the same sort of problems you're worried about?

MADDIE: I agree with you there. I think that's a last resort problem. I think first, you would be implementing community service when available to the person because some of these people do work full time jobs or part time jobs. They have two kids-- Qumotria Kennedy has two children, making \$9000 a year. They're busy. But community service would be a first resort. That driver's license forfeiture would be a last resort option.

MARGARET: Additionally-- oh. Are we done?

CHRISTINE Yeah, you are.

OAKLEY:

MARGARET: OK. Thank you.

CHRISTINE Thank you. Let's give all of our presenters another round of applause. Thank you very much.

OAKLEY: Before all of you leave, I'm going to ask our judges to be escorted to your decision making room.

JUDGE 2: We're being arbitrarily detained.

CHRISTINE No. There is no arbitrariness to this. Thank you.

OAKLEY:

All right. If I could only do that whistle thing, that would work a lot better, but thank you. Who did that? Do it again. All right. Before we announce our winners-- I know this is dramatic-- but before we announce our winners, I'd like to thank our judges again and give them little thank you presents. So Ro? Thank you very much.

JUDGE 4: Thank you for this.

CHRISTINE Thank you very much. Faith? Do you have an extra hand? Thank you. Bill? Oh, it's hard for

OAKLEY: the-- Phil? Thank you very much. And Trish? They did the hard work-- well, aside from the teams, right? Thank you so much. Thanks. It was wonderful.

TRISH: And I just wanted to say thank you to Christine Oakley for putting it all together for us.

CHRISTINE OAKLEY: And I have a little gift for Roland. Let's give Roland a big hand for coming out here. Thank you, sir.

ROLAND ADJOVI: Thank you very much.

CHRISTINE OAKLEY: Thank you very much. So as you know, we have five competing teams. I will announce the teams in order of fifth place, fourth place, third place, et cetera. So all teams deserve a huge hand for making it to the finalist. We had 14 teams compete. These were the five finalists out of those 14. So that is a phenomenal accomplishment right off the bat.

So our fifth place team is team three, Team CREA. I have certificates for each of you. So Nancy-- Nancy?

NANCY: Yes. Thank you.

CHRISTINE OAKLEY: [? Lashe? ?] OK. Emma? [? Wacon? ?] Latisha? Mannie?

OAKLEY:

MANNIE: Yes, ma'am.

CHRISTINE OAKLEY: And their faculty advisor, [INAUDIBLE]. So do you want them all over here for a photo? Yes, I will mail that to her. Oh, do you have? OK. All right. Thank you. And our fourth placed team, Future Body, team six. [INAUDIBLE]? Victoria? William Connor? And Lori, their faculty advisor. You can sit here. I don't need to do anything.

And our third place team, team four, The Justice League. Jessica? Jessica. David? Darby? Dalia? Allegra? And Kim Houser is not here, so I will send that to her. Do you want to get over there and take a picture with your team? And our second place winner, Women United for Health Care Reform.

Well done. Catalina? Yuchao? Natalie? Samantha? Paige? John I'll let you stand with your team.

JOHN: Great. Thank you.

CHRISTINE Thank you. And our first place team, Dignity Before Detention. Maddie? Oh, you travelled.

OAKLEY: Kasey? Kari? She was online. Margaret? Kiana?

KIANA: Thank you.

CHRISTINE Ken?

OAKLEY:

KEN: Yes, I'm over here.

CHRISTINE OK. Yeah. Congratulations. Congratulations.

OAKLEY:

MARGARET: Thank you.

CHRISTINE You are very welcome. We'll be spending some time together. Yes. So let's hope that they're

OAKLEY: all compatible with Roland, as they will be going to Geneva. So thank you very much. Please, eat up and enjoy the rest of your evening.

SPEAKER 15: Would you like to meet my best friend in the entire world?

CHRISTINE Hi, best friend in the entire world.

OAKLEY: