

For Immediate Release  
January 12, 2010

Contact:  
ACLU/SC: Gordon Smith or Rachel Uranga, 213.977.5252  
Public Counsel: Laura Faer, 213.385.2977 x113  
DRLC: Carly Munson, 213.736.8307  
ACLU National: Will Matthews, 212.549.2582 or 2666

## **Landmark Federal Class-Action Lawsuit Targets Los Angeles County for Failure to Educate Youth in Probation Camps**

LOS ANGELES, Calif. – An alliance of legal groups today filed a ground-breaking, class-action lawsuit against the Los Angeles County Probation Department and top county education officials for their total failure to provide youth in the county’s largest juvenile probation camp with basic and appropriate education, thereby denying them the legally mandated rehabilitative program that should prepare them to reenter society and the work force.

The suit, filed in United States District Court in Los Angeles, charges that county personnel -- including administrators and teachers at the Challenger Memorial Youth Center in Lancaster -- have in some instances thrown worksheets under the door of students’ cells in lieu of classroom instruction, denied all education services when children ask for help or to use the restroom, and systematically denied students access to appropriate instruction and the required minimum school day.

The result of a months-long investigation by the legal groups who brought the lawsuit, the complaint details one recent instance of a young man, incarcerated in county probation camps for most of his high school years, who was awarded a high school diploma despite being unable to read or write. It also alleges that administrators and teachers directed students to leave classrooms to perform tasks such as painting buildings and removing weeds, while billing the state for instructional days as if these students were in class.

The Challenger center consists of six camps and a single school that serves about 650 students. It has been the target of a Department of Justice investigation over mistreatment and poor supervision of students, and was cited as having a “broken” school system in a 2009 Los Angeles County Probation Commission report. The lawsuit filed today goes beyond these findings and reveals startling new details about how county agencies and officials have abdicated their core responsibility of providing education to youths forced to attend school at Challenger.

Named as defendants in the lawsuit are the Los Angeles County Probation Department, the superintendent of the county’s Office of Education, the director of that agency’s juvenile court schools, and Challenger’s current principal. Counsel in the lawsuit are Public Counsel, the Disability Rights Legal Center, the ACLU’s national office and the ACLU of Southern California.

Mark Rosenbaum, chief counsel for the ACLU/SC, said “the conscience-shocking practices at Challenger are among the most egregious failures to deliver education and rehabilitative

Challenger Lawsuit  
2-2-2

services to incarcerated youth ever documented in the nation, turning out juveniles who are functionally illiterate, unable to fill out job applications or medical forms, read menus or

newspapers or vote in elections. The lives of these young people matter, yet the county is releasing them in conditions which all but assure their failure to meaningfully reintegrate, having been denied even a semblance of an education for years upon years. This is a system out of control, with no accountability and no concern for the children under its charge.”

All three of the plaintiffs named in the lawsuit, like many other students at Challenger, experienced unlawful removals that prevented them from attending class numerous times. Challenger school staff refused to allow these decisions to be questioned or appealed, depriving the students of their due-process rights as well as the opportunity to learn.

“The students at Challenger deserve, and are legally entitled to, an education,” said Laura Faer, director of the Children’s Rights Project at Public Counsel Law Center. “What they get instead is abuse, retaliation and needless punishment. These actions are the hallmarks of an institution that consigns children to a life in the criminal justice system, which is exactly the opposite of what it’s supposed to do. This is the moral equivalent of placing a child in handcuffs and throwing away the key.”

“Put simply, the youth at Challenger are not being given a chance,” added Shawna Parks, legal director of the Disability Rights Legal Center. “It is time to stop these children from being treated like they are throw-away kids. The agencies we have sued today have both a moral and legal obligation to change their practices, and this is their opportunity to do it.”

Among other things, the lawsuit seeks to compel the county to provide intensive reading and writing services to current, former and future students at Challenger who were or are unable to read or write fluently; and to prevent county officials from excluding students from classrooms without providing them with notice and an opportunity to challenge the basis for their removal.

"The failure to provide an adequate education to detained youth, many of whom are youth of color, only sets them up for failure and increases the odds that they will remain trapped in the school-to-prison pipeline for life," said Catherine Kim, staff attorney with the ACLU Racial Justice Program. "We have a particular responsibility to ensure that our most vulnerable children be rehabilitated and prepared to successfully reintegrate into mainstream society."

# # #