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Landmark Federal Class-Action Lawsuit Charges Los Angeles County With Failure To Educate Youth In Probation Camps

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CONTACT: (212) 549-2666; media@aclu.org

LOS ANGELES – An alliance of legal groups including the American Civil Liberties Union and the ACLU of Southern California 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 facility with basic and appropriate education. The failure has resulted in children not being adequately prepared to re-enter society and the workforce.

The lawsuit, 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, California – have in some instances relied on worksheets in lieu of substantive classroom instruction, denied all educational services to children who ask for help and failed to ensure that students participate in the required minimum school day.

"The conscience-shocking practices at Challenger are among the most egregious failures to deliver education and rehabilitative 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," said Mark Rosenbaum, chief counsel for the ACLU of Southern California. "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."

The lawsuit is the result of a months-long investigation by the legal groups and 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.

"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," 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."

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. Along with the ACLU and the ACLU of Southern California, the lawsuit was filed by the Public Counsel Law Center and the Disability Rights Legal Center.

All three of the plaintiffs named in the lawsuit, like many other students at Challenger, were unlawfully removed from class numerous times. Challenger school staff refused to allow these removals 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."

Among other things, the lawsuit seeks to force the county to provide intensive reading remediation services to current and former students at Challenger who are three or more years behind their chronological grade level in reading ability, 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.

"Put simply, the youth at Challenger are not being given a chance," said Carly Munson, a staff attorney with the Education Advocacy Program at 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."

A copy of today's lawsuit is available online at: www.aclu.org/racial-justice/casey-et-al-v-robles-et-al-complaint

Additional information about the ACLU Racial Justice Program is available online at: www.aclu.org/racialjustice

Additional information about the ACLU of Southern California is available online at: www.aclu-sc.org

Additional information about the Public Counsel Law Center is available online at: www.publiccounsel.org

Additional information about the Disability Rights Legal Center is available online at: www.disabilityrightslegalcenter.org

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