



LAWSUIT DETAILS SOLITARY CONFINEMENT AND FAILURE TO EDUCATE YOUNG PEOPLE WITH DISABILITIES IN CONTRA COSTA COUNTY JUVENILE HALL

Berkeley, CA – August 8, 2013 – Contra Costa County Juvenile Hall locks young people with disabilities in solitary confinement for up to 23 hours a day and deprives them of education, according to a federal class action lawsuit filed today by Disability Rights Advocates, Public Counsel and Paul Hastings LLP.

Contra Costa County Juvenile Hall, like all juvenile halls in the State, exists “solely for the purpose of rehabilitation and not punishment,” according to the California Supreme Court. Education is supposed to be at the center of young people’s rehabilitation.

But students at Contra Costa County Juvenile Hall are locked for weeks at a time in cells that have barely enough room for a bed and a narrow window the size of a hand. Young people are routinely held in conditions like those in a maximum security prison.

By its own estimate, roughly 32% of the students at the Contra Costa County Juvenile Hall have disabilities that require some form of special education. But youth with disabilities at Contra Costa County Juvenile Hall are trapped in a vicious cycle of discrimination: they do not receive critical special education and related services, and lacking such supports, they are locked in their cells for a variety of infractions.

Despite knowing that many students have a learning disability, mental illness, or other disabilities, Contra Costa County puts students in solitary confinement for behavior that is related to their disabilities, denies them general and special education services, and holds them in conditions that can make their disabilities worse.

- G.F., who entered Juvenile Hall at age 13 and is diagnosed with bipolar disorder and ADHD, spent approximately 100 days in solitary confinement where she often received no education let alone special education. When she was removed from school and locked in solitary confinement, Juvenile Hall never inquired into whether her behavior was disability-related or even whether she had a disability.
- W.B., a 17-year-old who was found mentally incompetent by the Juvenile Court due to his mental disability, deteriorated rapidly when he was placed in solitary confinement for approximately 90 days. He began hearing voices, was talking to himself, and believed he was being poisoned, yet he was kept in solitary. Eventually he had a severe psychotic episode during which he smeared feces on the cell wall and was hospitalized in a psychiatric facility for three weeks. He is now back at Juvenile Hall.
- Q.G. has been in full-time special education for most of his life and received help for diagnosed behavior problems. At Juvenile Hall, Q.G. has no behavioral support plan and has been locked in solitary confinement for weeks at a time.

“Young people deserve a second chance when they get off track and end up in Juvenile Hall, and education should be at the center of rehabilitation,” said Mary-Lee Smith, Managing Attorney at Disability Rights Advocates. “Young people with disabilities pay a huge price from prison-like practices such as solitary confinement. Contra Costa County is locking up young people with disabilities in solitary confinement and throwing away their futures.”

“It is cruel and inhumane,” said Laura Faer, Statewide Education Rights Director at Public Counsel. “Contra Costa County denies children with disabilities the education and mental health services they need to get better and then throws them in solitary confinement for 23 hours a day. The result is unconscionable harm, psychotic breaks and deterioration for children who the system is required by law to educate and rehabilitate.”

“Contra Costa County officials are abandoning education and the hope for change, the most powerful tools they have to reach young people in trouble,” said Grace Carter, partner at the law firm of Paul Hastings.

California and federal laws require special education and related services for all young people with disabilities, as well as determinations before punishment for misbehavior about whether their behavior was related to their disability. The lawsuit names officials from the Contra Costa County Probation Department and Contra Costa County Office of Education, which are legally responsible for the rehabilitation and education of hundreds of young people in Contra Costa County Juvenile Hall.

Disability Rights Advocates, Public Counsel and Paul Hastings LLP are co-counsel in *G.F. et al. v. Contra Costa County et al.* The lawsuit is filed in U.S. District Court in Oakland. Read the complaint and learn more at www.dralegal.org and www.publiccounsel.org.

Disability Rights Advocates is a non-profit legal center advocating for the civil rights of all people with disabilities through class action and other high-impact litigation across the nation.

Public Counsel is the nation’s largest *pro bono* law firm with a 40-year history of fighting for the rights of students, children, families, and others in need of justice.

Paul Hastings LLP is a leading global law firm with offices in Asia, Europe, and the United States. The firm is committed to giving back to those in need and currently is ranked 3rd in the American Lawyer’s Pro Bono Report.

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