

STATEMENT OF MARK ROSENBAUM

THE ACLU of Southern California, Public Counsel, the Disability Rights Legal Center, and the ACLU National office have this morning filed a civil rights suit in the United States District Court in Los Angeles against the Los Angeles County Probation Department and the Superintendent of the County Department of Education and administrative officials at Camp Challenger, this county's largest juvenile probation facility, for the complete failure to provide basic and appropriate education for incarcerated youth so as to prepare them to reenter society as productive citizens.

Already the target of a United States Department of Justice investigation over mistreatment and poor supervision of the 650 students housed at challenger and cited in a 2009 county probation commission report as operating a "broken" school system, our months-long investigation has uncovered a scandal of dimensions that would make Dickens shudder, including conscience-shocking practices such as the following:

- One young man, from whom you will hear from this morning, incarcerated at Challenger for his high school years, was given a high school diploma by LACOE late last year, despite being unable to read or write, functionally illiterate so as to be unable to even read any of the words on his diploma. A LACOE "teacher" trained and denominated a paraeducator, lacking teacher qualifications, knew the young man was illiterate and spoon-fed him answers so as to record he passed the required State exams. The youth, Casey A., in lieu of receiving essential instruction in reading skills, was repeatedly taken out of his classroom by a Probation Department employee with the permission of his teacher and directed to paint buildings, remove weeds, pick up trash and mow grass during school hours. The County billed the state for reimbursement for these hours of work detail, claiming to have provided Casey full days of instructional education. In fact, students at Challenger are routinely awarded credits regardless of whether they master academic content and without appropriate efforts to address their illiteracy or far below grade level reading deficits.

- Students at Challenger are routinely excluded from class without cause or proper procedure at times for requesting educational assistance or services, seeking to be taught academic content or reading mastery. One 15 year old, about whom you will also hear more, was forced to stay in solitary confinement in a tiny cell for months on end. He received no educational instruction; copies of instructional materials were instead occasionally slid under the door to his cell.

- Teachers at Challenger punished students by having them stand outside for hours in 100 plus degree heat during school hours. Teachers deny students' requests to leave class to use bathrooms, stating that they have not earned sufficient points. Teachers show Hollywood movies in class in lieu of providing instruction. Many teachers routinely show up late without consequences and do not teach in accordance to content standards without any accountability. And it is commonplace at challenger that students do not receive even the state required daily 240 minutes of instructional time.

- Despite the high incidence of reading deficits among students housed at challenger and the indisputable fact that literacy is the currency of hope in our society, students are not systematically screened for reading problems and staff are not trained to provide research-based interventions proven to correct literacy deficiencies. Those youth who can read are not afforded textbooks at Challenger.

The denial of even basic educational services at challenger leaves every child behind, far behind, so far behind as to assure that no youth leaving the facility can successfully reintegrate into our society, make it in our community. The denial of education is cruel and abusive punishment, one which permanently breaks a child's spirit. State law mandates that juvenile detention facilities in California, including county probation camps like challenger, exist "solely for the purpose of rehabilitation and not punishment." Our theory of juvenile justice is predicated upon facilitating a second chance, but at Camp Challenger, the county of Los Angeles makes virtually certain that our community's children, already shortchanged and most in need of education, will have no chance, no chance whatsoever.

And finally we know this. We know that there is no greater crime prevention and crime fighting tool than a good education. 82% of prison inmates are high school dropouts, a high percentage are unable to read at all. The typical detained youth is 16 years old and reads at a 5th grade level. Those communities with juvenile facilities that focus on rehabilitation and literacy reduce crime and reduce recidivism, most often dramatically so. We spend close to \$50,000 per year in this county to incarcerate each youth at Challenger—about the cost of an Ivy League education—to put on the street youth who cannot fill out a job application or vote as equal members in our democracy. 95% of challenger students consistently score below proficiency on state exams, and this number may be conservative if tests were honestly administered. Were any other school producing these results, it would be shut down at once.

We bring suit today that the youth of challenger be accorded the simple justice no longer to suffer the indignity of county-compelled illiteracy and miseducation, to be able to experience what it means to achieve to learn.