

PRESS RELEASE

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Contact: Selina Weiss (415) 543-3379
sweiss@ylc.org

Settlement of Civil Rights Lawsuit Against San Francisco for Unlawfully Incarcerating Fifteen-Year-Old Child

SAN FRANCISCO, CA – Yesterday, the San Francisco Board of Supervisors voted to approve the settlement of a lawsuit filed against the City and County of San Francisco for unlawfully incarcerating a fifteen-year-old child for days after a judge ordered him to be released. The lawsuit was filed by the Youth Law Center and Covington & Burling LLP on behalf of the boy and his mother. It is expected that the settlement will be finally approved by the Board of Supervisors after a second vote next week.

The lawsuit was filed in 2018 against the City and County of San Francisco, former Juvenile Probation Chief Allen Nance, and three individual officers for violations of federal and state laws. According to the complaint, state law dictated that after the boy was initially detained by police, he should have been released to his mother. Instead, officers of the Juvenile Probation Department booked him into juvenile hall. The next day, a judge reviewed the boy's case and ordered his release. Despite receiving that court order, the Juvenile Probation Department did not release him, keeping the boy incarcerated for three more days. He was finally released only after the judge discovered the Department's failure to comply with the court's order.

As alleged in the complaint, the boy's unlawful incarceration resulted in part from customs and practices maintained by the Juvenile Probation Department. While the lawsuit was pending, the Department promulgated new policies related to youth detention.

"Any length of incarceration can inflict deep and lasting harm on a child. We are pleased with the resolution of this case and the closure that it brings for our clients," said Meredith Desautels, staff attorney at the Youth Law Center. "We are also hopeful that policy changes underway at the Juvenile Probation Department will result in more youth remaining home with their families instead of experiencing the trauma of a locked facility."

This settlement comes at a critical juncture for juvenile justice in San Francisco. In June of 2019, the Board of Supervisors voted to close San Francisco's juvenile hall facility by the end of 2021. In January, Mayor London Breed announced the appointment of a new chief of the Juvenile Probation Department, Katy Weinstein Miller.

As San Francisco works towards closure of its juvenile hall, this case stands as an important example of the misuse of that facility and the harm that detention inflicts on young people and their families.

Straughter, et al., v. City and County of San Francisco, et al., 3:18-cv-03651.

About Us: The Youth Law Center advocates to transform foster care and juvenile justice systems across the nation so every child and youth can thrive. www.ylc.org