

## PRESS RELEASE

DATE: October 26, 2021

Contact: Selina Weiss, Development & Communications Coordinator, [sweiss@ylc.org](mailto:sweiss@ylc.org)

### **Lawsuit filed against County of Fresno to ensure Public Access and Participation in Local Juvenile Justice Planning Process**

*Center for Leadership, Equity, & Research seeks court order requiring Fresno County to comply  
with public meeting laws under the Brown Act*

Fresno, CA – To stop the County of Fresno from excluding the public from its local juvenile justice planning processes, the law firms Baker McKenzie and the Youth Law Center have filed a lawsuit on behalf of the Center for Leadership, Equity, and Research (CLEAR), a Fresno-based non-profit that supports the participation of community members in local policy. The lawsuit seeks a court order requiring Fresno County and its local juvenile justice planning bodies to follow the open and public meeting laws under the Brown Act.

Fresno County, like all counties across the state, is currently engaging in the local juvenile justice planning process required by state law under the [Juvenile Justice Realignment Act](#), enacted last year. Under this law, California will be closing its state juvenile facilities and realigning juvenile justice responsibilities to the jurisdiction of the counties. The two local bodies responsible for juvenile justice realignment in Fresno—the Juvenile Justice Coordinating Council and the Realignment Subcommittee—have been conducting Fresno’s planning process in violation of state open meeting requirements.

“CLEAR’s goal is to empower social justice leaders to challenge inequities and advocate on behalf of our diverse society,” says Ken Magdaleno, Founder/Executive Director of plaintiff CLEAR. “As long as Fresno County’s juvenile justice planning is conducted behind closed doors, our community members will believe that their participation is unwelcome and unimportant. By bringing this case, we hope to open up the planning process and make sure that community voices can be heard.”

The Juvenile Justice Realignment Act marks a transformative shift in California’s juvenile justice system. Along with the closure of the state’s juvenile facilities, the Act provides state funding to the counties to implement a public health approach to juvenile justice that supports positive youth development, builds the capacity of a continuum of community-based interventions, and reduces crime by youth. (S.B. 823, § 1(c).) This new state funding stream—the Juvenile Justice Realignment Block Grant—requires counties to engage in a local planning process to guide how the funds will be invested within the county. (Welf. & Inst. Code §§ 1990-1995.)

The amount of state realignment funding to be distributed to the counties is substantial—almost \$40 million this year alone, increasing to over \$200 million by 2024. In the first three years of funding, it is anticipated that Fresno County will receive nearly \$14 million. The purpose of the local planning process is to guide how the county will allocate these juvenile justice funds to implement the public health approach called for under state law.

“The goal of the Brown Act is to protect the public’s right to take part in all aspects of local government decision making,” says Meredith Desautels, staff attorney with the Youth Law Center. “By failing to hold open and public meetings, Fresno County is making important juvenile justice policy decisions without community input, oversight, or transparency. This case is aimed solely at ensuring public access and participation in the realignment planning process in Fresno County.”

Unfortunately, as the suit alleges, Fresno County’s juvenile justice realignment planning process has been marred by numerous violations of the Brown Act’s public meeting laws. The lack of public participation conflicts with the Juvenile Justice Realignment Act’s intent to expand the continuum of community-based responses to youth behavior. The voices of community members, particularly juvenile justice-impacted youth and families, are vital to the success of this process.

Through its lawsuit, Plaintiff CLEAR is asking the court to require that Fresno County’s juvenile justice realignment planning comply with the public meeting and participation laws of the Brown Act going forward.

*[Center for Leadership, Equity, and Research v. County of Fresno et al., Fresno County Superior Court, Case # 21CECG03154, Oct. 21, 2021. Complaint available [here](#).]*

---

###

### **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](http://www.ylc.org)

The **Center for Leadership, Equity, and Research** develops social justice leaders who are committed to oppose all forms of inequities, institutional racism and systemic oppression in order to empower change agents to serve and act on behalf of a diverse society. <http://clearvoz.com/>