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## Department of Justice

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## Justice Department Releases Findings of Constitutional Violations in Juvenile Delinquency Matters by St. Louis County Family Court

Following a comprehensive investigation, the Justice Department today announced its findings regarding the Family Court of the Twenty-First Judicial Circuit of the state of Missouri, commonly known as the St. Louis County Family Court. The Justice Department found that the family court fails to provide constitutionally required due process to children appearing for delinquency proceedings, and that the court's administration of juvenile justice discriminates against Black children. The investigation was conducted under the Violent Crime Control and Law Enforcement Act of 1994, which gives the department the authority to seek a remedy for a pattern or practice of conduct that violates the constitutional or federal statutory rights of youths in the administration of juvenile justice.

"The findings we issue today are serious and compelling," said Principal Deputy Assistant Attorney General Vanita Gupta, head of the Civil Rights Division. "Missouri was at the forefront of juvenile corrections reform when it closed its large juvenile institutions and moved to a smaller, treatment-focused system and we are hopeful that Missouri will rise to this challenge to, once again, be a leader in juvenile justice reform. This investigation is another step toward our goal of ensuring that children in the juvenile justice system receive their constitutionally guaranteed rights to due process and equal protection under the law."

Since opening this investigation in November 2013, the Civil Rights Division has analyzed data relating to nearly 33,000 juvenile cases, including all delinquency and status offenses resolved in St. Louis County Family Court between 2010 and 2013; and has reviewed over 14,000 pages of documents, including family court records, transcripts, policies, procedures and external reports. In June 2014, Justice Department attorneys and its consultants—a law school clinical professor and experienced juvenile defense attorney and a nationally-recognized expert on measuring juvenile justice disparities through statistical analysis—visited the family court and interviewed a number of court personnel, including all of the judges and commissioners as well as the heads of many of family court programs and services. They also collected information from both the state and local public defender's offices, private attorneys with experience in the family court and the parents of youth who had been involved in delinquency proceedings with the family court.

The Justice Department found a number of constitutional violations, including:

- Failure to ensure youth facing delinquency proceedings have adequate legal representation;
- Failure to make adequate determinations that there is probable cause that a child committed the alleged offense;
- Failure to provide adequate due process to children facing certification for criminal prosecution in adult criminal court;
- Failure to ensure that children's guilty pleas are entered knowingly and voluntarily;
- An organizational structure that is rife with conflicts of interest, is contrary to separation of powers principles and deprives children of adequate due process; and
- Disparate treatment of Black children at four key decision points within the juvenile justice system.

The department has opened four cases examining whether juvenile justice systems comply with children's rights since 2009. In 2012, the department settled its first investigation of this kind, reaching an agreement with the Juvenile Court of Shelby County, Memphis, Tennessee that calls for comprehensive due process, equal protection and facility reforms. On June 19, 2015, the Justice Department announced a partial settlement of its lawsuit alleging violations of children's due process rights in Lauderdale County, Mississippi. In March 2015, the department announced its investigation of due process and disability discrimination issues in the Dallas County Truancy Court and Juvenile District Courts.

This investigation was conducted by the Special Litigation Section. Additional information about the Civil Rights Division is available on its website at [www.justice.gov/crt](http://www.justice.gov/crt).