

Humboldt County, state of California sued for discriminatory treatment of tribal foster youth

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With pro bono support from Jenner & Block, the California Tribal Families Coalition (CTFC) and Bear River Band of the Rohnerville Rancheria filed a lawsuit this week against Humboldt County and the State of California for discriminatory treatment of tribal foster youth.

The litigation targets Humboldt County’s practice of improperly denying resources to tribal youth after they leave the foster care system at age 18. Tribal youth are the only group of foster youth being denied these resources by the County.

“Native children are already overrepresented in the foster care system in Humboldt County. Adding to this inequity, Humboldt County instituted an improper policy that specifically singles out and denies tribal youth the supportive services that other foster youth receive to help them transition to independent living when they turn 18 years old,” said Chairperson Josefina Frank of the Bear River Band of the Rohnerville Rancheria.

“Humboldt County officials have ignored our communications for eight months seeking to reverse this discriminatory practice, leaving us with no option but to file a lawsuit to compel the County to provide tribal youth the support they have been promised,” said Kimberly Cluff, Legal Director for the California Tribal Families Coalition.

Studies show that former foster youth are at dramatically higher risk for suicide, homelessness, incarceration, substance abuse and pregnancy in comparison to non-foster youth. Social services agencies and advocates determined that abruptly cutting off support resources to foster youth when they turn 18 exacerbated these outcomes.

In response, California and other states created programs to provide ongoing resources to assist foster youth in their transition to independent living, which have shown to improve outcomes for this vulnerable population.

Humboldt County provides these extended resources to foster youth from other groups but has enacted a specific policy that improperly denies tribal youth access to these resources. The County’s action appeared to be based on an erroneous 2013 direction from the State of California, which was subsequently rescinded after the state determined it was discriminatory. However, the state has not taken action to require Humboldt County to follow the law and end this discriminatory practice.

The complaint was filed in Humboldt County Superior Court in Eureka.