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**The Arc of Ohio, The Arc of the United States and the Bazelon Center for Mental Health Law
Support Community Integration Class Action Suit**

***The three organizations jointly file a brief backing Disability Rights Ohio's stance on the rights
of those with developmental disabilities***

COLUMBUS, OH, November 9, 2017 – Today, The Arc of Ohio, The Arc of the United States and The Judge David L Bazelon Center for Mental Health Law submitted an amicus brief to the United States District Court for the Southern District of Ohio in support of *Ball v. Kasich*, the class action lawsuit that asserts that Ohio's system for people with developmental disabilities is in violation of the Americans with Disabilities Act and the Supreme Court ruling in *Olmstead v. L.C.*

Overview of Ball v. Kasich

At issue in *Ball v. Kasich* is whether Ohioans with disabilities receive appropriate services. Under the Americans with Disabilities Act (ADA), individuals with developmental disabilities are entitled to receive state-funded care in an "integrated setting." This includes living, learning and working in and among their communities. **For those who apply for state-funded care, The State of Ohio offers immediate placement into institutions. However, individuals who want to receive services in integrated settings typically endure long waits, often more than 13 years.** By forcing those who want community-based services to wait so long, The State of Ohio effectively denies them the assistance they need, frequently leaving them no choice but to enter institutions.

On behalf of six individuals and the Ability Center of Greater Toledo, in 2016 Disability Rights Ohio (DRO), along with its partners, brought suit against Ohio state officials, including the governor, for failure to comply with the ADA.

"We believe it is important for the Court and the public generally to know about the substantial body of research and the outcomes in other states demonstrating that everyone, even people

with significant disabilities, can live and thrive in the community," said Mark J. Murphy, the managing attorney at the Judge David L. Bazelon Center for Mental Health Law. "The benefits of integrated community services have been documented repeatedly over multiple decades and in numerous states. There is no valid reason for thousands of people in Ohio to remain unnecessarily institutionalized, even though they want to receive -- and would undoubtedly benefit from -- integrated community services."

"Our goal in filing *Ball v. Kasich* is to bring real choice to people in Ohio who have intellectual and developmental disabilities," says Kerstin Sjoberg-Witt, Director of Advocacy at DRO. "Only by changing the system can these individuals decide for themselves where they want to live, work and spend their time, ultimately strengthening our communities with their interests and talents."

The amicus brief

The Arc of Ohio protects the rights of people with intellectual and developmental disabilities, representing more than 300,000 people in Ohio alone. The organization believes that people with intellectual and developmental disabilities belong in the community and have fundamental moral, civil and constitutional rights to be fully included and actively participate in all aspects of society. The amicus brief points to recent research that identifies the states that have shifted from institutional placement to person-centered, community-based services. Improvement has been demonstrated in adaptive skills, challenging behaviors, independence, self-care, social interactions and vocational skills—even for those with the most significant disabilities and complex needs. These benefits occurred even with initial skepticism or outright opposition by family members.

"The Arc of Ohio advocates on behalf of over 300,000 Ohioans with developmental disabilities and their families; and has, for over 65 years," noted Gary Tonks, Chief Executive Officer of The Arc of Ohio. "In light of extensive research and experience demonstrating that community-based living is preferable for people with even the most significant disabilities, we believe that all citizens, regardless of ability, have the right to live in their own homes, with family and friends of their choosing. Children belong with families and adults with disabilities must be provided the supports they require to live as independently as possible, in their home communities."

"Over the last several decades, the country has moved away from institutionalization and toward community based services," explained Peter Berns, Chief Executive Officer of The Arc of the United States. "The families that started The Arc around kitchen tables in the 1950s were galvanized by the radical idea at the time that people shouldn't be warehoused in institutions - they should be at home with their families, in their community, leading a life worth living. There is nothing radical in 2017 about ending segregation and including people in their community, yet Ohio hasn't caught up yet. It's core to The Arc's mission to carry on the mission those families set out to succeed back then, and dismantle the structure that leads to unnecessary institutionalization, once and for all."

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The Arc of the United States is the largest national community-based organization advocating for and serving persons with intellectual and developmental disabilities (I/DD) and their families. Founded in 1950, The Arc has over 650 state and local chapters. The Arc seeks to promote and protect the civil and human rights of people with intellectual and developmental disabilities and to actively support their full inclusion and participation in the community.

The Arc of Ohio is the state affiliate of The Arc of the United States and serves over 300,000 people with I/DD throughout Ohio through its eleven local chapters.

The Judge David L. Bazelon Center for Mental Health Law is a national legal advocacy organization protecting and advancing the rights of people with mental disabilities. The Center promotes laws and policies that enable people with mental disabilities to live independently in their own homes and communities, and to enjoy the same opportunities that everyone else does. For more information, visit www.bazelon.org.

Disability Rights Ohio is the federally and state designated Protection and Advocacy System and Client Assistance Program for the state of Ohio. The mission of Disability Rights Ohio is to advocate for the human, civil and legal rights of people with disabilities in Ohio. Disability Rights Ohio provides legal advocacy and rights protection to a wide range of people with disabilities. For more information, visit disabilityrightsohio.org.