

Judge David L.

BAZELON CENTER
for Mental Health Law

NEWS

New York State Sued Over Segregation in Adult Homes

**Bazelon Center Warns States Against Isolating
People with Mental Illnesses**

(July 1, 2003)—The nation’s leading legal advocate for the rights of people with mental disabilities and several New York groups today filed a lawsuit against the State of New York, alleging the illegal segregation of approximately 4,000 people with mental illnesses placed in “adult homes” in New York City. The Washington-based Bazelon Center for Mental Health Law, along with local lawyers, is counsel in the lawsuit.

The complaint, filed in U.S. District Court, alleges that the State of New York is violating the Americans with Disabilities Act and Section 504 of the Rehabilitation Act by failing to provide housing and rehabilitation services to help residents live in the community.

Robert Bernstein, Ph.D., executive director at the Bazelon Center, issued the following statement earlier today:

“The State invited this lawsuit with its continued disregard for the rights of people with mental illnesses and its reliance on segregated, dehumanizing facilities where individuals are denied the opportunity to fully participate in the communities around them.

“New York City’s adult homes closely resemble the scandalous back wards of state hospitals. Residents are offered little in the way of services that could help them live more independently.

“New York continues to flout the Supreme Court’s 1999 Olmstead ruling that services should be provided in the most integrated setting possible. The state has acknowledged problems with its adult homes for years, but officials continue to rely on this antiquated model that isolates individuals and denies people with disabilities the basic rights guaranteed by federal law.

“New York City’s homes are notable because of their size and number, but similar facilities exist across the country. When it comes to real participation in America’s communities, the civil rights of people with mental illnesses are still routinely ignored.

“This policy of segregation and neglect is unconscionable.

“Ultimately, the only way to end such discrimination is to stop the illegal warehousing of people with mental illnesses in these facilities. We aim to put an end to the State’s continuing disregard for the legal rights of people with mental disabilities and to send a loud, clear message to other states that would marginalize their most vulnerable citizens.”