

Lawsuit Alleges Civil Rights Violations in Cook County Jail

Complaint Says Inmates with Mental Illnesses Face Discrimination, Lack Services

Chicago, IL (Aug. 12, 2003) – Disability rights advocates today filed a class action lawsuit in U.S. District Court on behalf of individuals with mental illness who are incarcerated by the Cook County Department of Corrections awaiting trial on pending criminal charges.

“People with psychiatric disabilities are entitled to equal access to government programs and services, including those provided by Cook County Jail,” said Barry C. Taylor, legal advocacy director for Equip for Equality, one of the groups representing inmates in the suit. “The ADA prohibits people with disabilities from being excluded simply because of mental illness. Our suit seeks to rectify this unfair exclusion so people with psychiatric labels can receive the same opportunities as other detainees.”

The lawsuit—which alleges violations of the Americans with Disabilities Act and the 14th Amendment—names as lead defendants John Stroger (President, Cook County Board) and Michael Sheahan (Sheriff of Cook County).

The suit alleges that Cook County inmates with mental illnesses are denied access to substance abuse programs and are barred from participating in various supervised community release programs, in violation of the Americans with Disabilities Act (ADA). It also contends that 14th Amendment due process has been denied because individuals with mental illnesses are released into the community without arrangements to access necessary medication or mental health services.

“We believe that the case will show that these policies aren’t just discriminatory, they’re downright foolish,” said Ira Burnim, legal director for the Washington-based Bazelon Center for Mental Health Law. “If the county’s goal is to reduce recidivism and promote safer communities, it doesn’t make too much sense to deny inmates with mental illnesses tools to live stable lives in the community.”

An estimated 1500 people with chronic mental illnesses are incarcerated in the Cook County jail at any given time. Many have committed low-level offense, and it is believed that at least 60 inmates and possibly many more could be served in the jail’s supervised community and treatment programs if they were not excluded because of their disability. In addition, more than 100 people with mental illnesses are discharged each month without arrangements for case management or for accessing needed medication.