Suit Says State Is Segregating Mentally Ill

More Choice Is Sought Beyond Adult Homes

By CLIFFORD J. LEVY

Lawyers for thousands of mentally ill residents of New York adult homes, many of which have long served as little more than psychiatric flophouses, plan to file a federal lawsuit today to force the state to make the kind of wide-ranging improvements in care that were won for the mentally retarded through the courts a generation ago.

The legal papers, to be filed in United States District Court in Brooklyn, assert that the state is violating the Americans with Disabilities Act by segregating the mentally ill in sprawling and poorly run adult homes, where they are essentially warehoused with few if any opportunities to rejoin society. Many residents can and should be moved to apartments in neighborhood settings that are no more costly to the government and far less isolating, the lawyers argue.

The lawyers for the adult home residents said their claims were inspired in part by litigation in the 1970’s over sordid conditions at the huge Willowbrook institution for the retarded on Staten Island. The Willowbrook lawsuit led to a landmark legal settlement that required the state to move thousands of mentally retarded people to small community residences, some with 10 beds or less.

To this day, the Willowbrook settlement is considered a model for states trying to dismantle large-scale institutions for the disabled. The consensus among many experts and public officials is that New York’s system for caring for the mentally retarded continues to function far better than the one for the mentally ill.

The promise of such an overhaul, though, has eluded residents of the state’s adult homes, which were never intended to house the mentally ill, but which over the years have in some cases become larger than many of the nation’s remaining psychiatric hospitals.

“We are suing because New York State has failed to correct this disgraceful situation,” said Cliff Zucker, executive director of Disability Advocates, a nonprofit legal services group in Albany. “The state has known for 25 years that when it dumps
A suit names New York State officials, not operators of adult homes.

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serious mentally ill individuals into adult homes is a matter of great concern. The lawsuit, filed on behalf of approximately 15,000 mentally ill people, seeks to ensure that these individuals receive appropriate care and support.

The lawsuit, filed by the law firm of White & Case on behalf of the New York Civil Liberties Union, claims that New York State has failed to provide adequate care and support for mentally ill individuals in adult homes. The lawsuit argues that the state has failed to provide adequate funding for mental health services, leading to overcrowding and understaffing in adult homes.

The lawsuit seeks to establish a court-monitored decision-making process for mentally ill individuals in adult homes. The lawsuit also seeks to ensure that mentally ill individuals in adult homes receive adequate medical care, education, and other services.

The lawsuit comes amid growing concerns about the treatment of mentally ill individuals in New York State. A recent report by the New York Civil Liberties Union found that many mentally ill individuals in adult homes were receiving inadequate care and were at risk of harm.

The lawsuit was filed on behalf of several plaintiffs, including individuals with mental health disabilities, their families, and advocates for the mentally ill. The lawsuit seeks to ensure that mentally ill individuals in adult homes receive the care and support they need to live independently and contribute to their communities.