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## ***Federal Judge Orders New York State to Move Adult Home Residents into Supportive Community Housing***

### ***Decision Ends Decades of Warehousing People with Psychiatric Disabilities***

NEW YORK, SEPTEMBER 8, 2009 – Federal Judge Nicholas G. Garaufis ruled that New York State’s practice of concentrating people with mental illness in large adult homes constitutes discrimination and violates the Americans with Disabilities Act and the Rehabilitation Act. In a ruling issued today, he found that “the overwhelming weight of the evidence demonstrates that Adult Homes are institutions that impede residents’ interaction with individuals in the community who do not have disabilities.” Although Judge Garaufis found that the plaintiff, Disability Advocates, Inc., is entitled to declaratory and injunctive relief, he has given New York State until October 23, 2009 to propose a plan that would remedy the unlawful segregation of adult home residents. Disability Advocates, Inc., has requested that New York State be required to develop no fewer than 4,500 supported housing beds for adult home residents. The decision in *Disability Advocates v. Paterson* is the culmination of years of litigation initiated by a consortium of advocacy organizations, including MFY Legal Services, Inc., Disability Advocates, Inc., the Bazelon Center for Mental Health Law, New York Lawyers for the Public Interest, the Urban Justice Center, and Paul, Weiss, Rifkind, Wharton & Garrison, LLP.

“With this decision, we now have hope of reversing the tide of institutionalization and isolation,” said Erica von Nardroff, a resident of Elm York Home for Adults. “Better housing choices will enhance our dignity and ability to recover.” Norman Bloomfield, who has lived at Surf Manor Home for Adults for seven years, said: “Once we are out of the restrictive setting of an adult home, we can live as individuals in the general community. This increased independence and responsibility will support our growth and promote fulfillment.” Ms. von Nardroff and Mr. Bloomfield are two of the thousands of adult home residents who are likely to qualify for supported housing under the ruling.

“The judge agreed that adult homes are institutional settings that provide little privacy and few real opportunities for people with mental illness to develop independent living skills and participate fully in the community. This ruling is a giant step forward in the effort to ensure that the state treats people with disabilities with respect and helps them develop their strengths instead of warehousing them in institutions,” said Kevin Cremin, a senior staff attorney at MFY Legal Services, who was a member of the team of attorneys who represented the plaintiff during a month-long trial before Judge Garaufis.

For the past 20 years, Jeanette Zelhof, founder and head of MFY’s Adult Home Advocacy Project, has led a team of lawyers to expose abuse and neglect to represent residents whose civil rights were violated. These conditions were documented in *Broken Homes*, a 2003 Pulitzer Prize-winning series in the New York Times that fueled calls for reform and prompted the lawsuit that resulted in Judge

Garaufis's ruling. "This ruling is a tremendous victory for adult home residents who can move on to a better life, outside the confines of these institutions where residents are subject to constant indignities and ostracized from the community."