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Lawsuit Seeks Community Integration of Thousands of New Yorkers with Mental Illnesses

New York, NY, July 1, 2003—Disability rights advocates today filed suit in the United States District Court against Governor Pataki and other New York officials on behalf of approximately 4000 individuals with serious mental illnesses who reside in large adult homes in New York City. The lawsuit alleges that New York State is violating federal laws, the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act, by unlawfully segregating individuals.

In April 2002, a Pulitzer Prize-winning series of articles in the New York Times called attention to the squalor and chaos in New York City's large adult homes. The sordid conditions and institutional character of these facilities has been known for decades to State officials, whose studies over the years have repeatedly decried conditions found in these institutions. Yet the State has permitted the situation to persist, according to the plaintiff.

The ADA requires the State to provide mental health treatment in the most integrated setting appropriate. However, New York's adult homes isolate thousands of former psychiatric hospital patients. Many of these adult homes are larger than any of the state's psychiatric hospitals, yet lack staff, resources or mandate to provide integrated housing and services to promote community living.

The lawsuit seeks the creation of additional "supported apartments" for adult home residents, where appropriate rehabilitation and support services could be provided to those who wish to live outside an institution. The State already licenses and provides financial support for such "supported apartments," but has failed to create enough of them to meet the needs of adult home residents.

The State's own study shows that providing integrated care in supported apartments costs no more than providing the squalid, segregated care currently provided in adult homes. In fact, it may cost less.

Disability Advocates, Inc., a not-for-profit public interest law office, brought the suit on behalf of residents of New York's adult homes. Co-counsel in the case are: Paul, Weiss, Rifkind, Wharton &

Garrison LLP; Disability Advocates, Inc.; New York Lawyers for the Public Interest, Inc.; The Bazelon Center for Mental Health Law, MFY Legal Services and the Urban Justice Center.

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