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Contact:

Redmond Haskins
The Legal Aid Society
(929) 441-2384
rhaskins@legal-aid.org

Katrin Haldeman
Disability Rights New York
(518) 275-1720
Katrin.Haldeman@drny.org

*****FOR IMMEDIATE RELEASE*****

Lawyers Welcome Ruling Advancing a Landmark Lawsuit Challenging NY's Prison-to-Shelter Pipeline for People with Mental Illness

(NEW YORK, NY) - Disability Rights New York, The Legal Aid Society, and Paul, Weiss, Rifkind, Wharton & Garrison, LLP received a ruling rejecting New York state officials' motion to dismiss in *M.G. v. Cuomo* - litigation challenging systemic deficiencies in community-based services for formerly incarcerated people with serious mental illness.

The lawsuit was initially brought in January 2019 to challenge state officials' practice of holding people with mental illness in prison past their release dates due to the lack of housing and supportive services in their communities. Last August, Plaintiffs brought new claims after state officials began to release people who were eligible for mental health housing and supportive services into homeless shelters or psychiatric institutions. This practice deprives people of the housing and services they need to successfully reenter society and further entrenches what prisoners' rights advocates call a "prison-to-homeless-shelter pipeline."

"The State's treatment of people with mental illness leaving prison amounts to nothing more than the same prejudice, isolation, and unlawful discrimination that people with disabilities have long faced in this country," said **Joshua Rosenthal, Senior Staff Attorney at Disability Rights New York**. "The Court's decision is an important recognition that federal law prohibits such discrimination and we look forward to vindicating our clients' rights."

"We are grateful that the Court has rejected the State's attempt to evade its moral and legal obligation to provide New Yorkers with disabilities the housing, resources, and support they need to successfully reenter society," said **Stefen R. Short, Supervising Attorney at The Legal Aid Society**. "Just like prolonging imprisonment is

unlawful, so too is throwing people away into shelters and institutions. New York’s revolving door of institutionalization—where vulnerable people dealing with mental health challenges are released from prison only to be dumped in homeless shelters that lack anything close to the crucial services they need to succeed—senselessly places these individuals at a high risk of deterioration and re-institutionalization. Without necessary services, their worsened health and continued separation from the community is all but guaranteed.”

“We are pleased that Judge Seibel recognized that Plaintiffs properly stated a claim by alleging that the State’s failure to administer community-based mental health housing and supportive services places them in segregated settings and at risk of institutionalization, in violation of the Americans with Disabilities Act and the Rehabilitation Act. We look forward to proving these claims in court, and remain hopeful that the State will recognize these harms, as the Court and the Department of Justice both have, and will work to rectify them by implementing community-based mental health housing and supportive services necessary to support its vulnerable citizens,” **said Walter Ricciardi, partner at Paul, Weiss, Rifkind, Wharton & Garrison, LLP.**

The lawsuit brought by Disability Rights New York, The Legal Aid Society, and Paul, Weiss, Rifkind, Wharton & Garrison, LLP seeks to require state officials to fully develop community-based services to end its prison-to-homeless-shelter pipeline for people with serious mental illness once and for all.

M.G. v. Cuomo is directly tied to larger movements to divest from institutions of state violence—particularly carceral institutions—and devote the necessary resources to services that build safe and stable communities. *M.G.* seeks to make this investment a reality for people with mental illness, who are far too often trapped in jails, prisons, and psychiatric institutions as a direct result of state budgetary neglect.

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DRNY is the designated independent non-profit Protection & Advocacy System empowered by Congress to investigate allegations of abuse and neglect and provide legal and non-legal advocacy services to people with disabilities in New York State. The Protection & Advocacy System was created by Congress as a direct result of the horrific conditions that were uncovered in the 1970's at New York's Willowbrook State School.

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