

NEWS RELEASE

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DISABILITY RIGHTS NEW JERSEY FILES LAWSUIT TO END UNLAWFUL ABUSE, NEGLECT, AND SEGREGATION IN NEW JERSEY STATE PSYCHIATRIC HOSPITALS

TRENTON, NJ – Disability Rights New Jersey, the State’s designated Protection and Advocacy system for people with disabilities, filed a lawsuit in the United States District Court of New Jersey against the Commissioners of the New Jersey Department of Health and Department of Human Services, together with their agencies and the State. This lawsuit addresses the significant harm faced by individuals confined to New Jersey’s State psychiatric hospitals who are subjected to abusive and neglectful conditions, and inappropriately prolonged confinement due to lack of mental health services in the community. These practices violate the Fourteenth Amendment of the United States Constitution, the Americans with Disabilities Act, and Section 504 of the Rehabilitation Act.

New Jersey-based litigation boutique Javerbaum Wurgaft Hicks Kahn Wikstrom & Sinins, P.C. represents Disability Rights New Jersey as co-counsel.

ABUSE AND NEGLECT

Approximately 1,150 people are confined to New Jersey’s State psychiatric hospitals: Ancora Psychiatric Hospital, Greystone Park Psychiatric Hospital, Trenton Psychiatric Hospital, and Ann Klein Forensic Center. Disability Rights New Jersey’s investigations reveal that people confined to the hospitals are subject to widespread abuse and violent conditions. Individuals have been sexually, physically, and emotionally assaulted, sometimes resulting in permanent injuries or death. Countless patients have told Disability Rights New Jersey, “I don’t feel safe here.”

“The conditions in our state psychiatric hospitals would not be tolerated in any other healthcare setting. Nobody expects to be assaulted when they go to the emergency room with a broken leg, and the same should be true for New Jerseyans involuntarily committed to receive inpatient mental health care. The Commissioners have allowed these conditions to persist for too long, despite reports, investigations, and even lawsuits filed by patients over the past several years,” says Jill Hoegel, Disability Rights New Jersey’s Director of Investigations and Monitoring.

UNLAWFUL SEGREGATION

In addition to living in an atmosphere of violence, many patients who no longer meet the standards for involuntary commitment cannot leave for months, even years, while they wait for appropriate community mental health services and supports. The State holds these people against their will on a status called Conditional Extension Pending Placement, or CEPP.

Today, people on CEPP status make up over 20% of the state psychiatric hospital population. CEPP status was created for patients who no longer meet the involuntary commitment standard, are ready for discharge, but who need services to return to their community. People languish in the hospitals because the Commissioners have not fulfilled their duty under the Americans with Disabilities Act and *Olmstead* to create adequate supports and services in the community.

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NEW JERSEY’S DESIGNATED PROTECTION AND ADVOCACY AGENCY.

"Imagine living in an environment where even the most basic choices are taken away from you—when to wake up, when to go outside, when to have a drink of water—and, in place of psychiatric treatment, you face both boredom and violence on a daily basis. This is the reality for the patients in the state's four psychiatric hospitals, over 20% of whom could leave today if the State developed capacity to serve them in the community," says Bren Pramanik, Managing Attorney of Disability Rights New Jersey's Institutional Rights team.

Given these unlawful practices, Disability Rights New Jersey filed suit to protect the rights of these 1,150 people. According to Disability Rights New Jersey Executive Director Gwen Orłowski, "People with disabilities of all kinds, including mental health disabilities, have the right to live in and receive services in the community. The State of New Jersey is failing to meet its legal obligation to provide community-based options for people with mental health disabilities, resulting in the unjust and unnecessary segregation of people with disabilities in large, dangerous, and isolating psychiatric hospitals."

[A copy of the filed complaint can be viewed here.](#)

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About Disability Rights New Jersey: As New Jersey's designated Protection and Advocacy system under federal law, Disability Rights New Jersey promotes self-determination, independence, productivity, and integration into all facets of community life. Disability Rights New Jersey advances the human, civil, and legal rights of people with disabilities. Accordingly, Disability Rights New Jersey also has statutory authority to pursue legal, administrative, and other appropriate remedies to ensure the protection of people with disabilities.

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