



## Overview of *United States v. Mississippi*<sup>1</sup>

### Case History

In August 2016, the U.S. Department of Justice filed a lawsuit against the State of Mississippi (“the State”) under the Americans with Disabilities Act (“ADA”) and the Civil Rights of Institutionalized Persons Act, alleging that the State violates Title II of the ADA by unnecessarily segregating people with serious mental illness in its state hospitals,<sup>2</sup> and by placing them at serious risk of hospitalization as a result of insufficient community-based services.

The case went to trial in the summer of 2019. On September 3, 2019, the Court ruled that the State is violating Title II of the ADA by failing to provide adequate community-based services to Mississippians with mental illness. The Court found that the State’s mental health system “excludes adults with [SMI] from full integration into the communities in which they live and work,” in violation of the ADA. “That discrimination will end,” the Court wrote, “only when every Mississippian with SMI has access to a minimum bundle of community-based services that can stop the cycle of hospitalization.” The Court’s decision is available here: <https://www.justice.gov/file/1209826/download>.

### Remedial Process

The Court has appointed a Special Master to help the parties craft a plan to resolve the ADA violations. The Special Master will review the trial record, engage in mediation to help the parties reach agreement on a remedial plan, and if agreement is not possible propose a plan to the Court. The remedial plan will include a timeline for the State to reach compliance with the ADA and a process for measuring success along the way.

The Court selected Dr. Michael Hogan to serve as Special Master in this case. Dr. Hogan has more than 40 years of experience in the field of mental health, including experience leading statewide mental health systems.

### Contact Information

If you would like to provide information to U.S. DOJ concerning this matter, please contact us at 202-598-5344 or [Community.Mississippi@usdoj.gov](mailto:Community.Mississippi@usdoj.gov).

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<sup>1</sup> 3:16-CV-00622-CWR-FKB (U.S. District Judge Carlton W. Reeves presiding).

<sup>2</sup> The State operates four psychiatric hospitals: Mississippi State Hospital, East Mississippi State Hospital, North Mississippi State Hospital, and South Mississippi State Hospital.