

From the Urban Justice Center  
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## **City Must Continue Providing Services for People with Psychiatric Disabilities Discharged from City Jails**

### **Attorneys for Inmates Urge Full Implementation of 2003 Settlement Ordering Discharge Planning Services**

New York – Lawyers from the Urban Justice Center (UJC) today announced a victory for people with psychiatric disabilities in jail and their family members, following a court decision late last week that New York City must continue to comply with a landmark 2003 court settlement in which the City agreed to provide services to inmates with mental illness upon their release, including continued mental health care, medications and prescriptions, substance abuse treatment, case management, public benefits, housing and transportation. The Urban Justice Center, Debevoise & Plimpton LLP and New York Lawyers for the Public Interest have served as counsel to the plaintiffs in the case *Brad H. v. City of New York* since 1999.

“The City has tried to wash its hands of its obligation to provide people with psychiatric disabilities appropriate services under this settlement. However, people are still being released from Rikers Island and other DOC facilities without basic planning services. The court acknowledged this last week. We are advocating for the services not only to continue, but improve,” said Jennifer J. Parish, Director of Criminal Justice Advocacy at the UJC’s Mental Health Project.

In 1999, the UJC sued the City of New York on behalf of 7 inmates with mental illness in city jails for failure to provide discharge planning services. At the time all inmates were dropped off at Queens Plaza with a \$1.50 and two tokens and left to fend for themselves. In 2003, the City and UJC settled the case, *Brad H. v. City of New York*. The settlement stipulated that the city Departments of Correction and Health & Mental Hygiene would provide discharge services to the 15,000 people who receive treatment for mental illness in city jails each year including continued mental health care, case management, and assistance in accessing public benefits and housing.

In last week’s ruling, Judge Marilyn Shafer of the New York State Supreme Court rejected the City’s efforts to argue that the five years for which the settlement was to be enforced have elapsed. Pending litigation by the UJC could extend the settlement for another two years.

The *Brad H.* settlement also established independent monitors to report on the City’s compliance with the settlement. The monitors have reported that the City has failed to comply with the terms of the settlement, with shortcomings including:

- not providing medication and prescriptions upon release,
- not setting up appointments or referrals for continued mental health treatment,
- failing to complete and submit Public Assistance applications for people who are determined to be seriously and persistently mentally ill
- failure to submit supportive housing applications
- failure to provide services necessary to provide Class Members with Medicaid benefits upon release

A copy of last week’s New York State Supreme Court Decision and the independent monitor’s latest report are available upon request.