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**ADVOCACY INC. FILES CLASS ACTION LAWSUIT ON BEHALF OF PEOPLE WITH DISABILITIES
CONFINED TO STATE SUPPORTED LIVING CENTERS WITHOUT REVIEW**

Austin, TX – A class action lawsuit was filed in state district court in Travis County today by three individuals with intellectual and developmental disabilities who have been involuntarily institutionalized for a combined 134 years without any periodic, impartial judicial review of whether they continue to meet the criteria for sustained confinement.

The case was brought through the plaintiffs' next friend Geoffrey Courtney and as a class action on behalf of the more than 4,200 people residing in Texas state supported living centers (SSLCs).

The lawsuit charges that Gov. Rick Perry, the Texas Department of Aging and Disability Services, and other state officials have violated the plaintiffs' right to liberty, one of the fundamental rights of a free people, by indefinitely institutionalizing people with no possibility for an independent judicial review to determine the necessity of their continued confinement.

- Plaintiff G.G.E., now 48 years old, was placed in a SSLC by his parents at the age of 9 and has continued to be confined there for the past 39 years.
- Plaintiff E.M.B. was placed at the Mexia SSLC at the age of 6 and has remained confined there for the past 60 years.
- Plaintiff G.D.E. was involuntarily committed to the Lufkin SSLC as a teenager and has remained confined there for the past 32 years.

In all those years, there has not been a single, impartial judicial review of the necessity or propriety of their continued institutionalization. The need for such impartial judicial review is highlighted by the fact that for the past 15 years, the state's own treatment professionals have indicated that Plaintiff G.G.E.'s needs could be met in a less restrictive environment; and in 2008, the state's own treatment professionals indicated that an institutional setting was no longer required for continued care and treatment of Plaintiff E.M.B. and Plaintiff G.D.E., indicating that neither of them continues to meet commitment criteria. Yet, without judicial review of the necessity of their confinement, they all still remain institutionalized at the SSLCs.

"An entire class of citizens is being confined by the state of Texas, with no opportunity to challenge the need for continued institutionalization, despite changes in ability, commitment criteria and increased community services," said Beth Mitchell, senior managing attorney at Advocacy Inc.

"Many of these individuals are confined by a system that does not recognize or enable them to exercise their civil rights," Mitchell added. "Our Constitution, however, guarantees these individuals — and others like them in the SSLCs — the right to a periodic, impartial judicial review to determine if institutionalization is still necessary."

Texas SSLCs have a shameful history of neglecting the rights of residents. In 2005, following numerous complaints of abuse and neglect, the U.S. Department of Justice began investigating conditions at Texas' state-operated facilities for individuals with intellectual and developmental disabilities. In 2009, the DOJ and the state of Texas subsequently entered into a settlement agreement covering all 13 SSLCs in Texas. The settlement agreement requires the state to ensure that protections, supports and services provided by the SSLCs meet generally accepted professional standards of care. It also requires that all residents of SSLCs receive services for their disabilities in the most integrated community settings appropriate to their needs.

Defendants named in today's lawsuit include Gov. Rick Perry; Thomas Suehs, executive commissioner of the Health and Human Services Commission; Chris Traylor, commissioner of the Department of Aging and Disability Services; Vira Benson, director of the Austin State Supported Living Center; William Lowry, director of the Mexia State Supported Living Center; and Gale Wasson, director of the Lufkin State Supported Living Center.

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***Advocacy Inc.** is a nonprofit disability rights organization that protects and advances the legal, human and service rights of Texans with a broad range of disabilities. Advocacy Inc. is federally funded and designated as the protection and advocacy agency for the state of Texas. In March 2011, Advocacy Inc. will officially change its name to Disability Rights Texas.*