

CONNECTICUT LEGAL RIGHTS PROJECT

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**In Opposition to
H.B. 6596, An Act Concerning Notification Requirements for Halfway Houses.
March 6, 2009**

Good Afternoon, Sen. Coleman, Rep. Sharkey and distinguished members of the Committee. I am a staff attorney with the Connecticut Legal Rights Project (CLRP), which is a legal services organization that advocates for low-income individuals in institutions and in the community who have, or are perceived to have, psychiatric disabilities. We promote initiatives that integrate clients into the community. An important part of our work is protecting our client's housing, which includes representation in discharge planning. Our clients have a very difficult time finding and retaining housing. There are many reasons for this, and a bill before the committee today which will exacerbate the problems. Therefore, we are urging you **not to enact HB6596.**

Our clients are frequently spend years in nursing homes or psychiatric hospitals, at great public expense and personal loss of freedom because the housing and supportive services that they require are not available in the community. While concerned citizens lament the lack of supervised housing available for people who need that support, this bill is likely to make it impossible to open any additional such homes. I know that you know how expensive it is to maintain people in institutional care and how wasteful it is to do so when it is not necessary. You also know what an incredible denial of basic civil rights it is.

This bill is blatantly a "NMBY" bill. Its enactment and enforcement would violate the state and federal fair housing acts, which prohibit discrimination, on the basis of disability. Those laws were enacted to give people with disabilities wider opportunities to choose where they want to live. This bill does the opposite. It also appears to violate the Americans with Disabilities Act by singling out people with disabilities, specifically, people with mental disabilities, for special discriminatory treatment. Title II of the ADA prohibits state and local governments from promulgating rules that deny individuals with disabilities an equal opportunity to enjoy their services programs or activities. In 1999 the U.S. Supreme Court upheld the community integration mandate of the ADA. This mandate applies to assuring that people have the opportunity to live in community settings. This bill will effectively prevent it.

Perhaps the bill purports to be about public safety. However, as long as the police and fire department know that people are living in a dwelling, it should not matter what if any disabilities a resident of a neighborhood has. There is no justification for a notification of a proposed location, other than to prevent its opening. In addition, this bill mandates a statewide database open to the public setting out the location, number of residents, staff and source of funding of each "such" facility. This identifies residents' disabilities to the public, which is prohibited. It puts my clients at risk. This bill is illegal discrimination. Here's an easy test: substitute "for Jews" or "for African-American" in place of "pursuant to chapter 319i." This bill is nasty. Please don't let it go any further. Thank you for your time.