



COMMUNICATIONS

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Department of Developmental Services (DDS) Press Statement *Messier vs. Southbury Training School*

U.S. District Court Judge Ellen Bree Burns signed an Order approving the Settlement Agreement in the 1994 class action *Messier v. Southbury Training School* (STS). The agreement, which includes ARC-CT as a plaintiff and the Department of Developmental Services (DDS) as a defendant, was filed with the U.S. District Court on July 12, 2010 and addressed the one issue not resolved by a Ruling of the District Court on June 4, 2008. All issues pertaining to conditions, care, treatment, medical care, and protection from harm were either ruled moot or decided in favor of DDS.

The remaining issue addresses compliance with the Americans with Disabilities Act (ADA) concerning the process for considering community placement for STS residents. The settlement agreement states that DDS will insure that all Interdisciplinary Teams will assess the resident's needs and make a professional judgment and recommendation for that person regarding the most integrated setting appropriate to the individual's needs. Each STS resident and their guardian will be given sufficient information to then make an informed decision about these recommendations. Neither the settlement nor the Judge's original ruling in 2008 directs the closure of STS.

STS will remain open for those individuals who wish to continue to live there and will receive comprehensive supports to meet their needs. The department will also continue to make resources available to all STS residents who choose to move.

The department is pleased that Judge Burns took into consideration comments heard from interested persons during a fairness hearing on October 4, 2010 and that we have had this opportunity to settle the sole remaining issue in this longstanding case. We believe that the parties have reached an agreement that is in the best interest of the people we serve at STS and protects their wishes and those of their guardians.

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