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CLRP Condemns Executive Order as Unjust and Inhumane

Connecticut Legal Rights Project joins the array of organizations criticizing the recent Executive Order “Ending Crime and Disorder on America’s Streets,” which represents a profoundly misguided approach to addressing the challenges faced by people who are unhoused and may be experiencing mental health conditions or substance use disorders. The Order outlines a plan to “shift[] homeless individuals into long-term institutional settings for humane treatment through the appropriate use of civil commitment” and aims to undo decades of Supreme Court and state law precedents that protect the civil liberties of people subjected to the civil commitment process.

Civil commitment represents a significant deprivation of liberty pursuant to a state’s police powers and should not be used as a blunt tool to mass institutionalize people who are homeless.

Participating in treatment should not be a mandatory requirement of receiving housing assistance. The emphasis on coercion instead of maximizing opportunities for access to voluntary care will lead to less engagement with the support system.

Connecticut’s Department of Mental Health and Addiction Services recognizes that “most people with mental illnesses and/or substance use disorders can and should be treated in community settings, and that inpatient treatment should be used only when absolutely necessary to meet the best interests of the patient.” Confining

people with mental health conditions in a hospital, rather than offering them access to care in the community, is in stark contrast to that recognition. The Executive Order is in violation of the integration mandate of the Americans with Disabilities Act, a Congressionally enacted federal statute that cannot be undone by an executive order.

We need more affordable, accessible housing and community-based services. The cost of a return to the era of large institutions, both financially and in the loss of dignity, self-determination, and personal choice, is one we cannot afford to bear.

People can and do recover when they have access to services that are responsive to their needs and respect their autonomy. Separating people from the community by confining them in hospitals and increasing the use of forced treatment is not the way forward.

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Connecticut Legal Rights Project provides legal services to people who are eligible for mental health services from the Connecticut Department of Mental Health and Addiction Services on matters related to their treatment, recovery and civil rights.