

For Immediate Release  
August 1, 2017

## **Group Home Providers for Children with Disabilities Sue St. Bernard Parish and State of Louisiana for Disability Discrimination**

Today, two group homes filed suit in federal court in New Orleans against St. Bernard Parish and the State of Louisiana for discriminating against them and their prospective residents due to the residents' disabilities. The suit claims the Parish's discriminatory zoning rules exclude children with disabilities.

Currently, there are no licensed therapeutic group homes for children with disabilities in St. Bernard Parish. Children with disabilities in the Parish needing home services have to leave their families and communities, enter nursing homes, or leave the state to get the help they need. *See Lex Talamo, "Louisiana Children Sent Out of State for Psychiatric Care," Shreveport Times, Oct. 1, 2016, available at <http://www.shreveporttimes.com/story/news/2016/10/01/watchdog-louisiana-children-sent-out-state-psychiatric-care/85994498/>.*

In 2015 and 2016, Dionna Richardson, owner of AngeliCare L.L.C., and Cathy Moore, owner of C. Moore Therapeutic Group Home L.L.C., converted their respective houses in Violet and Chalmette into group homes for children with disabilities. Each home would have housed five children under the supervision of a psychiatrist or psychologist. The homes would have provided an array of services, including treatment, integration with community resources, and skill building in a structured, homelike, and supportive 24-hour living environment.

"For over a year now, we've just wanted to help children with disabilities. We've invested everything we have in doing this, but the Parish and the State just refuse to let these kids live here," said Dionna Richardson. "The Parish told us our 'reasonable accommodation' was to go somewhere else."

The suit filed today alleges St. Bernard Parish refused to let those children move in because they have disabilities. Although the Parish zoning code did not exclude group homes in residential zones at the time, the Parish ordered the plaintiffs to stop their efforts to open. Then the Parish changed its zoning code to explicitly ban group homes for people with disabilities in its low-density residential (R-1) neighborhoods, and only allow them if they are approved by the Parish as a "conditional use" in its higher-density (R-2) neighborhoods. Because group homes are required by state regulation to be homelike, it is not appropriate to place them in commercial or high-density neighborhoods. The suit alleges that St. Bernard Parish issued Cease and Desist Orders to the group homes before they could open, denied them zoning relief, and denied them reasonable accommodations required by the Americans with Disabilities Act and the Fair Housing Act. The State of Louisiana then denied their licenses to operate the homes based on the Parish's ruling.

The suit alleges the Parish’s ban on group homes in residential neighborhoods, and its refusal to grant a reasonable accommodation to its zoning code, violates the Fair Housing Act, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and State law. The suit claims the Louisiana Department of Health’s denial of the homes’ licenses based on the Parish’s discrimination also violates state and federal civil rights laws. The suit seeks an injunction ordering the Parish and the State to immediately allow the group homes to open and begin accepting residents, as well as damages.

“These homes are not commercial facilities. They are homes for children with disabilities,” said Eve Hill, an attorney for the Plaintiffs. “St. Bernard Parish will allow any number of children to live together, with four or more adults in an R-1 neighborhood, but only if they are not children with disabilities. That’s discrimination.”

John Adcock, another attorney for the Plaintiffs, explained, “In addition to prohibiting the Parish’s explicit discrimination, Federal law requires the Parish to reasonably modify its zoning requirements to avoid excluding people with disabilities. St. Bernard Parish did not have a policy in place for reasonable accommodations. When our clients requested one, the Parish’s attempt at a policy was an illusion. Even the Parish staff advised the Council that allowing the group homes to open was a reasonable accommodation that would not harm the neighborhoods. But the Council refused.”

The Complaint is available at <http://www.browngold.com/wbcntntprd1/wp-content/uploads/St.-Bernard-Parish-State-of-Louisiana-Complaint.pdf>.

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