

Department of Justice
Office of Public Affairs

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Justice Department Finds Alaska Unnecessarily Segregates Children with Behavioral Health Disabilities in Institutions

The Department of Justice announced today that it found reasonable cause to believe that the State of Alaska violates the Americans with Disabilities Act (ADA) by failing to provide community-based services to children with behavioral health disabilities, relying instead on segregated, institutional settings — specifically, psychiatric hospitals and psychiatric residential treatment facilities. This finding comes at the conclusion of the department’s investigation into whether Alaska subjects children with behavioral health disabilities to unnecessary institutionalization in violation of Title II of the ADA.

“Each year, hundreds of children, including Alaska Native children in significant number, are isolated in institutional settings often far from their communities,” said Assistant Attorney General Kristen Clarke of the Justice Department’s Civil Rights Division. “Most of these children could remain in family homes if provided appropriate community-based services. We look forward to working with Alaska to bring the State into compliance with federal law and prevent the unnecessary institutionalization of children.”

Children who are segregated in psychiatric residential treatment facilities commonly stay there longer than six months, and some of them are sent to states as distant as Texas and Missouri, thousands of miles from their families.

The department’s investigation found that Alaska’s system of care is heavily reliant on institutions and that key community-based services and supports needed to serve children with behavioral health disabilities in family homes, such as home-based family treatment, crisis services and therapeutic treatment home services, are often unavailable. As a result, many children with behavioral health disabilities, including a substantial number of Alaska Native children, are forced to endure unnecessary and unduly long admissions to psychiatric hospitals and psychiatric residential treatment facilities both within Alaska and in states across the country.

With today’s announcement, the department has concluded its third investigation in 2022 involving the unnecessary institutionalization of children with behavioral health disabilities.

Additional information about the Civil Rights Division of the Justice Department is available on its website at www.justice.gov/crt.

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