



Media Release

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For Immediate Release

June 8, 2011

Chief U.S. District Judge Leon Holmes on Wednesday dismissed a lawsuit filed against the Conway Human Development Center by the U.S. Department of Justice saying the federal government failed to prove that the state-run facility did not comply with the Americans with Disabilities Act or the Fourteenth Amendment of the Constitution.

“When the Justice Department raises concerns you have to take them seriously. In this case, Gov. Beebe listened to them, but he came down foursquare on the side of the residents and family members, who said they were pleased with the care at Conway,” said John Selig, Director of the Arkansas Department of Human Services. “Attorney General McDaniel took the same position, and he got personally involved with the legal team to ensure that the state was well represented.” Charlie Green, Director of the Division of Developmental Disabilities Services, said the decision, “Shows that we provide much-needed care that can withstand scrutiny by anybody.”

Judge Holmes’ decision validates what the parents and guardians of those living at the Conway Human Development Center already knew – the staff there work hard to provide good care and the clients consider the center home, said Calvin Price, Superintendent of the center for the last nine years. “We have a dedicated and loyal staff, who took the Department of Justice’s allegations personally,” Price said. “They have always worked diligently to ensure the clients are safe and well taken care of. It’s clear that the judge understood that.”

Since the Arkansas Department of Human Services began dealing with the Justice Department over the Conway center eight years ago, the state has maintained that it provides clients with the care they need in an appropriate setting. The state also has championed the rights of parents and guardians to choose where their loved ones would live.

Holmes found that center staff provided parents and guardians with adequate information about their loved ones’ living option, whether that be in the community or at a human development center. The judge also noted in his findings of fact that the Justice Department’s decision to pursue the lawsuit was at odds with the parents and guardians who testified that staff genuinely cared for their family members.

Larry Taylor, president of the statewide group of parents and guardians of people living at human development centers, said Holmes’ decision puts an end to years of uncertainty about what would have happened to center clients.

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“I don’t know that anything this important has happened since the Conway center opened over 50 years ago, “ Taylor said. “We knew there was no better place for our loved ones. We appreciate Gov. Beebe defending the lawsuit and our parents’ and guardians’ right to choose the setting that is best for their loved ones.”

Taylor said Holmes’ decision puts an end to years of uncertainty about what would have happened to the center clients.

Holmes found that the state had not met all the requirements of the Individuals with Disabilities Education Act, but noted that center officials had supplied the Arkansas Department of Education with a corrective action plan. On Wednesday, center officials were notified that the Department of Education had cleared the facility of all findings related to the special education program