

Legal Advocacy Group Alleges Negligence Over Immigrants Mental Healthcare

By Nick Niedzwiadek - PoliticoPro

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U.S. Immigration and Customs Enforcement acted negligently by discharging a detained immigrant with severe mental illness without a plan to ensure his continued medical care, according to a complaint filed Wednesday in federal court.

According to the complaint, ICE employees in 2015 did not undergo discharge planning for Michelet Charles — a green card holder who was diagnosed with bipolar and schizoaffective disorders in the 1980s — prior to his release from Orange County Detention Center following an immigration hearing.

"When ICE released Mr. Charles, it did not provide him with any plan for his continued mental healthcare, a single referral to a mental healthcare provider, or any interim medication, which ICE knew, or should reasonably have known, was necessary to keep Mr. Charles's mental health stable until he could gain access to new healthcare on his own," states the complaint, filed in the U.S. District Court for the Southern District of New York.

Two weeks after his release, Charles was admitted to a psychiatric hospital "incoherent, hallucinating, delusional, and paranoid," where he stayed for the next 56 days.

The suit was brought by New York Lawyers for the Public Interest, a civil rights advocacy group, and Simpson Thacher & Bartlett LLP, a Washington, D.C.-based firm.

"The law is clear: If the government chooses to detain people, it must meet their basic medical needs," Antony Gemmell, a staff attorney in NYLPI's disability justice program, said in a release. "By denying mental health discharge planning to Mr. Charles, the government effectively ensured that his life-sustaining treatment would lapse."

Read the complaint [here](#).

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