



U.S. Department of Justice

Civil Rights Division

*Special Litigation Section – 4CON
950 Pennsylvania Ave, NW
Washington DC 20530*

October 4, 2022

Lynne Bigley
Supervising Rights Attorney
Nevada Disability Advocacy & Law Center
1875 Plumas Street, Suite 1
Reno, NV 89509

Re: Investigation of the State of Nevada

Dear Ms. Bigley:

The Department of Justice has completed its investigation into the Nevada Disability Advocacy & Law Center's July 24, 2020 complaint alleging that Nevada violates the Americans with Disabilities Act (ADA) by unnecessarily institutionalizing children with behavioral health conditions, or putting them at risk of institutionalization. Our investigation was conducted under Title II of the ADA, 42 U.S.C. §§ 12131-12134, and the ADA's implementing regulations, 28 C.F.R. Part 35.

After carefully reviewing the evidence, we conclude that there is reasonable cause to believe that the State of Nevada violates the ADA by failing to provide services to children with behavioral health disabilities in the most integrated setting appropriate to their needs. The enclosed Report sets out the Department's findings, as well as the minimum remedial measures we believe may remedy the alleged violations.

We will seek to obtain the State's compliance with the ADA by voluntary means, but if that is unsuccessful, we may pursue other appropriate action. If you wish to take other action on your complaint, you may file a private suit at any time. 28 C.F.R. § 35.172(d).

If you have any questions regarding this correspondence, please contact me at (202) 598-5016.

Sincerely,

/s/ Haley Van Erem

Haley Van Erem
Trial Attorney
Civil Rights Division

Cc: Bill Heavilin, Nevada Disability Advocacy & Law Center
Carrisa Tashiro, Nevada Disability Advocacy & Law Center

encl.: Report on Investigation of Nevada's Use of Institutions to Serve Children with Behavioral Health Disabilities