

Stanley Ligas, et al. v. Grace Hou, et al.  
Case No.:1:05-cv-04331

On January 22, 2025, the Honorable Sharon Johnson Coleman, US district judge of the United States District Court for the Northern District of Illinois, ordered the Ligas Consent Decree Monitor to submit a report setting forth the most current available information regarding the usage and placement of Ligas Class Members in State Operated Developmental Centers (SODCs) located in the state of Illinois, including the number of Ligas Class Members placed in SODCs, how long those class members have been placed in SODCs and the types of facilities that are being used as SODCs.

Judge Coleman indicated the report, due on April 24, 2025, should primarily consist of numbers and statistics, not prose and argument. Accordingly, this report is respectfully submitted by Lorene Reagan, the Ligas Consent Decree Court Monitor appointed in March 2025.

According to The Arc, the largest national community-based organization advocating for and with people with intellectual and developmental disabilities (IDD), "Institutions limit people's lives and choices, and they must be closed. But, moreover, communities need the resources currently utilized in institutions for all people with disabilities to live independently with the right supports, no matter their level of need."<sup>1</sup>

People with IDD have, for decades, been clear in their desire to forgo living in large SODCs in favor of smaller and less restrictive community placements. Indeed, Mr. Stanley Ligas, for whom the Ligas Consent Decree is named, said: "I want to live with friends in a small house or apartment and have my own room," and "I can do a lot of things on my own, and I want to be able to cook for myself".<sup>2</sup>

## **NATIONAL DATA**

As a result of advocacy by people with IDD, their families, and others, the number of people with IDD living in SODCs has dropped more than 90% nationwide since the late 1960s<sup>3</sup> and seventeen states have closed all of their large SODCs. Many other states have significantly reduced the number of people living in SODCs and are in the process of actively downsizing and closing their SODCs for people with IDD completely. As shown in the graphic below, the majority of states do not serve large numbers of people with IDD in large state-run facilities:<sup>4</sup>

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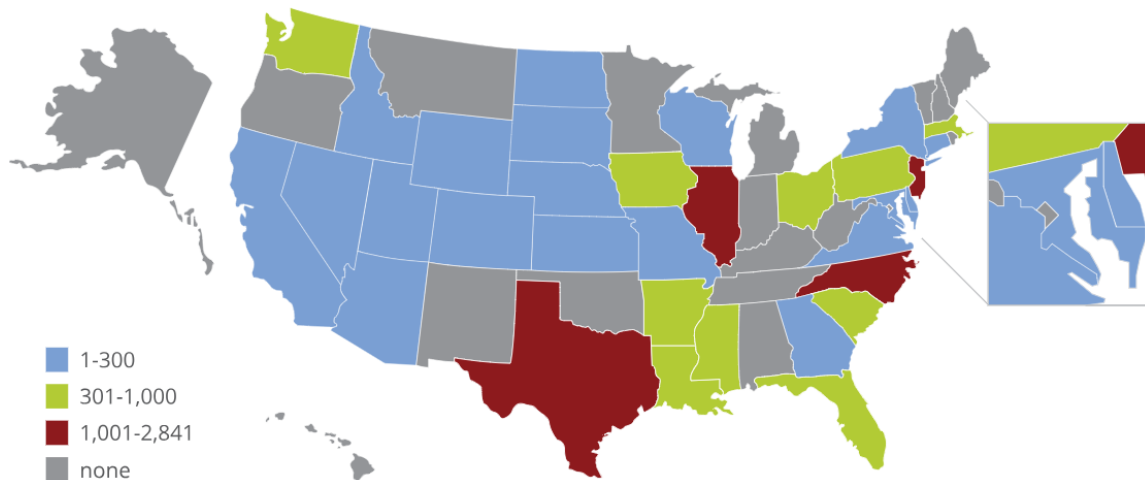
<sup>1</sup> The Arc: September 19, 2019: <https://thearc.org/resource/deinstitutionalization-join-the-arc-in-fighting-for-life-in-the-community>

<sup>2</sup> ACLU of Illinois: July 28, 2005: <https://www.aclu.org/press-releases/illinois-residents-sue-state-violating-americans-disabilities-act-failing-provide>

<sup>3</sup> KFF Health News: September 22, 2022: <https://kffhealthnews.org/news/article/state-institutions-closures-families-disabilities-iowa>

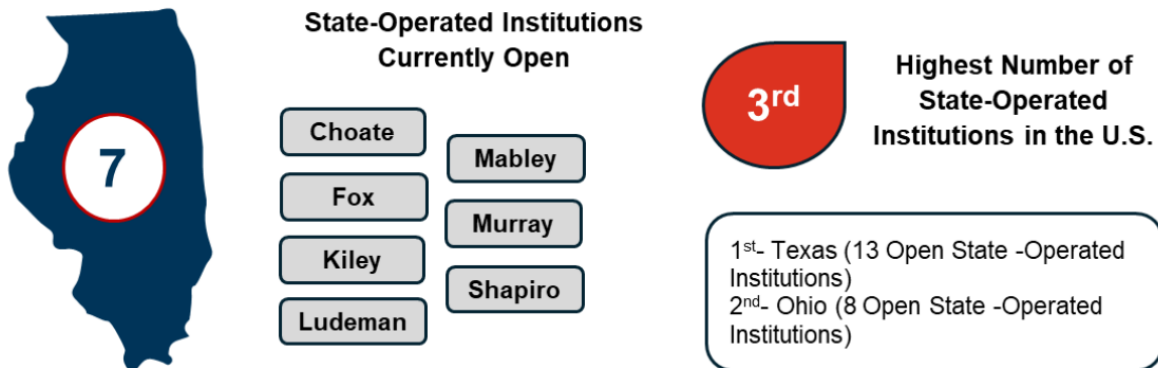
<sup>4</sup> RISP: ICI University of Minnesota: 2022: <https://publications.ici.umn.edu/risp/infographics/how-many-people-with-intellectual-or-developmental-disabilities-live-in-large-public-residential-facilities>

On June 30, 2020, 15,322 people lived in state-run IDD facilities serving 16 or more people.



Illinois ranks third in the nation, after Ohio and Texas, for serving the most people with IDD in large state-operated institutions.<sup>5</sup>

### NUMBER OF INSTITUTIONS IN ILLINOIS: FY 2023



In Fiscal Year 2023, 1,598 Illinoisans with IDD lived in state institutions housing 16 or more persons, an overall reduction of 192 people since Fiscal Year 2013.<sup>6</sup>

<sup>5</sup> Tanis, E.S., et al. (2025). The State of the States in Intellectual and Developmental Disabilities, Life Span Institute, University of Kansas. [www.stateofthestates.ku.edu](http://www.stateofthestates.ku.edu)

<sup>6</sup> Tanis, E.S., et al. (2025). The State of the States in Intellectual and Developmental Disabilities, Life Span Institute, University of Kansas. [www.stateofthestates.ku.edu](http://www.stateofthestates.ku.edu)

<b>PERSONS WITH IDD BY SIZE OF SETTING</b>											
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
<b>TOTAL</b>	<b>24,885</b>	<b>24,825</b>	<b>26,335</b>	<b>27,501</b>	<b>28,468</b>	<b>27,046</b>	<b>27,434</b>	<b>27,957</b>	<b>28,082</b>	<b>28,550</b>	<b>29,328</b>
<b>16+ PERSONS</b>	<b>6,207</b>	<b>5,682</b>	<b>8,169</b>	<b>8,682</b>	<b>8,862</b>	<b>7,592</b>	<b>7,503</b>	<b>7,283</b>	<b>6,895</b>	<b>6,733</b>	<b>6,785</b>
Nursing Facilities	946	968	988	1,794	2,085	870	860	853	715	750	750
State Institutions	1,790	1,777	1,724	1,672	1,658	1,662	1,669	1,645	1,615	1,609	1,598
Private ICF/ID	2,980	2,755	5,291	4,955	4,888	4,841	4,750	4,565	4,352	4,183	4,269
Other Residential	491	182	166	261	231	219	224	220	213	191	168

The table below shows the number of residents in Illinois' state institutions from Fiscal Year 2011 to Fiscal Year 2023, by SODC.<sup>7</sup>

<b>Number of Residents in Illinois' Institutions: FYs 2011-2023</b>									
<b>Fiscal Year</b>	<b>Institution</b>								
	Choate	Fox	Kiley	Jacksonville	Ludeman	Mabley	Murray	Shapiro	
2011	155	117	218	197	414	91	279	563	
2012	141	113	212	185	407	88	273	550	
2013	156	115	211	0	412	100	251	545	
2014	169	115	205	0	418	100	242	539	
2015	169	111	193	0	409	101	227	514	
2016	170	108	190	0	397	104	210	488	
2017	175	102	193	0	390	108	211	479	
2018	184	96	195	0	385	108	220	474	
2019	190	89	198	0	375	109	234	474	
2020	181	83	198	0	353	111	244	475	
2021	177	78	198	0	334	111	249	468	
2022	186	74	197	0	321	113	254	464	
2023	186	73	184	0	314	115	263	463	

#### **DHS-DDD DATA – LIGAS CLASS MEMBERS**

In March 2025, the Illinois Department of Human Services, Division of Developmental Disabilities (DHS-DDD) provided a report, at the request of the Court Monitor, identifying Ligas Class Members living in SODCs.

Shortly after the report was provided by DHS-DDD, Plaintiffs informed the Court Monitor that they believed there were additional Ligas Class Members living in SODCs who were not identified in the March 2025 report.

<sup>7</sup> Tanis, E.S., et al. (2025). The State of the States in Intellectual and Developmental Disabilities, Life Span Institute, University of Kansas. [www.stateofthestates.ku.edu](http://www.stateofthestates.ku.edu)

The state responded to Plaintiff's concerns, indicating they did not believe the additional people identified by the Plaintiffs were legitimately classified as Ligas Class members and therefore should not be included in the report. The Plaintiffs and the State both offered legal and regulatory arguments to support their positions.

Following a meeting with the Court Monitor, the state agreed to accept the expanded list of members identified by the Plaintiffs. The Court Monitor greatly appreciates the State's willingness to concede this point, without further argument, in the spirit of ensuring all possible Ligas Class Members living in an SODC are recognized and acknowledged in this report.

The exhibits below provide data, provided by DHS-DDD in April 2025, specific to Ligas Class Members currently residing in an SODC.

It must be noted that Plaintiffs have raised concerns regarding the accuracy of data provided by the state regarding Ligas Class Members. Similar concerns have also been documented by the former Ligas Court Monitor in previous reports.

These concerns appear to be warranted, given that the list provided to the monitor by DHS-DDD contained 75 duplicate names, and there are 6 people on the list for whom no SODC is specified. Additionally, there are likely additional irregularities in the data that were not readily apparent to the Court Monitor.

There is a need to address how data regarding Ligas Class members living in SODCs is collected, managed, and analyzed.

Exhibit 1: Number of Ligas Class Members Living in SODCs and Average Number of Years Living in SODCs

This exhibit illustrates the current number of Ligas Class Members residing in SODCs and the average amount of time (in years) Ligas Class Members spend at each SODC.

At the time of this report, the Court Monitor identified 216 Ligas Class Members residing in SODCs, with 72.7% of Ligas Class Members currently residing in 3 of the 7 SODCs across the state (Choate, Murray, Shapiro).

**Exhibit 1: Number of Ligas Class Members Living in SODCs and Average Number of Years Living in SODC**

SODC	Number of Ligas Members	Percentage	Average Number of Years Living at the SODC
Choate	35	16.2%	3.8
Fox	1	0.5%	0.7
Kiley	22	10.2%	4.5
Ludeman	23	10.6%	1.7
Mabley	7	3.2%	3.4
Murray	49	22.7%	3.8
Shapiro	73	33.8%	4.1
SODC Not Identified	6	2.8%	5.9
<b>Totals</b>	<b>216</b>	<b>100%</b>	<b>3.8</b>

Ligas Class Members living in an SODC have an average stay of 3.8 years, and the majority were admitted following a behavioral health crisis that prevented their return to home or a provider-operated community-based placement.

It is assumed by this Court Monitor that all SODC placements of Ligas Class Members were intended to be short-term, crisis stabilization placements, and not intended to be long-term placements such as those experienced by the Ligas Class Members identified in this report. Certain Ligas Class Members have been residing in SODCs for more than seven years.

There is a need to explore and address why Ligas Class Members, who, by virtue of their Ligas Class membership, have specifically indicated a desire to live in a community setting, end up as long-term residents of state-operated institutions.

#### Exhibit 2: Ligas Class Members' Place of Residence Prior to Admission to an SODC

Nearly half (44%) of Ligas Class Members were in Community Integrated Living Arrangements (CILAs) before being placed in the SODC. Additionally, almost 1 in 5 (17.1%) Ligas Class Members were residing in their homes before SODC placement. Their movement from community-based settings to SODCs does not appear to be consistent with the intent of the Ligas Consent Decree.

**Exhibit 2: Where Ligas Class Members came from prior to admission to their current SODC**

Location Prior to Admission to SODC	Number	Percentage	
CGH	4	1.9%	
CHILDREN'S HOME	4	1.9%	
CILA	95	44.0%	
HOME	37	17.1%	
HOMEBASED	6	2.8%	
HOSPITAL	22	10.2%	
ICF/ID	1	0.5%	
ICFDD	11	5.1%	
JAIL	4	1.9%	
MH	10	4.6%	
OTHER	4	1.9%	
PSYCH HOSPITAL	1	0.5%	
SODC	10	4.6%	
SODC-FORENSIC	7	3.2%	
<b>Totals</b>	<b>216</b>	<b>100%</b>	

**Exhibit 3: Reasons for Ligas Class Members' Admission to an SODC**

The majority (66.5%) of Ligas Class Members were admitted to the SODC as a result of a behavioral health crisis, court involvement, or because no service provider could be identified or located.

**Exhibit 3: Ligas Class Members Reasons for Admission into the SODC**

Reason for Admission	Ligas Members	Percentage	
Aging Out/No Provider Located	4	1.6%	
Behavior	56	26.1%	
Behavioral/Medical-Isr Supported Immediate Transfer	13	4.8%	
Court Ordered	33	16.5%	
D&E	3	1.1%	
Discharge-No Appeal Filed	25	10.6%	
Discharge-Provider Discharge Upheld	5	1.6%	
Emergency Placement/Provider Inappropriate Discharge	7	3.7%	
House Closed	6	2.7%	
Individual Choice	13	5.9%	
Judicial	7	3.2%	
Medical	4	1.6%	
No Provider Located/Identified	25	13.3%	
Provider Closed	3	1.6%	
Transfer	10	5.3%	
Unknown	2	0.5%	
<b>Totals</b>	<b>216</b>	<b>100.0%</b>	

There is a need to explore and address why Ligas Class Members do not have access to the clinical supports necessary to identify and treat behavioral health conditions and prevent crisis-driven admissions to an SODC.

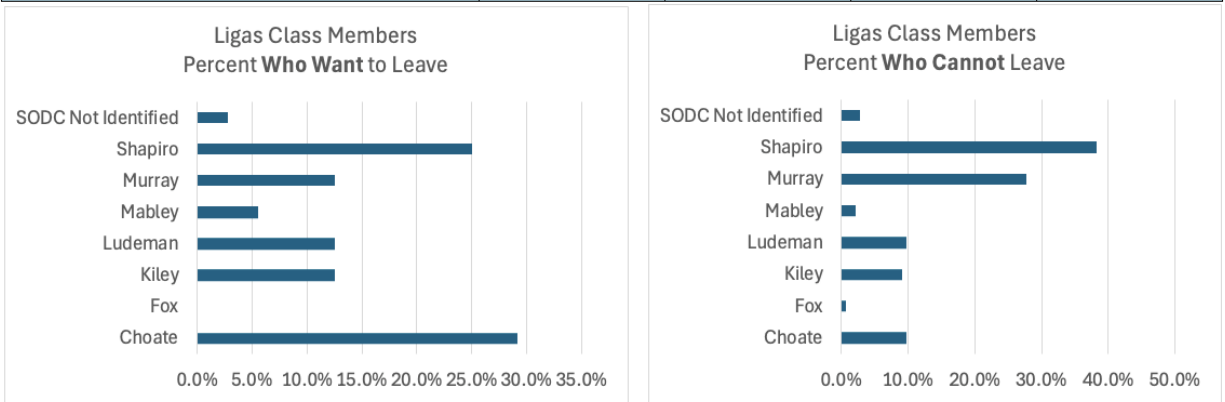
Exhibit 4: Ligas Class Members’ Discharge and Transition Status

The majority of Ligas Class Members currently living in an SODC do not, according to the data provided by DHS-DDD, have a plan for discharge from the SODC reportedly because their guardian has not consented to discharge/transition planning. This essentially means these Ligas Class Members have no way of leaving the SODC in favor of a community-based placement.

Legal guardians are appointed by the court to manage a person’s affairs and have a significant amount of responsibility and authority over Ligas Class Members. Their decision-making authority is defined by the court and guided by state statute. That said, legal guardians have both the responsibility and the obligation to ensure the person for whom they are making decisions can exercise autonomy in decision-making to the greatest extent possible, including decisions about where they want to live and how their services are provided.

**Exhibit 4:** Ligas Class Members who want to leave the SODC to live in the community. And the number of Ligas Members who can't leave SODC because their Guardian does not consent to discharge or allow them to leave (by SODC)

SODC	Number Who Want to Leave	Percent Who Want to Leave	Number Who Cannot Leave	Percent Who Cannot Leave
Choate	21	29.2%	14	9.7%
Fox	0	0.0%	1	0.7%
Kiley	9	12.5%	13	9.0%
Ludeman	9	12.5%	14	9.7%
Mabley	4	5.6%	3	2.1%
Murray	9	12.5%	40	27.8%
Shapiro	18	25.0%	55	38.2%
SODC Not Identified	2	2.8%	4	2.8%
<b>Totals</b>	<b>72</b>	<b>100%</b>	<b>144</b>	<b>100%</b>



There is a need to explore and address why so many legal guardians of Ligas Class Members living in SODCs reportedly do not consent to discharge/transition planning.

Exhibit 5: Ligas Class Members' Place of Residence after Discharge From an SODC

Over half (55.2%) of Ligas Class Members moved to Community Integrated Living Arrangements (CILAs) upon discharge from an SODC, and a little more than a quarter (29.3%) moved to Home-Based Services (HBS) and supports, demonstrating that it is possible for Ligas Class Members

living in SODCs to move to more integrated, less restrictive settings.

**Exhibit 5: Ligas Class Members placement after Discharge from SODC**

Where members went	Number	Percentage	
CILA	32	55.2%	
HOMEBASED	17	29.3%	
ICFDD	2	3.4%	
MH	2	3.4%	
OTHER	5	8.6%	
<b>Totals</b>	<b>58</b>	<b>100%</b>	

There is a need to explore and address the reasons why current Ligas Class Members are not being more expeditiously discharged from SODCs and transitioned to less restrictive community-based services and supports.

Exhibit 6: Short Term Stabilization Services

The table below provides information about the state’s current and projected capacity for the provision of Short-Term Stabilization Services, intended to prevent admission to an SODC or other institution as of April 1, 2025, per DHS-DDD.

<b>Short-Term Stabilization Services in Illinois, According To DHS-DDD</b>	
Number of Short-Term Stabilization Services Provider Agencies	2
Short-Term Stabilization Provider Agencies	Individual Advocacy Group Envision Unlimited
Number of Short-Term Stabilization Homes, Statewide	8
Number of Beds in each Short-Term Stabilization Home	4
Number of Short-Term Stabilization Beds, Statewide	32
Number of People Receiving Short Term Stabilization Services Statewide	32 (100% occupancy)
Number of People Waiting for Short Term Stabilization Services Statewide	27
Number of Stabilization Homes Under Development	2 Short Term Stabilization Homes 8 Long Term Stabilization Homes
Total Number of Short-Term Stabilization Beds Needed (According to DHS-DDD)	<i>“We will continue to assess our overall needs and what type of homes are needed.”</i> (DHS-DDD)

There is a need to explore the extent to which DHS-DDDs plan for additional Short Term Stabilization Homes will provide sufficient resources, given the number of people currently waiting for these services.

Exhibit 7: Community Reintegration Funding

This exhibit provides information about an incentive program, referred to as Community Reintegration Funding, which was launched in January 2025 by DHS-DDD.

This program provides a \$50,000 incentive for IDD service providers who successfully transition people living in an SODC (including Ligas Class Members and non-Ligas Class Members) to a less restrictive community-based setting.

However, according to data provided by DHS-DDD, not a single IDD Service Provider has requested access to these funds to facilitate the transition of a single Ligas Class member from an SODC to the community.

**Reintegration Funding Requests made since January 1, 2025, for Ligas Class Members living in SODCs as reported by DHS-DD in April 2025:**

Total number of reintegration funding requests made since January 1, 2025 for Ligas Class members living in an SODC	0
The name of each provider agency making a reintegration funding request	N/A
The number of requests made, by provider agency	0
A breakdown of the total number of reintegration funding requests for Ligas Class Members living in an SODC, by SODC setting	0
Number of reintegration funding requests currently pending at DDD	0
Number of reintegration funding requests approved by DDD since January 1, 2025	N/A

There is a need to explore and address why no IDD Service Providers have requested access to Community Reintegration Funding for incentivizing transitions of Ligas Class Members from SODCs to community-based settings.

**STATE OVERSIGHT OF STATE-OPERATED DEVELOPMENTAL CENTERS**

The state was asked to provide information about the processes for providing oversight to ensure Ligas Class Members living in an SODC are protected against abuse, neglect, and exploitation.

The following is an excerpt of the narrative information provided by DHS-DD and includes information about oversight provided for Ligas Class Members and Non-Ligas Class Members living in SODCs:

- There is an IDHS Agency Safety Officer who has oversight for safety in State Operated Developmental Centers (SODC) and State Operated Psychiatric Hospitals (SOPH).
- Each SODC also has an additional Safety Officer who monitors environmental safety, resident safety, and employee safety. Safety Officers are located on each SODC campus.
- The Illinois Department of Public Health (IDPH) is the regulatory body for the SODCs. IDPH conducts annual surveys at each SODC and conducts investigations of abuse and neglect.

- The IDHS Office of Inspector General (OIG) conducts investigations of abuse and neglect at the SODCs.
- The Southern Illinois University (SIU) School of Medicine has a partnership with IDHS/DDD to provide training to SODC staff on a monthly basis on a variety of issues. SIU also serves as a consultant regarding our safety initiatives and plan, including the Choate Quality and Safety Program (based on the National Institutes for Health model) to improve quality care and safety. This program will eventually be expanded to all seven SODCs.
- The IDHS Safety Officer has visited each SODC in her first 6 months and meets weekly with the Deputy Director of SODC Operations to review environmental, resident, and employee safety; she reviews the reports submitted by each SODC Safety Officer.
- There is an Annual Safety Summit at each SODC.
- The state is developing a safety dashboard for all stakeholders.
- A camera initiative is under development as part of the safety plan and is currently in test mode. Once fully operational, security camera footage from within each SODC will be reviewed to assist in SODC safety plans.
- SODC Safety Officers are on site and on grounds daily and conduct rounds daily through each unit of the SODC.
- IDPH conducts annual review for each SODC and on-site investigations of allegations of abuse/neglect.
- There is an OIG office onsite at each SODC who investigates allegations of abuse/neglect.

People with IDD are disproportionately vulnerable to abuse, neglect, and exploitation in general. And Ligas Class Members living in SODCs are at even greater risk for physical abuse, emotional abuse, sexual abuse, neglect, and exploitation.

The Court Monitor appreciates the information provided by the state outlining the formal oversight being provided to monitor the health and safety of Ligas Class Members (and non-Ligas Class Members) living in SODCs.

However, ongoing external, unbiased oversight in the form of regular and frequent face-to-face visits from family, friends, service coordinators, advocates, and others is necessary to

adequately safeguard Ligas Class Members living in SODCs from abuse, neglect, and exploitation.

There is a need for the state to explore and address how it will ensure regular (no less than monthly) face-to-face visits from family, friends, service coordinators, advocates, and other external, unbiased entities in order to adequately safeguard each Ligas Class Member living in an SODC, until they can safely transition from the institution to community-based services and supports.

## **DISCUSSION**

### **Institutionalization of Ligas Class Members**

The state of Illinois continues to support the placement of Ligas Class Members in SODCs. This is contrary to their stated desire for community placement as Ligas Class Members, national best practices, and to their right to receive services and supports in the least restrictive setting.

This is underscored in a letter dated January 15, 2025 from the United States Department of Justice indicating "...an investigation of the State of Illinois is being opened under Title II of the Americans with Disabilities Act (ADA), 42 U.S.C. § 12101 et seq., and the Civil Rights of Institutionalized Persons Act (CRIPA), 42 U.S.C. § 1997.

The investigation will examine whether the State unnecessarily institutionalizes, or puts at serious risk of institutionalization, adults with intellectual and developmental disabilities (IDD), in violation of Title II and the U.S. Supreme Court's decision in *Olmstead v. L.C.*, 527 U.S. 581 (1999).

It will examine various settings that the State uses to serve adults with IDD, including its seven State-Operated Developmental Centers, nursing facilities, and Medically Complex Facilities for Individuals with Developmental Disabilities.

The investigation also will examine whether conditions at the W. Clyde L. Choate Mental Health and Developmental Center, the Jack Mabley Developmental Center, and the Samuel H. Shapiro Developmental Center expose residents to abuse and neglect, in violation of their federal rights".

## **CONCLUSIONS**

In summary, there is much to be done to prevent admissions of Ligas Class Members to an SODC and to appropriately safeguard Ligas Class Members who are living in SODCs, pending discharge. Likewise, there is much to be done to ensure all Ligas Class Members living in an SODC have access to services and supports designed to expeditiously and assertively assist them in moving from an SODC to a less restrictive setting.

The Court Monitor acknowledges and appreciates the significant amount of assistance provided by Plaintiffs and DHS-DDD in the preparation of this report.