

**CONNECTICUT REPORT**  
**A Focus on Southbury Training School**  
**Submitted by Hugo Dwyer**  
**June 1, 2011**

Southbury Training School is an ICF/MR that has been fighting to stay viable for the last twenty years, despite the efforts by a number of individuals and agencies to close it down. Southbury has a large campus, spreading over 1600 acres, and is comprised of 125 red brick buildings, including residential cottages, medical facilities, administrative offices, maintenance facilities, a store, greenhouse and restaurant all run by residents, and two working farms. According to the State of Connecticut Department of Developmental Service:

[Southbury Training School] independently operates its own power, heat, sewage treatment and water plants. It has a separate Southbury Training School Fire and Ambulance department as well as a Connecticut State Police Resident Trooper. Today, over 441 people reside in small cottages and apartments on the rural campus. Sixty percent of the Southbury residents have lived here for the past thirty years and most have chosen to continue to call Southbury home. The individuals who live here participate in a variety of day programs on and off campus. They have opportunities to work in individual and group supported employment at local business, job skills training, sheltered employment and various community experience and leisure programs. Southbury employs over 1,333 full time, part time and consulting staff. The staff provides supports and services in a broad array of areas including: medical, vocational, residential, and therapeutic and facility support services.<sup>1</sup>

Since the 1990's, the state has been on a path to move all developmentally disabled persons to community homes. It has stopped the admission of new residents, cut funding to STS, and closed down many of the residences and facilities, including the farms. Many of the unused buildings have been boarded over and allowed to deteriorate, due to lack of funds.

Arguably, this is a large and valuable property. Rather than utilizing this as a valuable health care resource to serve a wide range of people with intellectual disabilities, it is being wasted in the state's determination to commit all of its resources to nonprofit group homes. Southbury could be a vital hub in Connecticut's treatment of a wide range of intellectual disorders, a place where medical, optical and dental professionals experienced with this population could provide services for not only the residents of STS, but for the residents of the small group homes scattered throughout the state. Southbury has a stable and dedicated staff, and is far more easily supervised and monitored than the individual homes. Southbury is a community and a campus. It is a home. The State of Connecticut is wasting taxpayer dollars by forcing STS into attrition and not utilizing this resource to its fullest capabilities.

The first obstacle the families and guardians of STS residents faced was a lawsuit, *Messier vs. STS*, originally filed in 1994 but still pending in 2010, heralded by advocates including ARC of Connecticut, Danbury-based WeCAHR, Inc., and People First of Connecticut, as a legal means to liberate residents of Southbury from the strictures of institutional living and enable them to enjoy the freedom of community living. In the view of the families and guardians of STS residents, it was a one-size-fits-all formula that was a smokescreen to cover the attempt to move residents out of Southbury and close the school, thereby investing all of the states' resources into the group home model. In February of 2010, the court was persuaded by advocates of the Office of Protection and Advocacy that "STS still operated to thwart real consideration of community placement, that many individuals whom they represent could benefit from opportunities to consider living elsewhere, and that major changes in planning team practices, placement development procedures, and some kind of outside intervention and monitoring would be necessary in order to effect change."<sup>2</sup>

At a Fairness Hearing held in October, 2010, families and guardians of the residents of Southbury testified that they were very informed on the issue of placement, but that they felt that Southbury offered the best alternative for their loved ones. The court modified its ruling to name a Remedial Expert, Tony Records, to oversee implementation of a program requiring families to be informed and advised of community living options. It remains to be seen what will be

required of families to satisfy the vague outlines of this mandate. Fortunately, the court's ruling does not require that STS residents be placed into community living arrangements or that Southbury be closed.

The second obstruction to the idea of choice in Connecticut came in the form of a piece of legislation, Substitute for Raised S.B. No. 1039 (or 1059 – there are references to both numbers for the same bill). The bill is subtitled “AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE COMMISSION ON ENHANCING AGENCY OUTCOMES.” Two paragraphs of this 328 page bill stand out:

*Sec. 20. (Effective from passage) (a) Not later than six months after the effective date of this section, the Commissioner of Developmental Services shall report a plan to deinstitutionalize the residents of Southbury Training School developed under subsection (b) of this section, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to government administration and elections and to the Governor.*

*(b) The Commissioner of Developmental Services, or the commissioner's designee, shall lead a working group that shall develop a plan to deinstitutionalize the residents of Southbury Training School. Such working group shall include the Secretary of the Office of Policy and Management, or the secretary's designee, and a representative of (1) the residents of the school, (2) state employees who work at the school or a union representing such employees, (3) an advocacy group for the residents, and (4) a private provider of services needed by such residents, each of whom shall be selected by the commissioner. The plan to deinstitutionalize the residents of the school shall consider the feasibility to safely move the residents into new settings in the community. The group shall consider the following: (A) The relationships built between the residents and the staff, and (B) whether it is appropriate for state employees to continue to deliver services to the residents or whether private providers should deliver such services, or both. Any recommendations contained in the plan shall be developed using a cost-benefit analysis that considers both financial costs as well as quality of care issues.*

These items would effectively bypass all existing legislation and hasten the closure of STS dramatically, forcing families to take whatever facilities might be available for their loved ones. This would have disastrous consequences. Unfortunately, this bill is currently under serious consideration as it passes through a variety of committees on its way to the Governor.

The third bit of news in Connecticut concerns Governor Dannel Malloy's appointment of Dr. Terry Macy as Commissioner of the Department of Developmental Services. Dr. Macy has a long background as a member of the Board of Directors for the Connecticut Association of NonProfits, who describe his appointment as “His appointment by Governor Malloy is a culmination of and testimony to a career of contributed time, labor and love in a volunteer capacity at the national, state and local level for the Arc of the USA and American Association of Intellectual and Developmental Disabilities, the Arc of Connecticut, the Madison (CT) Planning & Zoning Board and Town Committee as well as CT Nonprofits.”<sup>3</sup> Dr. Macy has long been in favor of closing Southbury and moving the residents to group homes. In response to a letter from Phil Bondy, of the STS Home and School Association, Dr. Macy stated:

*“During the course of meetings with several legislators over the past few weeks, the subject of Southbury Training School was brought up several times. I would like to share with you what I shared with them. First and foremost, I respect the people who call STS their home and the staff who support them. I also fully support the Settlement Agreement in Messier vs STS. As you may know, this agreement requires that the teams supporting people living at STS exercise professional judgment regarding recommendations as to the most integrated setting in which the needs of each person can be met. I believe that the implementation of the Settlement Agreement provides people living at STS and their families or guardians with the means to make what I call an “informed choice” regarding the most appropriate and integrated setting for each individual. The chance for individuals and their families to find out what opportunities are available for them in the community is, for me, a critical first step in determining what is the best “next step” for each*

*person. I have dedicated many years of my professional career to ensuring person centered supports for people. My plan is for any transition from Southbury to occur in a thoughtful and purposeful way.*

*As you may know, there is a provision in Senate Bill 1039, An Act Implementing the Recommendations of the Commission on Enhancing Agency Outcomes, that would require me to lead a working group representing various points of view to carefully review the issues you have raised in your letter as well as the relationships built between individuals who live at STS and their staff. Should this bill go forward, the Department of Developmental Services (DDS) has requested that the membership of the working group specifically include a person who lives at STS and a parent or guardian. If the bill does not pass the legislature this session, I still plan to meet with various groups to assure that the best interests of each individual is supported in any future activities related to STS."*

It remains to be seen how Dr. Macy plans on implementing the recommendations that he has been part of formulating over the years.

The Southbury Home and School Association is considering hiring David Kassel as a Public Relations consultant to aid in getting our message out to the people of Connecticut.

We will continue to monitor the situation at Southbury, and would like to thank Tamie and everyone at VOR for their support and guidance.

#### Notes

<sup>1</sup> State of Connecticut, Department of Developmental Services, "About the Southbury Training School", November 16, 2010.

<http://www.ct.gov/dds/cwp/view.asp?a=2037&q=392994>

<sup>2</sup> Office of Protection and Advocacy for Persons with Disabilities (OPA), "Southbury Settlement Opens Door to Community Living", January 4, 2011. <http://www.ct.gov/opapd/cwp/view.asp?Q=471232&A=3147>

<sup>3</sup> Connecticut Association of Nonprofits, "CT Nonprofits Applauds Governor's Appointment of Terry Macy," *Stamfordplus*, April 8, 2011. [http://www.stamfordplus.com/stm/information/nws1/publish/News\\_1/CT-Nonprofits-applauds-Governor-s-appointment-of-Terry-Macy12579.shtml](http://www.stamfordplus.com/stm/information/nws1/publish/News_1/CT-Nonprofits-applauds-Governor-s-appointment-of-Terry-Macy12579.shtml)