

[Suit seeks to include discharge planning as basic right for immigration detainees](#)

By Dan Goldberg

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Orange County officials violated the civil rights of two immigrants when they released them from immigration detention without a mental health discharge plan, according to a federal lawsuit filed on Tuesday.

Michelet Charles and Carol Small both suffered from mental illness and both were detained for a time in the Orange County Correctional Facility, which contracts with Immigration and Customs Enforcement. Both were provided medication during their time in detention but when they were released, the two plaintiffs were provided no referrals, no medications and no help accessing the services they would need to maintain their mental stability, according to the lawsuit, which was filed in the Southern District.

That's a violation of their 14th Amendment rights, say attorneys with the New York Lawyers for the Public Interest, who argue that the constitutional right to adequate medical care while incarcerated extends to discharge planning.

"Orange County's responsibility was to provide medical care for these individuals, not deny them their basic rights," said Laura Redman, director of NYLPI's Health Justice Program. "Discharge planning is actually part of providing medical care."

A spokesman for Orange County said its attorneys had not yet been served and would not comment on the lawsuit.

According to the complaint, Charles, who suffers from schizoaffective and bipolar disorders, was released in July 2015 after spending a year in immigration detention, during which time he received prescription medication.

His immigration attorney was not provided a list of his medications or referrals or any documents related to his care. After his case cleared, he was told to return to the detention center to receive his medication. When he did, he was told they were not permitted to provide medication to someone who was no longer in custody, according to the suit.

Charles suffered a breakdown and spent two months in South Oaks Hospital.

Small was released last January with \$80 in cash but no discharge plan or supply of the medication she needed, according to the complaint. Small ended up in the emergency room of North Central Bronx hospital.

Read the complaint here: <http://bit.ly/29FCnKi>