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## Lawsuit: Washington County Denies People with Mental Illness Equal Access to Emergency Response Services

### Current System Violates Americans with Disabilities Act and Section 504 of Rehabilitation Act of 1973

Portland, Oregon—A federal lawsuit filed today alleges that responses to mental health emergencies in Washington County fail to meet the needs of people in crisis. This increases the risk of harm and leads to adverse outcomes for people with mental health disabilities.

When the County receives a call for a physical health emergency such as a heart attack, trained EMTs and paramedics are sent as first responders. But when the County receives a call for a mental health emergency, it sends armed police. This type of response does not meet the health needs of the person seeking help and places unfair demands on law enforcement.

The lawsuit alleges that Washington County and the Washington County Consolidated Communications Agency that dispatches emergency responders discriminate against people with mental health disabilities by failing to provide them equal access to and the opportunity to benefit from the County's emergency response services and programs. This practice violates both the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

**“Everyone deserves access to healthcare during an emergency—that includes emergency mental health services during a crisis,”** says Jake Cornett, Executive Director and CEO of Disability Rights Oregon. **“Police are neither trained nor appropriate responders for someone who has broken their leg and calls 911—and the same holds for someone having a mental health emergency. Your zip code shouldn’t determine whether armed police or mental health providers show up when you call needing life-saving mental healthcare.”**

Today’s filing follows a year-long investigation by Disability Rights Oregon, the American Civil Liberties Union (ACLU), and the ACLU of Oregon. Findings include that Washington County:

- sends tactically trained, armed law enforcement officers—often not accompanied by mental health professionals—when people in behavioral health crisis seek help.
- does not fully fund, staff, or integrate existing Mobile Crisis Teams—comprised of mental health practitioners only—into the emergency response system. As a result, the Mobile Crisis Teams are unavailable at night, when many mental health emergencies occur.

- requires a uniformed, armed officer to respond to mental-health-related calls for assistance before Mobile Crisis Teams respond, likely escalating the crisis and further traumatizing the individual who sought help and support.
- too often arrests, involuntary hospitalizes, and uses force against individuals with mental health disabilities in crisis, leading to trauma, deeply disruptive jail stays, or far worse.
- has an emergency response system that instills fear by sending armed police, increasing people’s reluctance to seek help. As a result, individuals in mental health crisis remain untreated, houseless, and use drugs to quell their psychiatric symptoms.

**The lawsuit seeks to improve how Washington County responds to people with mental health disabilities in crisis by sufficiently funding, staffing, and integrating the County’s non-police response teams into the dispatch system.** Police responses to mental health emergencies should be limited to exceptional situations. Non-police responders would then become the primary, default mental health emergency responders, rather than law enforcement.

**“Ultimately, this lawsuit aims to correct the misconception that people experiencing mental health crises are dangerous and require a law enforcement response,”** explains Daniel Bartz, ACLU of Oregon Senior Counsel. **“People in crisis should receive the care that they need and deserve, rather than being treated as though they committed a crime.”**

The lawsuit was filed by a team of attorneys at Disability Rights Oregon, ACLU of Oregon, ACLU, and Sheppard, Mullin, Richter & Hampton LLP. Disability Rights Oregon is also an organizational plaintiff.

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[Disability Rights Oregon](#) upholds the civil rights of people with disabilities to live, work, and engage in the community. Serving as Oregon’s Protection & Advocacy system since 1977, the nonprofit works to transform systems, policies, and practices to give more people the opportunity to reach their full potential.

For more than 100 years, the [ACLU](#) has worked in courts, legislatures, and communities to protect the constitutional rights of all people. With a nationwide network of offices and millions of members and supporters, the ACLU takes on the toughest civil liberties fights in pursuit of liberty and justice for all.

The [ACLU of Oregon](#) is an affiliate of the national ACLU which has affiliates in 50 states, Washington, D.C. and Puerto Rico. The ACLU of Oregon is a nonpartisan, nonprofit membership organization with more than 28,000 members statewide. The organization works in the courts, in the legislature, and in communities to protect and advance civil rights and liberties.

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