



U.S. Department of Justice

Civil Rights Division

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

December 15, 2022

Mark Regan
Legal Director
Disability Law Center of Alaska
3330 Arctic Boulevard, Suite 103
Anchorage, AK 99503

Re: Investigation of the State of Alaska

Dear Mr. Regan:

The Department of Justice has completed its investigation into the Alaska Disability Law Center's May 4, 2020 complaint alleging that Alaska 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 Alaska 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 that we believe will 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 [REDACTED]

Sincerely,

/s/ Patrick Holkins

Patrick Holkins
Trial Attorney
Civil Rights Division

Cc: Leslie Jaehning, Alaska Disability Law Center
Patrick Stocks, Alaska Disability Law Center

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