



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20035

December 20, 1996

CRIPA Investigation



NH-NJ-001-002

VIA EXPRESS MAIL

Mr. William Schuber
County Executive
Office of the County Executive
Administration Building, Court Plaza South
21 Main Street
Hackensack, New Jersey 07601-7000

Re: Investigation of Bergen Pines County Hospital

Dear Mr. Schuber:

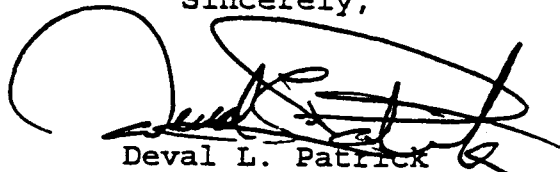
I am writing to inform you that the United States Department of Justice intends to investigate conditions in the long-term and psychiatric care units at the Bergen Pines County Hospital ("BPCH") in Paramus, New Jersey, pursuant to its authority under the Civil Rights of Institutionalized Persons Act, 42 U.S.C. § 1997 et seq.

The purpose of the investigation is to determine whether conditions at BPCH are violating the constitutional and federal statutory rights of the residents who live there. Our investigation will focus on treatment and care of residents, including medical and nursing care, use of restraints, protection from harm, and environmental hazards. The investigation will also focus on the facility's compliance with Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq., and the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq. Initiating this investigation does not evidence any prejudgment that conditions at BPCH violate the residents' constitutional or federal statutory rights. If any violations are found, we will confer with County representatives concerning appropriate corrective actions.

As a means of commencing this investigation, the attorney assigned to handle this matter, Verlin Hughes, will be in contact with your office shortly to discuss the details of the investigation, which will include on-site visits to BPCH by representatives of the Department and their expert consultants. Please feel free to contact Mr. Hughes if you have any immediate questions or concerns. He can be reached at (202) 514-6260.

Your cooperation in this matter is greatly appreciated.

Sincerely,



Deval L. Patrick
Assistant Attorney General
Civil Rights Division

cc: Murshell Johnson Bland, Esquire
Bergen County Counsel

Ms. Barbara H. Chadwick
Freeholder, Health and Human Services
Bergen County Board of Chosen Freeholders

Mr. Edward M. Lewis
Executive Director
Bergen Pines County Hospital

Faith S. Hochberg, Esquire
United States Attorney
District of New Jersey