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## Federal Jury Awards Gilead Community Services \$5M in Discrimination, Housing Lawsuit

In the U.S. District Court for the District of Connecticut, a jury awarded Gilead Community Services a verdict of nearly \$5.2 million—\$5 million in punitive damages and \$181,000 in compensatory damages—for the town of Cromwell's violations of the Americans with Disabilities Act and the Fair Housing Act.

By Allison Dunn | October 19, 2021



## U.S. District Court for the District of Connecticut in New Haven.

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A Connecticut nonprofit that offers supportive services to those with disabilities was awarded more than \$5 million last week by a federal jury that determined the town of Cromwell launched a campaign to push the agency out of town.

In the U.S. District Court for the District of Connecticut, a jury awarded Gilead Community Services a verdict of nearly \$5.2 million—\$5 million in punitive damages and \$181,000 in compensatory damages—for Cromwell's violations of the Americans with Disabilities Act and the Fair Housing Act.

Mayor Enzo Faienza and town manager Anthony Salvatore were initially named in the case.

"Courts have long stated that municipalities may not allow private citizens' prejudice to influence their official decision-making process, and this jury verdict makes clear that juries will hold municipalities accountable if they engage in this conduct," the plaintiffs' attorney, Yiyang Wu of Relman Colfax, told Law.com on Monday.

"Here, the evidence was overwhelming that Cromwell officials knew that people with mental health disabilities had a right, just like everyone else, to live in the town of Cromwell, yet they launched a concerted campaign against Gilead because of deeply held stereotypes and prejudices around mental health," she added. "The hope is that other municipalities will think twice before bowing to citizen pressure."

Enzo, who was the first elected mayor of Cromwell, took to Facebook on Monday morning to briefly address the verdict. He announced during an April council meeting that he would not be seeking reelection in November, according to The Middletown Press.

"The Town of Cromwell has several viable grounds for appeal and post trial motions are currently being prepared," he wrote. "All claims against Town Manager Salvatore, Town Employees and I were dismissed prior to trial."

Messages seeking comment from the defendants' attorneys, Kari Olson of Murtha Cullina and Katherine Rule and Thomas Gerarde of Howd & Ludorf, were not returned on Tuesday.

Attorney Aignè Goldsby, the Democratic candidate running for mayor of Cromwell, also issued a statement Monday, voicing support for a community with an accountable and inclusive government.

"With this decision, the court has recognized that Cromwell's Republican-led leadership actively discriminated against people with disabilities," she said in a media release. "The \$5 million in punitive damages reflects the severity of this discrimination and the absolute failure of leadership. While it is critically important to listen to residents and solicit community feedback, leadership must ensure that equitable solutions are reached that do not run afoul of the law."

Allan Spotts is running on the Republican ticket for the seat. Law.com could not immediately reach Spotts and the town's Republican party declined to comment further as it is still pending.

In 2015, Gilead purchased a home in Cromwell with plans to open a group home for individuals with mental health disabilities.

Concerned neighbors contacted their elected officials, including the mayor and town manager, who then launched a "concerted campaign" to push Gilead out of the community, according to Wu.

An overwhelming sense of community pressure led to Gilead's group home closing after there were a series of press releases opposing it, legal filings to Gilead's state funder, cease-and-desist orders by the zoning officer, denials of tax-exemption applications, and police misconduct, according to Wu.

A lawsuit was filed against the town in 2017.

The trial began on Oct. 5 with Judge Victor Bolden presiding. The jury returned the verdict Friday.

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