

[AIDS service sues NH town](#)

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(Gilsum, New Hampshire) An organization which operates a group home for people with HIV and Hepatitis C has filed a lawsuit alleging the Town of Gilsum has illegally restricted the client population who can live there.

The suit was filed in Keene Superior Court by Gay & Lesbian Advocates & Defenders on behalf of AIDS Services for the Monadnock Region, which operates Cleve Jones Wellness House, where clients receive intensive support, services and supervision.

When ASMR first attempted to open the home in 2005, Gilsum residents circulated a petition indicating that the area “is a family neighborhood with children and a facility like that is not wanted here.”

Gilsum then voted to change the town’s zoning laws to make group homes a prohibited use.

When the town realized, however, that the outright exclusion of Wellness House would violate antidiscrimination laws that protect people with HIV, it granted ASMR a variance to operate the house.

But the variance prohibited from living at Wellness House anyone who has been released from prison within the last 12 months; has a history of drug or alcohol abuse and has not been substance-free for 12 months; or who has been convicted of a list of certain criminal offenses.

According to the lawsuit, the town has no legal authority to impose these conditions under New Hampshire’s state zoning laws, and its restrictions violate the guarantee of equal protection promised in New Hampshire’s constitution.

“It’s important for the state of New Hampshire that group homes be available to people who need support and social services,” said GLAD attorney Bennett Klein. “If every town in the state enacted restrictions like Gilsum’s, there wouldn’t be any place that could provide such services.”

Klein said that Wellness House follows a model for comprehensive services called “No Place Like H.O.M.E.”, with the letters standing for housing, oversight, medical management and education. The H.O.M.E. model allows ASMR to closely monitor residents and move quickly when problems arise – such as not taking medication, emotional deterioration, or missing AA meetings. Wellness House also helps residents deal with the practical tasks of life, such as getting a driver’s license, enrolling in classes, and finding employment.

“It’s nonsensical to exclude people with these histories from Wellness House when they can and do live in Gilsum—just not in this house,” said ASMR board member Susan MacNeil. “At Wellness House, people can get the support and monitoring they need to make healthy choices, move forward in their lives, and contribute to society. Living outside the residence, they don’t get those services.”

AIDS Services for the Monadnock Region, founded in 1989, is a non-profit organization committed to serving people with HIV/AIDS in Cheshire County, southern Sullivan County, and western Hillsborough County. ASMR offers case management, free, anonymous HIV testing in a confidential setting, educational programs, HIV-positive speakers, and a lending library.