

# 40<sup>th</sup> ANNIVERSARY

**Advocating for People with Disabilities**



**Friday, December 7, 2018**



# **Welcome and thank you for joining Disability Rights California's 40th anniversary celebration!**

Welcome and thank you for joining Disability Rights California's 40th anniversary celebration! Founded on the principles of equality, dignity, independence and freedom for people with disabilities, DRC has worked for 40 years to create a barrier-free world. We have fought for the rights of people with disabilities to enjoy the power of equal rights and opportunities, dignity, and respect for their choices. In 1978, we started with one office in Sacramento and fewer than 10 staff. Forty years later, we are a diverse staff of more than 250 people who work statewide from 30 offices.

We are proud of our achievements – the hundreds of thousands of individuals we directly represented and the millions more we positively affected through our advocacy, publications, and training. Our work is more powerful because of your support and our collaborations with many of you.

As part of our celebration, please take a few minutes to learn about the advancement of disability rights and our work during the past four decades through the displays of key events in the disability rights movement and at DRC located throughout the venue.

Today, we are pleased to honor individuals and firms whose work has helped DRC protect and advance disability rights. Please take a moment to read about them beginning at page 4.

We are proud of our dedicated staff and board, and the perseverance of our clients as we work together to challenge barriers to services and attitudes which foster stigma and discrimination. Thank you for celebrating with us and working with us to continue to advance the rights of Californians with disabilities!

# Agenda

Friday, December 7, 2018

4:00 P.M. – 5:15 P.M. – Registration and Mixer

5:15 P.M. – 6:00 P.M. – Welcome, and a toast to DRC

Awards Presentations Honoring:

- Impact Award: Senator Dr. Bill Emmerson, the families and self-advocates who helped secure the passage of SB 468

- Leadership Award: Allison Brightman, former DRC President

- Pro Bono Partners Awards:

Cooley

Morgan and Lewis

- Access Award: Digital Deployment

- Impact Award: Assemblymember Dr. Shirley Weber and the families and educational providers who helped secure the passage of AB 2657

- Legislative Achievement Awards:

Senator Jim Beall

Assemblymember Dr. Joaquin Arambula

6:00 P.M. – Conclusion of Celebration

## **Our Honorees**

### **Impact Award: Ensuring freedom and choice**

#### **Senator Dr. Bill Emmerson**

With the support of families and self-advocates who helped secure the passage of SB 468: Connie and Dr. Harvey Lapin, April Lopez, Dr. Mike Clark, Marnie Clark, Judy Mark, Allen Erenbaum and David Oster.

Former State Senator Bill Emmerson was the author of SB 468. This 2013 landmark legislation created California's self-determination statute. It offers a more flexible and creative way to access Lanterman Act services. It was implemented for 2500 consumers statewide beginning this year.

Senator Emmerson's bipartisan leadership secured unanimous passage of the legislation. His long-standing working relationship with the Brown Administration ensured the governor signed the bill into law. Because of these efforts, consumers and their families have an increased ability to enjoy the power of equal rights and opportunities and a renewed respect for their choices based on their own goals.

### **Leadership Award**

#### **Allison Brightman**

Allison Brightman is a natural leader with a strong commitment to equal opportunity for Californians with disabilities and a strong belief in values of dignity, choice and respect of each individual. As Disability Rights California's past Board President, she supported DRC's successful challenge to cuts to critical community-based services and supports, and ensured that DRC had the resources it needed to do this important work. As a lawyer, Ms. Brightman understands the important role the legal system plays in securing justice and DRC's critical role in helping to halt

abuse, neglect and discrimination and advancing the rights for all people with disabilities.

Ms. Brightman is a Senior Vice-President, Business Affairs at CBS Television Studios. Through this work, she knows the impact the media can have in promoting positive images of disability and reducing stigma. These efforts helped guarantee that Californians have a better understanding of issues affecting the disability community and the unique role that DRC plays in addressing those issues.

## **Pro Bono Partner Awards**

### **Cooley**

Cooley is a multinational law firm with a strong commitment to pro bono work, representing close to a thousand pro bono clients annually. Cooley has worked with Disability Rights California for a decade to enforce the rights of Californians with disabilities. Cooley's critical work has included litigation to enforce Sacramento County residents' rights to community-based mental health services in *Napper v. County of Sacramento*, and to enforce the rights of inmates with disabilities in *Hall v. Mims*. Recently, Cooley agreed to join DRC as co-counsel in *Mays v. County of Sacramento* seeking to secure inmates' rights to receive humane care and mental health services while incarcerated.

We know that our cutting-edge litigation would not be possible without the pro bono work of Cooley attorneys. Their efforts help us obtain justice and systemic changes benefiting our clients statewide. Our work has greater impact because of Cooley's contributions and we are grateful for their significant pro bono assistance.

## **Pro Bono Partner Awards**

### **Morgan Lewis**

In 2011, DRC settled long-standing litigation to stop the cuts to the Adult Day Health Care (ADHC) program, a critical service for individuals with disabilities and seniors who live at home. The settlement resulted in administrative hearings for hundreds of ADHC recipients and Morgan Lewis quickly stepped-up to represent individuals at these hearings to protect their individual rights. More recently, Morgan Lewis, on short notice, prepared a letter to the California Supreme Court on behalf of disability organizations asking the Court to review the Court of Appeal's decision in *Reilly vs. Marin Housing Authority*. The Court recently accepted the case for review. We know that Morgan Lewis' letter helped persuade the court about the importance of its review.

Our work is more impactful because of Morgan Lewis' pro bono contributions. We are grateful for their efforts to help us obtain justice and systemic changes benefiting our clients statewide.

At Morgan Lewis, the global commitment to serving the public good is a core part of its culture.

## **Access Award**

### **Digital Deployment**

Digital Deployment is a Sacramento-based website development company that for 13 years has created and curated technology to meet the needs of its clients and empower effective communication. We honor Digital Deployment for redesigning the DRC website and creating one that meets the highest levels of accessibility.

Digital Deployment not only does an extraordinary job of conveying our message, it also ensures our materials are easy to access across all platforms. That helps DRC advance its mission to educate Californians with disabilities. We applaud Digital Deployment's efforts to help DRC create a barrier-free and inclusive California.

## **Impact Award: Ensuring respect and dignity by limiting restraint and seclusion in schools**

### **Assemblymember Dr. Shirley Weber**

With the support of families and educational providers who helped secure the passage of AB 2657 including: Bonnie and Stuart Candell, Laura Miller, Ken Berrick, Dr. Edward Miguel, and Dr. Melaura Tomaino.

Assemblymember Dr. Shirley Weber authored AB 2657. This landmark legislation limits the use of seclusion and restraint in California schools for all students, including students with disabilities. As of January 1, 2019, a school may use behavioral restraints or seclusion only if a pupil's behavior means there is a clear and present danger of serious harm to the pupil or others. It does not allow their use for coercion, discipline, convenience or retaliation. The bill also requires schools to report data annually on the use of restraint and seclusion to the State Department of Education. Dr. Weber has long been a champion of equal educational opportunity and school-to-prison pipeline issues. Children with disabilities and boys of color experience restraint and seclusion at higher rates an unfortunate outcome this bill seeks to address. Dr. Weber's leadership on this landmark legislation ensures the respect and dignity of all students in California classrooms.

## **Legislative Achievement Award**

### **Senator Jim Beall**

Senator Beall's longstanding legislative efforts have done much to preserve the rights and services of Californians with disabilities. His legislation increased enforcement of mental health parity laws and curbed the overmedication of foster care children. Senator Beall authored legislation that significantly improved mental health training for peace officers. This bill, supported by DRC's report, "An Ounce of Prevention: Law Enforcement Training and Mental Health Crisis Intervention" helps reduce violent confrontations with people with mental health disabilities.

Most recently, he led legislative efforts to divert mentally ill individuals from the criminal justice system, and establish standards and certification for peer providers. He is a champion for increasing affordable housing as a critical way to address California's housing crisis. His legislative leadership protects the basic human rights of people with disabilities.

## **Legislative Achievement Award**

### **Assemblymember Dr. Joaquin Arambula**

Assemblymember Dr. Joaquin Arambula is recognized for his work to improve the health and well-being of Californians. This year, he authored legislation to address the needs of students

at risk of suicide; established a Family Urgent Response System to respond to calls from caregivers of foster youth in crises; and, correct a disparity in eligibility levels for Medi-Cal recipients who receive coverage through the Medi-Cal Aged and Disabled Person Program. In addition to these sponsored bills, his budget subcommittee moved forward proposals for funding suicide hotlines, outreach, and treatment for individuals with mental health disabilities, and a mental health diversion program focused on individuals found incompetent to stand trial.

Because of his budget leadership, the subcommittee also approved increases in Pediatric Day Health Care rates and approved funding for an analysis of long-term services and supports. We are grateful for Dr. Arambula's work and know that his legislative achievements go far to ensure access to government benefits and advance basic human rights to health care.

# **Our History**

**1972**

## **Geraldo Rivera exposes conditions at Willowbrook**

In 1972, a New York television station ran an investigative series by Geraldo Rivera about abuses at Willowbrook, a state-run institution for children with intellectual disabilities. As a result, Congress amended the Developmental Disabilities and Bill of Rights Act in 1975 to create the Protection and Advocacy (P&A) systems. Each state and territory has a P&A to advocate for the rights of people with disabilities.

**1973**

## **Rehabilitation Act**

The Rehabilitation Act of 1973 was one of the first US laws giving protection to people with disabilities. It gives civil rights protection to federal employees, federal contractor employees and people participating in programs receiving federal money. The government delayed regulations. This led to the 1977 section 504 demonstrations. In San Francisco, people took over the federal building until the government agreed to issue regulations.

**1978**

## **ADAPT founded**

ADAPT was founded in 1978 to fight for the rights of people with disabilities to live as equals, free and able to pursue liberty and justice and a life of quality. ADAPT grew out of a group of people who fought to free people from institutions so they might live in the community. ADAPT has organized actions across the US on a variety of issues, including Medicaid cuts in 2011, access to public transportation and deinstitutionalization.

**1978**

## **Founding of DRC**

From the beginning, Disability Rights California has passionately advocated for the rights of Californians with disabilities by litigating, legislating, investigating, educating and representing clients. Congress called for creating an organization within each state and territory to advocate for the rights of people with developmental disabilities. In 1978, Governor Jerry Brown designated Disability Rights California, then known as Protection & Advocacy, Inc. (PAI), as this state's organization with headquarters in Sacramento.

**1983**

## **CA Network of Mental Health Clients and People First founded**

People with lived mental health experience and developmental disabilities worked to have their voices heard during the 1980s. The California Network of Mental Health Clients was a statewide advocacy voice by and for people with mental health disabilities on public policy issues. It was one of the first peer-to-peer organizations. People First of California and Capitol People First in Sacramento were started with the philosophy of "people helping their peers to learn to speak up for themselves, learn about their rights and responsibilities, learn how to make decisions and solve problems, and be contributing members of their community."

**1983**

## **DRC stops Social Security from terminating benefits - Lopez v Heckler**

In one of its earliest and most important cases, DRC took on the Social Security Administration (SSA) for denying benefits to people with disabilities. According to Marilyn Holle, lead attorney, the U.S. Ninth Circuit Court of Appeals ruled that before you terminate someone's benefits, you must prove that person's health improved. Instead, the SSA treated a

person's review as if they were applying for benefits for the first time and used invalid standards to decide about awarding benefits. DRC and other organizations identified many people affected by this practice. They found that some people committed suicide when they lost their benefits. In *Lopez v Heckler*, the U.S. Ninth Circuit Court of Appeals reinstated SSI benefits and required the administration to show substantial evidence that a person was no longer disabled.

## **1985**

### **US Supreme Court Case – City of Cleburne v Cleburne Living Center**

*City of Cleburne v. Cleburne Living Center, Inc.* was a 1985 US Supreme Court case about discrimination against people with intellectual disabilities. Cleburne Living Center applied for a permit to build a group home. Cleburne, Texas refused to grant a permit based on a zoning ordinance. The center sued saying the denial violated the Constitution's Fourteenth Amendment's Equal Protection Clause. The court struck down the ordinance based on constitutional issues.

## **1986**

### **Protecting Reproductive Rights**

Valerie N. had Down syndrome and was at the center of one question: Do conservators have the right to have someone sterilized. Valerie's parents were her conservators and they filed a petition to have her sterilized. The court denied their request and they appealed. DRC filed an amicus brief. The California Supreme Court held that the Legislature intended to discontinue the longstanding, but discredited, practice of eugenic sterilization. The Court also upheld the denial of Valerie N's sterilization because the evidence did not show there were not less intrusive means to avoid conception. The Supreme Court also held that the law which created an absolute prohibition of sterilization of developmentally disabled persons deprived them of privacy and liberty interests, including reproductive rights. In 1986, Governor Deukmejian signed AB 3900 establishing safeguards in

authorizing conservators to give substitute consent for sterilization with due process protections. DRC provided assistance in drafting the bill.

## **1988**

### **Deaf people get communication access**

In the 1980s, the Deaf community achieved two successes in the area of access. California created the first Deaf Relay System. With relay services, people could call hearing family and friends, make appointments, order pizza, and make other calls. The Americans with Disabilities Act modeled some provisions after California's relay service. Gallaudet University (a 120-year-old university for deaf and hard of hearing students) selected a hearing person as its seventh president. Unhappy with this decision, Gallaudet students, backed by alumni, staff, and faculty, shut down the campus. The students stopped protesting when Dr. I. King Jordan became Gallaudet's first deaf president.

## **1989**

### **DRC stops people with mental health disabilities from being involuntarily medicated**

Eleanor Riese bravely fought for the rights of people with mental health disabilities to be treated with dignity. In 1985, St. Mary's Hospital in San Francisco forced Eleanor, who had schizophrenia, to take antipsychotic medication even though she objected. One of the medications severely damaged her kidneys. DRC joined another firm in the appeal of the lawsuit against the hospital. The California Court of Appeals held that individuals involuntarily committed to hospitals have statutory rights to exercise informed consent to the use of antipsychotic drugs in nonemergency situations absent a judicial determination of their incapacity to make treatment decisions and the State Supreme Court let that decision stand. The ruling was codified in state law. The decision and Eleanor's compelling story are now an international film, "55 Steps."

**1990**

### **American's with Disabilities Act (ADA)**

The Americans with Disabilities Act (ADA) was the result of people with disabilities working for years to change societal attitudes, parents working to include their children in schools and the independent living movement, which challenged the idea that people belonged in institutions. The Civil Rights Act of 1964 was the model for the ADA. It gives civil rights protections to people with disabilities that are like those given to people based on race, sex, national origin, and religion. It guarantees equal opportunity in employment, public accommodations, transportation, state and local government services, and telecommunications.

**1993**

### **DRC creates the California Office of Patient's Rights (COPR)**

Residents in state psychiatric hospitals have rights too. In 1993, state law was changed to require independent patients' rights advocates at state hospitals. Before this law, the state hospitals employed the advocates. DRC contracts to provide these advocacy services through its California Office of Patients' Rights (COPR). COPR also provides expertise and training to county patients' rights advocates. COPR's advocacy protects the rights of state hospital residents. For example, Louise contacted COPR complaining that she had been wearing her contact lenses round-the-clock since she was admitted a month before. Hospital staff didn't believe her. A COPR advocate spoke to the treatment staff on her behalf and a physician safely removed them.

**1992**

### **First "Mad Pride" held**

"Mad Pride", started in 1992, is a mass movement of the users of mental health services, former users, and their allies. They are proud of their "mad" identity and work to educate the public about mental health issues. In 1992, the US Supreme Court ruled in *Riggins v. Nevada* that a criminal defendant

has the right to refuse medication given to lessen psychiatric symptoms while on trial. This was the first time the Supreme Court found forced treatment must be the least intrusive treatment and medically appropriate for the defendant's safety.

## **1993**

### **Coffelt v Department of Developmental Services**

On January 19, 1993, before a packed San Francisco Superior courtroom, Judge Stuart Pollack approved the settlement agreement in Coffelt v Department of Developmental Services (DDS). The settlement in this class action lawsuit – to move more people from institutions into the community – was the largest of its kind in the country. Ellen Goldblatt was the lead Protection and Advocacy, Inc. (PAI) attorney on the case. She said the lawsuit shed light on the fact that at least 2,000 out of 6,000 developmental center residents still lived in institutions only because the state had not created enough community resources for them. The Lanterman Act and other California laws mandated those services. The settlement called for and funded a five-year plan in which DDS and the regional centers were required to provide community living arrangements.

## **1994**

### **Sacramento City Unified School District v. Rachel Holland**

In 1994, the U.S. Ninth Circuit Court of Appeals in Sacramento City Unified School District v. Rachel Holland affirmed the right of students with disabilities to attend public school classes with non-disabled students rather than segregated classes. The Court held that before denying inclusion in regular classes, school districts have to show placement in a regular class with support services and supplementary aids will not benefit the student.

**1996**

### **Chanda Smith v Los Angeles Unified School District**

Chanda Smith was a sophomore at Manual Arts Senior High School in 1993. She did not pass the 10th grade the previous year. She had a learning disability not recognized by school staff. They thought she didn't try hard enough. Chanda's mother knew the school failed to give her the supports and services she needed to succeed. The ACLU and others filed suit against the district. DRC later joined the suit, led by Executive Director Catherine Blakemore. The litigation resulted in a consent decree governing special education services in the largest school district in California. It is a blueprint for creating and implementing a comprehensive system to provide special education services to 80,000 students with disabilities. DRC continues to monitor the district's compliance.

**1996**

### **Activists form "Not Dead Yet"**

Throughout the 1990s, people raised concerns with assisted suicide and made strides in the courts to deinstitutionalize people. In 1996, a group of national, grassroots disability rights activists founded "Not Dead Yet." It opposes legalization of assisted suicide as deadly forms of discrimination against people with disabilities.

**1998**

### **A thousand young people receive intensive behavioral health support**

Twenty years ago, a foster child named Elizabeth Quinones was sent to Metropolitan State Hospital because of her challenging behavior and mental health needs. In response to her behavior, staff tied her to her bed and isolated her from others. DRC attorneys learned about the case and investigated. Elizabeth pleaded with DRC to get her out of the institution, according to Melinda Bird, senior litigation counsel, who was a lead attorney on the case. In 1998, DRC and co-counsel filed a federal class action lawsuit to make California cover the services that Elizabeth and

other children like her needed to live safely in the community. The lawsuit led to the creation of an entirely new mental health service for children and youth called Therapeutic Behavior Services, or TBS. Elizabeth was released from the state hospital in 2003 and lives in the community with support.

## **1997**

### **Web Accessibility Initiative**

As the internet expanded, changes happened to ensure disability access. The Telecommunications Act of 1996 requires that manufacturers of telecommunications equipment and providers of telecommunications services ensure equipment and services are accessible to and usable by people with disabilities, if readily achievable. This allows people with disabilities to access a broad range of products and services such as telephones, cell phones, pagers, call waiting, and operator services. In 1997, the World Wide Web Consortium developed the Web Accessibility Initiative to make the internet more accessible.

## **1999**

### **DRC opens Office of Clients' Rights Advocacy**

Following state legislation requiring independent advocacy, the Department of Developmental Services awarded DRC a contract in 1999 to help consumers of California's 21 regional centers receive the services they need. The Office of Clients' Rights Advocacy (OCRA) advocates for those with intellectual and developmental disabilities. "People need to have control over their own lives," said Director Katie Hornberger. "They need to have the satisfaction of choosing the services that make the most sense to them." For example, a Clients' Rights Advocate helped a client whose money manager cut the individual's pocket spending money in half. The client reclaimed his full allowance and found a new person to manage his finances. Over the years, OCRA has increased its work with people living in institutions and those moving out of state facilities.

## **2002**

### **Help America Vote Act**

In 2002, Congress passed the Help America Vote Act. It made sweeping reforms to the US voting process. One of the most significant changes was a requirement that voting systems allow people with disabilities to vote privately and independently. Something many people with disabilities, such as people who are blind, have manual dexterity disabilities or learning disabilities, could not do prior to passage of the Act.

## **2001**

### **Peer Self-Advocacy Project becomes its own program**

DRC's Peer Self-Advocacy Program (PSA) promotes the concept that sharing personal experiences and feelings is a powerful tool to help people with mental health disabilities learn about their rights. PSA's goals are to help people understand their human, legal and service rights. "We focus our work on teaching people how to advocate for themselves rather than providing direct advocacy," said Robyn Gantsweg, PSA Unit Manager. The PSA helps peers start their own self-advocacy groups. UCLA student Taylor Tabbut used the tools she learned through PSA to help fellow college students get the services they need from the university. "I'm trying to create an environment where people treat each other with compassion and understand their differences," she said.

## **2006**

### **National Federation of the Blind v Target**

The blind community made access strides in the early 2000s. A US District Court determined in National Federation of the Blind v Target Corp. that the ADA and California law applies to websites and the Internet.

**2002**

## **California Memorial Project; remembering those who died in institutions**

From the mid-1800s to the 1960s, an estimated 45,000 people died while living in state institutions. For the most part, the state placed the remains in unmarked mass graves and records are incomplete. In 2002, disability rights advocates, including DRC's Peer Self-Advocacy Program began an effort to restore the graves and collect the names of those who died.

Former State Senator Wesley Chesbro carried a bill, SB 1448, establishing the California Memorial Project (CMP) to honor and restore dignity to those individuals who lived and died in state institutions. In 2010, Chesbro's resolution proclaimed the third Monday in September as California Memorial Project Remembrance Day with ceremonies throughout the state.

**2006**

## **UN adopts Convention on Rights of Persons with Disabilities**

The Convention on the Rights of Persons with Disabilities, adopted in 2006, is an international human rights treaty of the United Nations. Parties to the Convention must ensure the full enjoyment of human rights and equality under the law. The Convention helped make changes globally from viewing people with disabilities as objects of charity, medical treatment and social protection, to viewing them as full and equal members of society, with human rights.

**2003**

## **DRC successfully fights closure of hospital serving people with disabilities**

The County of Los Angeles founded Rancho Los Amigos National Rehabilitation Center or "Rancho" in 1888. It is a respected, nationally known rehabilitation hospital for people with disabilities. Fifteen years ago, LA County faced a budget crisis and proposed closing Rancho. No other

facility faced complete closure. DRC led a team of attorneys and public interest firms in a challenge to Rancho's closure. The lead plaintiff in the case was Susan Rodde who had received services at the hospital since she was a child. The US Ninth Circuit Court of Appeals found in DRC's favor. "We won a wonderful decision talking about how targeting a cut at people with disabilities violates the Americans with Disabilities Act and constitutes discrimination," said Melinda Bird, DRC's lead attorney on the case.

## **2008**

### **American Council of the Blind v Paulson**

A US District Court in American Council of the Blind v Paulson ruled that American paper money gave an undue burden to people who are blind. The bills denied them "meaningful access" to the US currency system. Because of the lawsuit, the Bureau of Engraving and Printing is placing a raised tactile feature in the next redesign of each note, except the one-dollar bill.

## **2004**

### **DRC reached settlement with San Francisco over Laguna Honda Hospital**

Mark Chambers was a successful computer systems manager before he got a head injury in 1999. He entered Laguna Honda Hospital and Rehabilitation Center, a large nursing facility in San Francisco. "I don't want to spend the rest of my life here," Chambers said in 2006. He and five other residents of Laguna Honda and the Independent Living Resource Center filed a class-action lawsuit to challenge unnecessary confinement to an institution. Elissa Gershon, DRC's lead attorney on the case, said, "Our successful, groundbreaking agreement forced the city to provide subsidized, accessible housing and other services so Laguna Honda residents could live in the community." The settlement also led to enhanced mental health and substance abuse services.

**2008**

## **Mental Health Parity Act**

The federal Mental Health Parity and Addiction Equity Act of 2008 prevents health insurance providers from offering less favorable benefits for mental health issues as for medical issues. Mental health parity means equal coverage for health care. In 2014, the Affordable Care Act expanded the Mental Health Parity and Addiction Equity Act to apply to almost all forms of health insurance. California passed a mental health parity law in 1988 that applies to private insurers.

**2004**

## **DRC Investigations Unit uncovers serious incidents of sexual abuse and pushes for reforms**

People with developmental disabilities are at a higher risk of abuse, neglect, and being victims of crime. DRC's Investigations Unit has investigated terrible incidents of sexual abuse and pushed for reform to ensure these assaults are promptly reported. In 2005, Daniel Sharp, 30, with a developmental disability, was sexually assaulted in the locker room at his health club. He reported the incident to his mother who called police who did not bring charges. In 2010, DRC took action, including issuing an advisory to every law enforcement agency in the state. DRC called for law enforcement agencies to follow Commission on Peace Officer Standards and Training guidelines for sexual assault investigations.

**2008**

## **ADA Amendments Act**

The Americans with Disabilities Act Amendments Act of 2008 clarifies that the definition of disability favors the broadest number of people and generally does not require extensive analysis. It rejects the holdings in several Supreme Court decisions. The effect of the changes is to make it easier for a person to establish they have a disability within the meaning of the ADA.

## **2009**

### **Successful fights against state budget cuts**

DRC prevailed in three cases involving government budget cuts to critical community-based services. In 2009, David Oster learned his IHSS would be eliminated. These cuts put him and 130,000 low-income people with disabilities at risk of institutionalization instead of living in their own homes. DRC reached a settlement fully restoring IHSS hours. That same year, the state tried to cut Adult Day Health Care. Seventy-six-year-old Esther Darling was one of 35,000 people who risked losing health services and going into a nursing home. DRC reached a settlement with the state preventing that from happening and Morgan Lewis on a pro bono basis agreed to represent clients in individual hearings. In *Napper v County of Sacramento* DRC and Cooley, our pro bono counsel, stopped the county from ending critical community mental health services. Leslie Napper, lead plaintiff, said our success is why she is here today.

## **2010**

### **21st Century Communications and Video Accessibility Act**

Access to communication and website information continued to expand in the 2010's. In 2010, President Obama signed the Twenty-First Century Communications and Video Accessibility Act into law. The Act updates federal communications law to increase the access of people with disabilities, including people who are deaf or blind, to modern communications, including new digital, broadband, and mobile innovations.

## **2011**

### **DRC fights for humane conditions and access to services for inmates with disabilities**

When prisoners with disabilities face harm or lack of mental health services in jails, DRC advocates for access to appropriate services. In 2011, we filed a class action lawsuit against Fresno County claiming Sheriff Margaret

Mims maintained dangerous jail facilities and failed to provide basic health care to prisoners. In 2013, we agreed to a settlement increasing staffing and improving access to mental and physical health care in the jail. We reached a landmark settlement in 2014 with the Los Angeles County to improve physical access in jails. Former inmate and plaintiff Peter Johnson, had his personal wheelchair confiscated and was issued a broken wheelchair with no brakes. When he tried to transfer to a bed or toilet, he fell. Without footrests, his feet dragged on the ground. The settlement included the construction of wheelchair accessible toilets, new housing for inmates with disabilities, and a new system to deliver working wheelchairs to inmates. Today we continue our efforts to stop harmful conditions and secure access to mental health treatment in *Mays v. County of Sacramento* and *Murray v. County of Santa Barbara*.

## **2012**

### **Peer Specialist Programs**

The effectiveness of peer-to-peer services in mental health services was recognized during the 2000s. By 2012, 36 states established programs to train and certify peer specialists with lived experience to work in the mental health services field. Peer specialists are willing to support others in their recovery process. Peer specialists model recovery, teach skills, and offer supports to help people lead meaningful lives in the community. Peer specialists promote recovery and supplement existing treatment with education, empowerment, and aid in system navigation. Unfortunately, after multiple legislative efforts peer-to-peer services are not yet available in California.

## **2012**

### **Ensuring access in the community**

We work to make sure people with disabilities can live wherever they choose. In 2012, Independent Living Center of Southern California (ILCSC) and several other groups joined for a lawsuit to improve affordable housing for people with disabilities in the City of Los Angeles. DRC was co-counsel on behalf of the three advocacy groups. The LA City Council agreed to

settle the suit in 2016. Over the next 10 years, the city will ensure that at least 4,000 of its affordable housing units meet the accessibility standards required by law. DRC also prevailed over the City of Torrance. Client Katie Bassilios has a disability that makes it difficult for her to walk farther than 50 feet. Katie asked the city to designate a space in front of her apartment building as disabled parking by painting the curb blue. It would have been a minimal cost. The city refused so DRC sued on behalf of Katie – and we won. She got her space and said, “It’s a liberating feeling.”

## **2014**

### **Workforce Innovation and Opportunity Act**

In 2014, President Obama signed the Workforce Innovation and Opportunity Act into law. Among other things, the Act increases people with disabilities’ access to high-quality workforce services and prepares them for competitive integrated employment.

## **2014**

### **Disability Rights California works to improve law enforcement’s response to people with mental health crisis**

In 2014, DRC released “An Ounce of Prevention: Law Enforcement Training and Mental Health Crisis Intervention.” This report examined the training California law enforcement receive in addressing mental health crisis calls. DRC surveyed every law enforcement agency in California about whether they offer their officers Crisis Intervention Training (CIT) or any specialized, intensive mental health-training course. To improve officer training and response to individuals in crisis and reduce stigma, DRC recommended the Peace Officers Standards and Training Commission (POST) take the lead in ensuring that officers receive specific training in responding to mental health crisis calls.

## **2015**

### **Immigrants and disability**

Immigrants with serious mental disabilities deported from Arizona, California, and Washington can ask to reopen their immigration cases because of a 2015 settlement in a federal lawsuit *Franco v. Holder*. A court ruling held immigrants with serious mental disabilities have a right to legal representation if they are determined not competent to represent themselves. The three states deported covered immigrants between 2011 and 2015. In 2018 DRC used its federal authority to monitor conditions in detention centers and ensure that children and young adults were not abused or neglected.

## **2013 - 2018**

### **DRC achieves many legislative successes**

**2013 – SB 555** - Former Senator Lou Correa's bill required regional centers offer individual program plans (IPP) in a consumer's native language.

**2013 – SB 468** - Former Senator Bill Emmerson successfully carried a bill requiring the state to develop a self-determination program that provides consumers with an individual budget and increased flexibility to buy the services they find most useful to live and work in the community.

**2015 – SB 11 and SB 29** - Senator Jim Beall's bills requiring the California Peace Officer Standards and Training Commission (POST) to review their basic academy level training course on interacting with individuals with disabilities.

**2018 – AB 2657** - Assemblymember Dr. Shirley Weber's landmark bill limits the use of seclusion and restraint in California schools for all students, including students with disabilities.

# **Donations and Pledges**

## **Patron**

CBS Studios

## **Champion**

Cooley

TPX Communications

Richard Brightman

Morgan Lewis

DRC Board of Directors

## **Defender**

Dianne Millner/Herb Anderson

UDW – The Home Care Providers Union

## **Advocate**

The Farber Fitzburgh and Kahn Families

SENACA – Ken Berrick, CEO

Bolton & Company

Robert Meyers

Southern California Gas Company

California Association of Hospitals and Health Systems

California Foundation for Independent Living Centers

First Citizens Bank

More-Wild-Cook Families

Minority Television Project, Inc.

Philip Levin

Premier Healthcare Services

CAPED

Mendocino Coast Hospitality Center

Digital Deployment

Tom Dominguez; AOCOS

David Fox of Myman Greenspan Fox Rosenberg Mobasser Younger &  
Light LLP

## **Enthusiast**

Andrew Patman

Kathy Mottarella/Glen Miller, MD

Mark Temple

Ann Duveneck

Cook's Doors & Windows

Neil Klasky

Adam Messinger

Brooke Kennedy

Benefit Resources, Inc.

Relman Dane & Colfax, PLLC

ESArtists

CBS TV Studios Legal

Dan & Lori Kupetz

Marc DeBevoise

My Life Foundation

## **Friends**

A. Cuadra

A. Padilla-Wiese

Allison Binder - In Honor of Allison Brightman

Amy Reisenbach - In Honor of Allison Brightman

Andrew Kopito

Andrea Yablon - In Honor of Allison Brightman

Annie Green

Art Oster

Athena Familiar

Beatriz Canas

Bonnie Bertram - In Honor of Allison Brightman

Capitol Digital

Craig Turk - In Honor of Allison Brightman

Dana Werner

Denise Grab

Diana Bristol

Diane Kornick - In Honor of Allison Brightman

Daniel Grover - In Honor of Allison Brightman

Disability Voices United - Alison Morantz

Disability Voices United - Kelly Kulzer-Reyes

Disability Voices United - Kim Sinclair

Disability Voices United - Nina Spiegelman

Enghouse Interactive - Toni Crammer

Etta Cohen - In Honor of Allison Brightman

Gelayol Haroonian

Gerald Fecher

Ginger Seitles

Gloria Morales Reyes

James Yates

Jameson Lohnes - In Honor of Raul Carranza

Janet Tung

Jean Tanaka - In Honor of Allison Brightman

Jeremy Miller

Jewel Smith-Price - In Memory of Rosa Verette Wilson

John Erbacher

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Kimika Musuda  
Koleen Biegacki  
Larry Yin  
Legal Files Software - John Kanoski  
Leticia Verduzco - In Honor of Raul Carranza  
Linda Bytof  
Lisa Ramelow - In Memory of Harvey Rubenstein  
M. O'Farrell  
Margaret Griffith  
Margarita Cross  
Marie Smith  
Marriott Hotel - Stephanie Milne/Anela Flores  
Martin Goch - In Honor of Allison Brightman  
Matt Rietfors - In Memory of Harvey Rubenstein  
Meg Liberman - In Honor of Allison Brightman  
Melanie Schotterbeck  
Melvin Oster  
Michael Giordano - In Honor of Allison Brightman  
Michael McAllister  
Michael Mercado  
Monica Folsom  
Nancy Lim-Yee - In Honor of Catherine Blakemore and DRC Staff  
Nohemi Alcala  
Pacific Staffing - Preet Kuar  
Patricia Tirone  
Randall Park - In Honor of Allison Brightman  
Richard Kasper - In Honor of Allison Brightman  
Richard Weiner  
Robert Tabb - In Honor of Raul Carranza  
Ruth Rubenstein - In Memory of Harvey Rubenstein  
Sandra Willams - In Honor of Allison Brightman  
Stacey Silverman - In Honor of Allison Brightman  
T. Thomas  
Tara Henderson – In Honor of Allison Brightman  
Terry Keville  
Tim Bettencourt



## **Board of Directors**

DRC is fortunate to be led by a talented Board of Directors committed to the equality of opportunity for Californian's with disabilities and dedicated to the values of dignity, choice and respect for each individual. Current members of the Board, who represent California's disability, ethnic and geographic diversity are:

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Sandra Smith

Jeff Thom

Yolanda Vargas

**Thank You** to the board and staff members who made our 40th Anniversary celebration possible. We appreciate our board members and staff who contributed to the success of our celebration.

## **Board 40th Anniversary Planning Committee**

Scott Keller, Chair  
David Oster  
Jeff Thom  
Jennifer Restle  
Judy Mark

## **Staff members who contributed to the success of the event**

Griselda Alvarez  
Vicki Bass  
Koleen Biegacki  
Catherine Blakemore  
Curt Child  
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