

DISABILITY BEYOND THE WORKPLACE

This is a verbatim transcript of the March 29, 2019 symposium panel. The video of the panel is available at: http://bit.ly/Beyond_workplace.

Speaker names are in bold, followed by the minute and second marks in parenthesis to indicate the location at which the remarks begin on the corresponding video.

Rafael Cox Alomar¹ (Moderator) (00:00)

Thanks, so much, Professor Morin. It's great to have you here.

I mean, I'm very pleased to see so many faces and so many illustrious panelists here who are going to basically share their insight with us. So basically, we have a panel composed of Karla Gilbride. She's a staff attorney with Public Justice here in D.C., where she basically challenges abusive corporate conduct by bringing class actions on behalf of workers and consumers. One of the cases she recently filed against Adelante Development Center in New Mexico challenges the practice of paying workers with disabilities less than the state minimum wage just because they're disabled. She previously worked for Disability Rights Advocates in Berkeley, California, where she brought cases against their cities of Los Angeles and Oakland, for failing to include people with disabilities into a comprehensive emergency planning. After her time with DRA, Karla worked at the D.C. based law firm Mehri and Skalet, where she represented people with disabilities challenging the lack of physically accessible apartments under the Fair Housing Act. Her passion for disability rights is informed by her experience as a person who is blind.

We also have the privilege of actually having in our panel Julie Houk. She joined the Lawyers Committee for Civil Rights Under Law as a Senior Special Counsel in the Voting Rights Project in May 2014. She began her current role, managing counsel for electoral protection, in October 2018. Since joining the Lawyers Committee, Julie says focus has been on voting rights litigation and election protection work that has sought to ensure equal access to the ballot box for all eligible voters. Julie has helped to lead litigation teams in cases that have included challenges to voter projects and voter caging, discriminatory and illegal voter registration requirements, vote dilution, and unconstitutional gerrymander. She has also helped to lead advocacy efforts with state partners to prevent voting precinct and polling place closures and relocations in minority and under-served communities. Prior to joining the Lawyers Committee, Julie was in private practice in California for 29 years, where she focused on civil rights litigation in state and federal courts.

¹ Associate Professor of Law, UDC Law.

Right next to Julie is Andy Imparato. He is a disability rights lawyer who has been engaged in disability policy and advocacy at the national level since 1993. From 1999 to 2010, he served as President and CEO of the American Association of People with Disabilities, one of the groups that played a leadership role in advocating for the ADA Amendments Act. From 2010 to 2013, he was Disability Policy Director for Chairman Tom Harkin on the U.S. Senate Committee on Health, Education, Labor, and Pensions. Since 2013, he has served as Executive Director of the Association of University Centers on Disabilities, a national network of federally funded programs that conduct research, interdisciplinary training, advocacy, and innovation activities to improve the quality of life of children and adults with disabilities. His perspective is informed by his personal experience with bipolar disorder. He's a graduate of Stanford Law School and Yale College.

And last, but not least, we have here on the panel, Jessica Hunt. And Jessica, for the past eight years, has been the Attorney Advisor for the D.C. Office of Disability Rights. She is a licensed attorney, both in D.C. and Kentucky, an associate of the V.A. Bar, the Virginia Bar. She holds her J.D. from the University of Kentucky College of Law and her B.A. from Center College. She also holds a Masters in Secondary Special Education and Transition from the George Washington University. In her current position, Ms. Hunt processes complaints of disability discrimination and provides guidance and training to District of Columbia employees and residents on the Americans With Disabilities Act, the Rehabilitation Act, the Fair Housing Act, the Architectural Barriers Act, and Disability Sensitivity and Etiquette. She serves as part of their mid-Atlantic ADA leadership networks cadre of trainers and her areas of expertise include service animals, housing and shelter situations, and reasonable accommodation. Additionally, Ms. Hunt acts as an Accessibility Officer during special events and state and local emergencies to provide technical assistance and training in the District's Emergency Operations Command Center.

So that's a stellar panel that we have today for you, and I will actually ask Karla to initiate with a brief exposition of her areas of expertise. Then we're going to have each panel basically share with you his or her areas of expertise for five, seven minutes perhaps each, and hopefully we will then open it up and we have a lively conversation with the audience. She will be--they will be taking questions and we will be very, very enthusiastic in actually having a very, very lively discussion with you guys. Thank you so much. Karla, it's all yours.

Karla Gilbride² (06:34)

Thank you so much.

So, thank you all for being here. I've really enjoyed the sessions that I've had a chance to listen to so far today. And because this panel is pretty broad in scope and we've all worked in different areas, we had a little conference call brainstorming session to talk about some topics that we thought you all might be interested in hearing about.

² Cartwright-Baron Staff Attorney, Public Justice.

And one of the ones, so I've worked out a few things. Oh microphone. Yes. How about that? Microphone, make sure we hear you, [inaudible] Right. Yes that's better. So, in reading through, the bio I've worked on a couple of issues and I hope we'll get a chance to maybe talk through a couple of them.

Housing, the Fair Housing Act and some of the protections for people with disabilities in terms of where people can live in the community, but one that I wanted to just start off with is, because several of us have experience with it here, is emergency and disaster planning. And that's one of the first cases that I ever worked on when I was at Disability Rights Advocates in Berkeley. We had two, we were just starting back then to kind of work on this issue systemically going from one city and county to the next and just starting by asking them, you know, "Hey, what provisions have you made for considering the needs of the disability community and do you have participation from members of the disability community in your task force that is planning for emergencies and disasters?" Now obviously, you know, that there are some similarities from city to city in terms of the, you know, what goes into planning for emergencies. But there's also some differences depending on what the most likely emergencies are going to be in and how the city is constructed.

So when we were talking to Oakland there and L.A., their real focus is or you know one of the things that they're most concerned about is earthquakes and having drills for earthquakes and you know making sure people know what the protocols are what they're supposed to do. And so communications access making sure that when you have a drill and have announcements that those announcements are communicated in a way that is accessible to people who are deaf, who use different forms of communication. If you have a system to sign up for e-alerts ahead of time about you know, hey we want to push out some information about where the shelters are. Is that e-alert system going to be accessible with different screen reader programs and assistive technology that people with different disabilities use?

So, we will just ask these questions. You know, have you thought about this? In the case of Oakland, you know after filing suit, they pretty quickly came to the table to say, "Hey, you know, we haven't thought about this as much as we should have. Let's try to sit down together and work it out, get the right stakeholders and people at the table who really know what the needs of the community are and kind of revamp our plans with those considerations in mind."

With L.A., we had a different experience, where they said, you know, "hey what we're doing is fine, you know, we think we don't need to, you know, change anything." And it turned out that when we took people's depositions that was not at all the case. They had no idea which of their, they basically delegated to the Red Cross identifying shelter sites. They had no idea which of those shelters could accommodate people who use wheelchairs and scooters and other mobility devices. They just didn't know what the physical accessibility of those sites was.

A lot of you know people, L.A. is very spread out sprawling area. Evacuation transportation. They had no idea whether they had the capacity, you know, in the buses

that they would try to bring into service for handling that emergency whether--how many wheelchair accessible spots were on those buses and whether that could accommodate the population. Really, they just didn't know what, they hadn't done the survey of their own population to know how many people with disabilities were there, what their needs were and whether they could meet those needs.

So, I worked on that case. We got a lot of information through the discovery process and brought a motion for summary judgment where the judge said "no, you know, you haven't done enough to include people with disabilities in the plans and so you need to you know, you're basically out of compliance with the Rehabilitation Act. You need to go back to the drawing board and come up with a new plan." And at that point, they did come to the table and work with, you know, the experts that we had suggested that they work with all along to improve their plans.

After I left DRA, there was kind of this got taken even to the next level in New York City after Hurricane Sandy and the problems, you know, in a city like New York where you have a lot more high-rise buildings. And what was happening in that, you know, context was a lot of people who were stranded on high floors of buildings or there is an apartment building or an office building and not having, you know, an evacuation protocol for getting people off of those high floors. And a lot of people just stranded for days without, you know, access to food and basic necessities of life--people who need, have medical need for electricity, you know, for refrigeration of medications or other reasons and who did not have access to that at home if they were trying to shelter in place. So, in the New York case, that actually went to a full trial in front of a judge. And in 2013, after the trial after a whole bunch of live testimony about what people's experiences were in Hurricane Sandy and how many people with disabilities were left out and really suffered serious harm as a result, the, the judge, you know, again said, "New York you need to do a better job of planning ahead because you know when once the disaster happens it's too late. You need to plan ahead to put more of these protections in place."

And so those were my experiences with emergency planning I'm going to let somebody else talk and know that Jessica has some experience with how D.C. has address these issues, but that was kind of where I cut my teeth as a young disability lawyer on these really big systemic issues in how the law is obviously, or litigation is an imperfect tool at getting at these really thorny problems. But at least it gets sometimes the attention for the municipality to, you know, you can tell people, hey you should be doing this. But sometimes until a judge says "no, you're actually out of compliance with the law," that's what really gets it high on the priority list for that to be taken seriously, at least that was what our experience was in the L.A. case.

Rafael Cox Alomar (14:17)

Karla, thank you so much.

I'm going to ask Jessica now to basically share with us her expertise and somehow to complement what Karla has initiated, some of the issues Karla has brought to the forum, and then I'm going to ask Julie and Andy to come, in so Jessica please.

Jessica Hunt³ (14:42)

Hello? Can everyone hear me? Hello? Is that better?

Cool. So, before I get into kind of my perspective from what Karla had mentioned regarding emergency preparedness, I wanted to just quickly mention our office since we are in D.C. and since UDC is the public university for D.C., what we what we do and how we assist D.C. residents and how, kind of emergency preparedness and other things fit into that framework.

So, the Office of Disability Rights is actually the Americans with Disabilities Act Compliance Office for the District. What that means is that we advise District residents on their rights as employees under Title I of the ADA, so requesting reasonable accommodations on the job, in the application process, and the interview process hiring process. But we also advise District agencies and residents on the rights and obligations under ADA Title II. And ADA Title II covers everything the government does and everything government money touches, so that's everything from housing to transportation, to emergency prep, to communication. Disability touches every area of your life. So, when a lot of people think of it, they think of just the employment perspective sometimes and getting reasonable accommodation in school or on a job. But it touches every aspect of what a person does. And how a person experiences life.

So, in D.C. government, our focus is to make sure that government agencies are aware of their obligations concerning people with disabilities and how to accommodate them in every way. And part of that does include, as Karla mentioned, housing but also emergency preparedness. That would mean to the District things like on how we communicate with people with disabilities when there is a press conference. Do we have sign language interpreters? Is it being captioned? Are people getting emergency alerts on their phones or in an avenue that's accessible to their screen readers or devices?

Does the District have a transportation framework that works for people with disabilities? And this one is really important because we are a multi-jurisdictional area here in the District, we have people you know coming into D.C. from Virginia and Maryland to work and then going back out. So, it's about determining how the governments can work together to help people get out of the District or into the District, depending on what the emergency might be, in the case of emergency. And the last and one of the most important things is mass care and how the District plans to shelter people with disabilities in the event of an emergency.

³ Attorney Advisor, DC Mayor's Office of Disability Rights.

Now, with that there is the District does operate emergency shelters and we do sometimes practice or have exercise drills with them to determine whether they work with people with disabilities. But what we have in the District is a tiering system, to determine how accessible a shelter is and whether it could or could not accommodate people in wheelchairs, or older adults, or people who may have various physical needs whether it be from having a physical disability, being blind or low vision, or having some other mobility impairment.

And I say all that to say, yes, we do have all these things in place, but in full disclosure in 2014, we were one of the cities that were sued as part of what DRA legal was going around to do to check to see if the cities have proper emergency preparedness, proper emergency preparedness things in place for citizens with disabilities. And honestly, as a person with a disability as a D.C. resident, I would say I'm glad that that happened. And as an employee of the District government, I'd still say I'm glad that that happened. And the reason for that was that we didn't have to go to trial.

What we did was we had a very amicable conversation with advocates and with the other side about what the District was already doing to prepare for emergencies, because what I will say is that we had seen things happening in other cities and also the District we have experience with all kinds of different types of emergencies here. I mean we can have earthquakes. We can have hurricanes, we can have things or all kinds of things that are man-made that disasters, all kinds of natural disasters as well you name it, we've had it in the District. And so, we knew that we needed to be prepared. So as a District agency, the Office of Disability Rights, and with the District government is doing is looking forward to determine how we can best address the needs of people with disabilities that we know need to be better successfully addressed. And of those things that we're working on this year, we are developing a transportation framework for, as I mentioned, the multi-jurisdictions to determine how to get people out of a situation using Metro, Uber, if we need to, taxi systems, however we can get people with disabilities out of the areas.

We are working on a communication policy to address the needs of people with disabilities making sure that the District is prepared to communicate with people with disabilities during emergency situations regardless of their communication needs. And we are working with the Department of Human Services and other agencies on what the District mass care plan looks like for people with disabilities and what it means when we're sheltering individuals who may have specific health care disability related needs.

Rafael Cox Alomar (20:42)

Jessica, thank you so much. [*Applause*]

So now I'm going to ask Julie actually, who has some expertise on issues pertaining to voting rights and disabilities, to basically give us the lay of the land.

Julie Houk⁴ (21:00)

Thank you very much for inviting the Lawyers' Committee and Election Protection to participate in the symposium.

We're very honored to be here to address the panel this afternoon. My role at the Lawyers' Committee primarily involves election protection, which is a national coalition and we partner with local and state organizations. Approximately a hundred and fifty coalition partners today to ensure that people are able to vote and cast ballots that will count in elections. And we do that both with a hotline system and field programs in 30 states that go out to polling places and monitor the election experience on the ground.

So, what we're concerned about more recently is the connection of emergency preparedness and the fact that our elections, general elections, in presidential years and in midterms often fall in the October-November range where you have hurricanes happening on the East Coast and in Florida, in the Gulf. And we've just seen that Election Administrators are woefully unprepared, generally, to deal with voter registration deadlines coming up in October for the general elections and having a hurricane impact voter registration and then also during early voting and on election days. And most recently, we saw with the Hurricane Michael situation in Florida last year, horrendous devastation in Florida's Panhandle area. And election obligations and administration generally fall on County Supervisors of Elections in Florida and many of them do not have the financial resources, the planning resources, and state resources to assist them in responding to these emergency situations.

So, what you had in Florida in advance of Hurricane Michael was the voter registration deadline coming up as being close so people can vote in the November election and an argument was made while the Governor is ordering mandatory evacuations of the panhandle, and we're still going to go ahead with our voter registration deadline because we have online voter registration, so it's no problem.

The problem is with online voter registration is it's often not disability friendly. You have a system in most states where you have to have a driver's license or a state I.D. card in order to use the online voter registration system. So right away that excludes a large number of people with disabilities that can't access that system. And so, on the flip side if you can't access to online voter registration system, you're left with paper forms in most cases. And many states do not have accessible ways to register to vote online. So, that's a paper form situation depending on either hand delivery of voter registration applications, or putting them in the mail, which becomes a problem when your postmaster is evacuating the post office. So, we attempted to prevail on the Secretary of State in Florida last year to extend the voter registration deadline, and they refused.

We filed a lawsuit on behalf of civic engagement groups in Florida seeking the court order to extend the voter registration deadline. The Democratic Party also filed a

⁴ Managing Counsel, Election Protection, Lawyers' Committee for Civil Rights Under Law.

lawsuit seeking the same relief. They got in a little ahead of us. So, the court in their case determined that well there was no indication that people won't be able to register, and you know the Secretary of State said well maybe they'll open registration again if it's a problem. So, the court issued no mandatory order extending the voter registration deadline there and, ultimately, because the Secretary of State ordered a one-day extension with no notice to anyone when that one-day extension would occur that was sufficient.

So, unfortunately, by that point the election was coming up, there was very little opportunity to get relief for the voter registration deadline. So, then we were looking at how this is impacting the election itself.

Oh, just go back for a moment. South Carolina, however, was a different experience. South Carolina also impacted by Hurricane Michael. We met with the Attorney General for South Carolina and prevailed on them to have the State Election Board actually bring a lawsuit, a friendly state internal state lawsuit, seeking an extension of the voter registration deadline there from the court because they needed a court order to extend the deadline there. And the court granted the State Attorney General's lawsuit to extend the voter registration deadline in South Carolina. So people were given more opportunity to register to vote ahead of the midterm elections there. And so, then we also have situations where you've got early voting coming up in elections that are impacted by hurricanes.

Hurricane Irma also impacted Florida. And so, you've got situations where polling places are destroyed. Polling places can't open because there's no electricity. Roads are closed because of destruction to the roads, and Florida again with Hurricane Michael, basically, it was left up to the counties to how to respond to those situations.

So, you had in Bay County, the Supervisor of Elections said well since the polling places are decimated, they literally were gone, they decided to have a number of vote centers set up temporarily, so people could go to the vote center to vote. The problem with that for people who have disabilities, again, is that was largely a paper system, so people with disabilities would have to have a person helping them cast their ballot, which takes away their ability to vote in private, which is essentially a foundation of our democracy. And there was no planning for how to get some temporary or remote ballot marking devices at the polling places to assist the disability community.

You also had the vote centers put in areas, and this particular county was leaning toward one partisan side versus the other, Lawyers' Committee is nonpartisan, so I can't take a position on that, but you had the vote centers friendly to one particular partisan consideration. So, they were not in areas where people of lower income or underserved communities were residing. We prevailed on them eventually to put one more vote center in the middle of Panama City, which had been left completely empty of vote centers. And still even with the vote centers you had problems with access to the polling places because of the lack of public transportation in the wake of this disaster.

So, you know, we just keep seeing these situations happening over and over again. There has to be room at the state level to advocate for state legislation that will address these issues so that you know voting rights advocates and disability rights advocates are not scrambling as these hurricanes and disasters are lining up and occurring. Or in situations where you have no notice like tornadoes, the massive tornadoes that affected Alabama, or hurricanes, or earthquakes on the West Coast and other similar disasters. It has to be a plan at the state level to deal with these disasters and also locally educating county or other local election officials about the specific needs of the disability rights community so that they are not left away from the table in the planning for these disasters.

Rafael Cox Alomar (28:52)

Thank you so much, Julie.

Andy, I know you have an expertise looking at various federal programs addressing the issues arising out of disability conditions. Do you think there's a basic need for pervasive systemic change, the things that Jessica spoke to, the things that Karla and Julie have spoken to? Perhaps you can provide a holistic perspective from your experience.

Andrew (Andy) Imparato⁵ (29:27)

Sure. Thanks for the invitation to be here. And I just want to acknowledge there's a number of folks in the room that I've met when I first came to D.C. Some of them I haven't seen in a long time, so this feels like a reunion. And thanks for the opportunity.

The thing that I wanted to talk about is kind of where we spend money to support people with disabilities and how the large dollar programs align or don't align with the goals of the Americans with Disabilities Act. So, when Congress passed the ADA, they established four goals for public policy: equality of opportunity; independent living; economic self-sufficiency; and full participation. It was a very bipartisan thing. Those goals were repeated in lots of other bipartisan laws that passed mostly under the jurisdiction of the Health, Education, Labor, and Pensions Committee, which used to be called Labor and Human Resources. But it was Senator Kennedy's committee with Senator Harkin and there was bipartisan, Senator Jeffords and others, were committed to those goals, but that--that committee doesn't really control the big dollar programs.

The big dollar programs that serve people with significant long-term disabilities are Medicaid, Medicare, Supplemental Security Income, and Social Security Disability Insurance, and those four programs were designed long before the ADA when we had lower expectations for what we thought was possible for people with significant disabilities. There was a discussion in the opening panel about how we define disability. The definition of disability that's used for Supplemental Security Income and Social Security Disability Insurance is the same definition. And it's kind of the front door to

⁵ Executive Director, Association of University Centers on Disabilities.

accessing Medicaid funding and Medicare funding and most of the funding for long-term services and supports. It was written in 1956.

So, in 1956, we thought the best way to determine if somebody had a serious disability is to have a letter from a doctor, a medical doctor, that identifies that they have impairment that's going to last at least 12 months, or result in death, and that substantially limits them, or prevents, them from engaging in substantial gainful activity. Which most people understand to mean, I have a disability that prevents me from working.

And then over the years, as our thinking on disability has shifted, we've kind of superimposed what we call work incentives on these programs that weren't designed for people who can work. So, there's a lot of a cognitive disconnect. People spend a lot of time proving, they think they're proving that they can't work, and then they get a ticket and get told, "Here, take this ticket to somebody to help you get a job." And the reason I'm focused on this, is this is where most of the money that we spend to support people with disabilities, these four programs is over \$500 billion a year.

The Medicaid program alone, again reflecting old thinking, has an institutional bias built into the program. If you're a state participating in Medicaid, you have to provide care for people with the most significant disabilities in a nursing home, but it's optional to provide that care in the communities. So, we have a bill called the Disability Integration Act, the most recent version, to try to address that. But the bottom line is, I think all of these programs are expensive. Changing them often results in a huge score from the Congressional Budget Office. So, it's very hard to tinker with something like the definition of disability for Social Security because it's connected to hundreds of billions of dollars. And the Congressional Budget Office generally will say, "well if you make it more attractive, people are going to come in out of the woodwork who aren't on the program now, and it's an entitlement program, so we're going to project that this is going to cost hundreds of billions more."

I guess the one thing that gives me some hope, and I want to stop and open up for questions, is Australia went through a process where they kind of reinvented their approach to long-term services and supports and it was a bipartisan process. Their equivalent of the National Economic Council, which they call their Productivity Commission, did a very high-profile report that basically if we continue to do what we're doing, it's not sustainable and it's not working.

And I think you could say the same thing in our country. Our approach to long-term services and supports is not working well for people under 65 or over 65, and it's getting worse in terms of the shortages of the workforce that can provide long-term service and supports.

So, they basically reinvented their system. They brought in a new funding stream to support long-term service and support, and they're now spending a third, no I'm sorry, they're serving a third more people and they're spending twice as much money in long-term service with new funding coming into it. And there's no work disincentive built into

it. The definition of who's eligible for the services doesn't turn out whether or not people can work. So, I'm not saying the Australian system is perfect. I don't know enough about it. I do notice on Twitter that the disability movement in Australia is not beating up on it. And that gives me some hope that there's some good in that system. But I really feel that that's the conversation we need to have as a country. Next year is the 30th anniversary of the ADA. It's a presidential election year. I think it's a good time to continue to have this conversation.

Rafael Cox Alomar (35:02)

Andy, thank you so much. Now, I think it be great to hear from the audience and try and get some questions moving. Perhaps, do we have any volunteers with respect to questions? Yes. Yes. Go ahead please. I think I can hear you. But maybe you can help me.

Audience Member #1 (35:35)

Thank you.

So, I worked as a case manager for six years in Northern Virginia before deciding to come to law school, and part of why I did that was my frustration with the system. I worked within a Medicaid system, an antiquated Medicaid system, kind of like you were describing, and what I felt was that there was a big strive for emergency preparedness and personal safety, but the cost was definitely personal freedom. And it felt like there was this sort of like oscillation between personal safety, personal freedom, personal safety, personal freedom, and what the result was that pretty much after high school people were pipelined down the safest route for that type of person. And pretty much you were just given this prescribed job, apartment, and living situation that kept you the most safe, but definitely not the most free.

And, while that works for some people, I don't think it would work for me, and I kind of want to know. I also don't think it's the most safe. I think that when people are put into institutional settings like that, they're definitely more likely to be abused. They're definitely more likely to suffer other kinds of harm. And you know, if you are put in that situation just because you think there might be a hurricane coming, if you're experiencing other kinds of harm in restraints, or seclusion, or you just aren't ever able to go into the field you want, or you aren't able to eat the kinds of food you want, you can't go to the grocery store, then what, you know, what's the cost emotionally? That is a hurricane. It's a daily hurricane.

So, I kind of want to know what you think as long as professionals, as allies, as paraprofessionals, what kind of--what kind of standard should we have for that? Because the kind of CYA culture and the fear of litigation and the fear of people getting hurt and the fear of failing has made it so that nobody wants to try. And what should we do?

Rafael Cox Alomar (37:36)

So, you think Karla, would you like to take that question?

Karla Gilbride (37:44)

Thank you.

Yeah, there is a lot in that question. Thank you for asking it.

So, I think that the, a lot of us in the advocacy community have grabbed onto the *Olmstead* decision that talks about, you know, integration into the community and that being a right that comes with the Americans with Disabilities Act, that you know, that isolation is in itself a harm. And that is such a legal tool that we have now in our, in our tool box and have been trying to apply in other contexts. But there's so much cultural baggage that comes along with it. I think you're right to sort of hone in on that the history of institutionalization and sort of, you know, hiding people with disabilities away where other people, you know, won't have to interact with them and doing that in this paternalistic way that is for your safety. It's for your own good, and the low expectations that are baked into that, that's just a really long tradition and it's going to take more than a couple court decisions to move away from that because there's a lot of...

So, so, I, you know, in the one context in which I've encountered this recently is working on the case that we're doing in New Mexico, which involves these sheltered workshops where a lot of people with developmental and intellectual disabilities, but other types of disabilities as well, are sort of funneled into these centers as soon as they age out of school and sometimes they're also living in a group home. And so they go from the group home in the morning, to this sheltered workshop to work during the day, on a bus that's provided by the service provider, and so, you know, everything is this very controlled regimented situation where you're—where they're not getting to integrate with other people in the community that, you know, that they're seeing the same people every day and there's that, that rote and that routine and it's boring and when you talk to people it's like, you know, I just want to do different stuff and you know actually get out and have different experiences.

And, but when you talk to, you know, those people's like family members, often not always, it's a mixture of views. But sometimes there's a real worry about if we take these systems away, you know, what's going to be left in its place. And that's fear of the unknown.

And with respect to the other thing I wanted to talk about, and then I'll let other people speak to the question, but with respect to where are people living, you know, and housing options, that's something that I've also worked on and there's so many pieces of that--of that housing discrimination. It's a really complex, multifaceted issue because, you know, when the Fair Housing Act was amended in 1988, it kind of followed this negative discrimination, you know, you shall not refuse to rent to someone because they have a disability and that's following along the other protected traits that you can't discriminate on the basis of race, and gender, and religion, and national origin.

So, you know, you can't say, well, we don't rent to people like you, or we don't want to sell you this house, because you have a brother, you know, or someone who's going to be living in the house who has a disability, and we don't like the way that person looks or acts, or we don't want someone like that living in our town.

But because of some of the unique things that come up, you know, with the built environment and how the built environment itself discriminates against people with disabilities, that's not sufficient. Just saying, no you shall not discriminate. If you're moving into an apartment complex, but the buildings are built in such a way that, you know, you can't pass through the door in your wheelchair. Or all of the light switches are, you know, high up on the wall where you can't reach them. The fact that someone's going to rent you this apartment is really useless because you can't get around it. And so, you know, the Fair Housing Amendments Act took that into consideration and saying you have to build a certain number of units when you have multi-family housing that are going to be physically accessible. So that's some sort of physical built environment piece.

Another piece that comes into play when you look at group homes or any sort of, you know, arrangement where you don't just have one family unit living together, but you may have, you know, peer supporters or, you know, supportive housing structures getting into a neighborhood that's zoned in such a way that says well, no, you know, this is all single family housing. This isn't a single family home.

You know, the Fair Housing Act has tried to address that in having a provision about what they call congregate care settings. That's a little tricky because now you're moving back into the institutionalization scheme of things. But trying to recognize that, you know, not all housing situations are going to look the same. And that to accommodate people with different disabilities, you may need to have, you know, different types of housing options in the community and that zoning has to allow for that.

But then the last piece of the housing puzzle right, that I've been working with folks at the National Fair Housing Alliance on this, is there are other ways that opportunities about options of where to live in the community can be that are less blatant than, you know, hey, we don't want to rent to you.

If somebody, you know, who uses video relay interpreting who's deaf, you know, calls and wants to know about what housing options are available, there was a study that was done by the National Fair Housing Alliance where people who were deaf were calling as testers. They weren't actually, you know, looking for housing, but they wanted to see what would happen. And so, they called these various housing providers and apartment complexes, and when they said, you know, I'm calling with a video relay service, the rental offices are just hanging up on them, were not completing the calls.

And so, you know, you can't get in the front door because, you know, the accommodations that you use to communicate are not being respected by the other. Or, you know, that the other party to that communication isn't willing to because it takes a little longer. You're going through an interpreter; they're just like, I don't understand this,

I don't want to deal with it, and the rejection rates were very, very high in that testing sample.

Another thing that the Equal Rights Center here in D.C. just recently did was for also some of these housing providers, are their websites accessible for people who use screen readers? And often turns out the answer is no. So, you know, there's, lots of barriers and lots of work to be done in order to make those options available, so that you do have all of the choices and all the freedom that you were talking about in your question.

Rafael Cox Alomar (45:24)

Karla, thank you so much for a comprehensive answer. Any other questions, please? Yes.

Audience Member #2 (45:37)

I use a wheelchair, and I'm one of the consumers who is not getting an entitlement. I worked 35 years for my SSDI check, so everybody that's getting an SSDI check is not getting it because they haven't paid into the system or entitled.

But regarding the integration into the communities, I'm blessed now to be in a community that I'm totally integrated in but, previously I was in a community where the stores were not accessible to somebody in a wheelchair. So, when you integrate somebody into a community you have to make sure that they can use the resources in that community, or else why integrate them because they're going to be frustrated. They're going to be taken advantage of by other people that have to go to the stores for them, or here for them or there for them. And what I'm noticing in D.C is they don't take those things into consideration. The total integration for the person, not just, we found you an apartment, but I can't get into school. I had a child, I couldn't get into the daycare center. I had to wait outside in the rain for them to bring her out. Things like that have to be considered an integration process.

Rafael Cox Alomar (46:50)

So, maybe Jessica might want to somehow address this concern?

Jessica Hunt (46:58)

As a person with a physical disability, I can definitely relate to what you're saying about not always feeling integrated into all aspects of the community.

From the perspective of D.C., D.C. does have a community integration plan that the office I work for, Office of Disability Rights, oversees. It basically tries to distill what the *Olmstead* mandate means to District of Columbia. So, what our priorities are people with disabilities, who either were living in institutional settings and now are going to transition to the community or who are at risk for being institutionalized and want to live in the community.

The issue with that are several folds, but I think one of them and to address your point is definitely that I see attitude barriers that I see with people, especially at times trying to help people with disabilities to determine where they want to live. Because I think it was the person who asked the first question where they said a lot of times, they, as the case manager, they see people with disabilities being put in certain types of jobs or sent to certain types of places to live. A lot of times what I see is a person with a disability is put in an accessible apartment, but then the people in charge of putting them there don't ever think about them actually leaving it to do anything. [*Laughter*]

And I went through something like that on my own when I was applying to get a new wheelchair and they told me, oh no, you can take it to work, it has to be in your room only, only in your home. Oh great, I just won't leave then, great. Just give me the chair, let me sit here all day. But my point in saying that is, yes, there is that attitude where we found your place to stay, so just stay there.

But as a person with a disability you have rights that you can assert when you feel as though you're not being effectively integrated in the community. I mean the *Olmstead* right is, it's kind of a per member a type, right, under the ADA Title II. But if there a particular location that you can't get in, be it your school or a restaurant or a grocery store that you want to use, those are things that the Office of Disability Rights can help with.

Schools in particular. We have surveyed all D.C. public schools to determine how accessible they are for people with disabilities and some are not. But if you ever encountered a situation as a resident when you're in one that there's something that you can't do or something that you can't access, I mean that's why we exist to help people assert their rights. And I think part of the issue is not only the attitudes from people without disabilities, but also the fact that a lot of times people don't know where to go to assert their rights and the avenues that are available to them locally. They think, oh well, I have to file a federal complaint to do this. And that's not always true. There are D.C. offices that can address your concerns.

For example, if you have a grocery store that you're not able to get into or that you can't physically access or if you have an issue with the way that people treat you when you're in a certain establishment, you can call our office and we can actually assist you in filing a complaint with the D.C. Office of Human Rights, who investigates all private claims of discrimination here in D.C. So, there are avenues that are available to people. And I know that sometimes it's easier said than done just to say to somebody, oh, you should go assert your rights. But here's the thing that I think of as a person with a disability. If I'm having this issue, I know somebody else must be having the same one. If I don't assert it, I can't assume that someone else will. And, so, that's why using the avenues that are available to you locally is important when you see that people that are put in situations to help you aren't necessarily doing what works best for you.

Rafael Cox Alomar (50:58)

Any other questions?

Let's say from this side of the room. You guys are being a bit quiet or folks from this other side of the room. Yes, sir.

David Prater (51:22)

Thank you.

My name is David Prater, I'm with Disability Rights Maryland. I'd be interested to hear from the panelists what kind of work you've done to include people with disabilities, and increasing their participation, in some of your legal work, either as like advisory council or consumer advisory groups, or anything like that.

Rafael Cox Alomar (51:51)

Excellent question. I mean, maybe I don't know, maybe Julie can start and then Andy?

Julie Houk (52:00)

Sure.

Through the Election Protection Program, some of our coalition partners include disability rights organizations that, when we have significant problems being reported to election protection from local communities where people are having trouble voting, they will get engaged in trying to find a solution so those folks can vote on Election Day and cast a ballot that will count. So, we regularly include dialogue with both disability rights advocates at the national level and in the states at the local level who help to intervene in resolving those election problems.

Rafael Cox Alomar (52:38)

Andy, when you were working in Congress, in the Senate, did you have any colleagues who were disabled who were actually pitching in and contributing as counsellors, attorneys?

Andy Imparato (52:53)

Yes.

So, I guess I want to make sure I understand the question. You're basically saying, in terms of legal work or more broadly, what are we doing to kind of hear directly from people with disabilities at disability led organizations?

David Prater (53:07)

Right, sort of a movement.

Andy Imperato (53:10)

Yeah. So, I think for Senator Harkin, his priority was to hear directly from people with disabilities and he tended to center organizations like the National Council on Independent Living or ADAPT in part because they were run by people with lived experience and were speaking to issues that they were dealing with every day. As his disability policy director, I was out as a person with bipolar disorder. He knew about that. That was unusual.

If you look at the people that have written most of the disability laws in Congress at the staff level, most of them are not disabled, or they don't have a strong disability identity. So, I think, you know, I shared his philosophy to try to go to people with the lived experience when we were trying to figure out how to move policy in the disability space broadly including the networks that I work for now, which is federally-funded university centers on disabilities.

There are lots of organizations that've been around for a long time that have not had people with disabilities represented in leadership. And I think it's a serious problem. It's something that we're definitely trying to work on in our network. It happens in legal services. It happens in the disability rights configuration around NDRN and other disability rights organizations. Part of it goes back to some of the stuff that TL was talking about in terms of ableism in the legal profession, ableism in law school, ableism in the pipeline programs that lead up to law school.

But I do think the legal profession has a long way to go just in terms of having disability as part of a diversity conversation. When you look at a NALP form for a law firm, I don't know if they still call them that, but if you want to see if there's representation of lawyers with disabilities in the law firm, that's not easy information to find. So, it's a good question.

You know I feel like that to the extent that we're involving people with disabilities, it's mostly white middle-class, upper middle-class people with disabilities. So, there's the overlay of the other issues that were talked about earlier. But I don't think we're going to be as effective in any of these organizations if we don't have people with disabilities in leadership who collectively look like the populations that we serve.

Rafael Cox Alomar (55:35)

Any other questions? We still have some more minutes. Any other concerns?

Andy Imperato (55:42)

Can I just quickly go back to the first question?

Because one thing I wanted to say, I appreciated the question, and identifying the tension between safety as a goal and freedom or self-determination as a goal. And I think the ADA is very clear on it and the goals that Congress articulated when they passed the ADA were very clear when they said independent living. They were siding on the side of freedom, not on the side of safety. Safety codes, fire codes, things like that have gotten in the way of freedom, you know, throughout the history of our country and other countries. So, I think there's a way to come at emergency preparedness and response, carrying those goals of self-determination, independent living, full participation, equality of opportunity as the goal.

And then the question is, in that context, how are people going to access the emergency information? How are they going to be part of the recovery process when decisions are getting made about what's going to be invested in? What's going to be rebuilt? How are people going to be supported? There is a civil rights frame for all of that and I think that was the perspective that Disability Rights Advocates took when they were approaching all these cities trying to promote the cause of the ADA in that context. I don't know, Karla, if you want to add anything.

Karla Gilbride (57:04)

No, I agree with that.

I mean, I think that, that's actually a good tie into the last question. Because one of the first things that we did when we would approach a city was to say, you know, what is your current plan look like? Can we see your current plan? And what disability, you know, people with disabilities as stakeholders have you consulted with to find out whether this plan is adequate? And there's nothing about us without us. As a goal to make sure that there's representation now.

You know, it is a broad, cross-sectional community, and there's a lot of intersecting identities so I think that, you know, your point about just lack of, problems in the pipeline and lack of people with disabilities in many organizations that have that seat at the table, is a problem. But then the ones that are there are often white and middle to upper class and don't represent the full spectrum of people with disabilities who were, you know, don't represent, don't look like the community whose needs are being addressed. So, even though you have a disability that doesn't mean you understand all of the issues that need to be thought about and considered and surfaced. So, that's something we need to be talking about among ourselves as well. And just because, you know, you have a disability doesn't mean you just get it. I mean I as a blind person don't. There's a lot of things I don't get about people with other disabilities, let alone other blind people whose life experiences aren't like mine.

But just going back to the legal profession and diversity, I really want to, you know, agree and exclamation point what you were saying about I get really frustrated with panels that talk about diversity and inclusion in the legal profession and don't say a word about disability. And I would just add that in, in the groups that are trying to diversify nominations of--for people to be judges and talk about you know having

demographic diversity on the courts when we're asking judges to, you know, interpret these laws and interpret what the ADA means and what integration means. Having judges who have disability as part of their life experience and who identify, I mean there are maybe lots of judges who have disabilities, but who may not, you know, identify that and want to talk about that. And that, that's something that we as advocates, I also would, you know, encourage those of us who are advocating around nominations to the bench to push that and to push the ABA and other groups who are who are working on that full time to make that a priority.

Rafael Cox Alomar (1:00:04)

We have another question from the front row.

Bob Gris (1:00:08)

I'm Bob Gris with the--I'm a disability health policy researcher, at least I have been through the Center on Disability and Health.

One issue that has not gotten explicit attention is the tension between this disability as a special interest group, and disability as a litmus test for the needs of the total population. But that, but that the litmus test concept has some extra leverage by putting it in a civil rights context. And I was a health policy researcher first, and then got interested in disability rights because the ADA provides, has concepts like, reasonable accommodation that you can create certain precedents with, that can then be extended to other populations as well.

So, my question is, given the context in which our country is going through all sorts of austerity crises right now, I'm wondering how the disability community is balancing these two different goals, which I think are sometimes in conflict. It's one thing to say--so, my question is: How do you enhance the leverage of the ADA in civil rights if the general public doesn't understand why it's in the interests of the total population to address the unique needs of people with disabilities?

Andy Imparato (1:02:17)

So, Bob, I'm going to give an example of I think what you're getting at.

When the folks were working on the Affordable Care Act and the Administration and Congress, one of the messages that we heard a lot from the President and other leaders in that effort was there were two big goals. We need to cover the uninsured and we need to bend the cost curve. He was concerned about the costs of health care, prescription drugs, and acute care, and health care in general.

What we didn't hear a lot as a message was that we need a health care system that will be there for you when you need it the most. And we didn't hear a lot about the number of people who experienced bankruptcies because of their health care costs. So, the message didn't resonate as well for people that already had health insurance. I think there would have been a way to frame that message where it would have resonated

more for people that actually had health insurance, because they could have been educated about the limits of their insurance and how at risk they were even if they weren't aware of it.

So, I think that's kind of what you're getting at, when we kind of try to do something big as a country. There's a conversation now going around Medicare for All. Well, for those of us who work in the disability space know that Medicare for All, per se, is not going to solve a lot of issues for people with disabilities in their interaction with the health care system because Medicare doesn't pay for long-term service and supports and has a lot of other limitations to it compared to Medicaid.

So, I think we have to be part of those broader conversations, bring a disability lens. Use the opportunity to educate leaders about why this disability lens is actually helpful in them achieving their policy goals. But I also think it's helpful to have efforts like the Disability Integration Act that frame Medicaid reform in a civil rights frame. But again, the messages we used to sell that need to somehow resonate with people who may not see themselves as people with disabilities at that moment.

Rafael Cox Alomar (1:04:23)

I think there was a question right next to you.

Audience Member #3 (1:04:28)

Yeah, back to the emergency services question.

There's a whole grassroots emergency service system in terms of the sort that emergency resources training and also these different mass casualty events where you have practice and people are there. And I just realized, when I participated in these, I haven't seen anybody with physical disabilities, at least in the ones where you're practicing mass casualties and you have thousand people and the Army or Navy comes in and National Guard comes in and practices. And it hit me that they really need that practice. So, I'm wondering if we might not need to open those up or recruit people with disabilities for that?

Rafael Cox Alomar (1:05:09)

So, who wants to?

This is our last question. We are almost at an end here. I think we have two more minutes to go. There are two more panelists, I believe at 1:30, right? So, my time-keepers, do we have time for this question and another question? Only one more question. So, why don't we take this question first. Who wants to?

Jessica Hunt (1:05:33)

I can, I can start.

I would agree with you that more people with disabilities need to be included in mass emergency exercises. I know that in the District, at least in the past eight years, that I've worked there, that's been something that our office has pushed for because prior to the Office of Disability Rights coming to the conversation, people with disabilities were not included.

And I can remember the first emergency preparedness exercise I participated in, not as an employee, just as a District resident, and they told us that they were taking this. I forget exactly what the nature of the fake emergency was, but I think it was like a train derailment or something. They told us that they were taking us to a shelter that was completely physically accessible. So, I made sure to bring my chair. I came in and I really had to go to the bathroom because I had been waiting over an hour in line just to do the intake and there were also problems with the intake, but I won't even get into that.

We were told the shelter was completely physically accessible. I asked where the restroom is. I get to the restroom. There was a lady laid out on a stretcher in front of the restroom. Number two, my chair doesn't actually fit through the door. And it's this chair that you see, so the door was really narrow. Number three, when I actually do figure out how to get into the restroom without my chair, there are no grab bars or anything else in the accessible restroom except for the one behind the toilet. So, I couldn't actually use it. And what we realized was that under the current system that was being used by the multi-jurisdictions, that shelter was being billed as completely physically accessible.

Why? Can anybody guess why? Because there was a ramp in the front. Yes, that was it. [*Laughter*]

None of the other access needs matter. Was there any signage on how to get to the ramp? No. Was there anybody explaining any of the instructions or rules to people who were blind and low vision? No. Were there any designated places for people to put medication? No. There were all these ways in which the shelter itself wasn't accessible, but no one realized until people with disabilities were actually involved in the exercise itself.

Rafael Cox Alomar (1:07:58)

We're going to go for ten more minutes. Professor Morin has been generous enough to actually donate ten more minutes to this, so I'm going to take more questions. Any question from this side of the room? I haven't heard from you guys yet. Anybody on this side? Nothing here. OK. Yes. Why don't we take this lady's question? And then one over here.

Audience Member #4 (1:08:29)

Hi. Can you hear me?

Thank you. I'm a student here at the law school and I wanted to hear about what are your efforts to reach out to the immigrant community members who are disabled

and also like what are the resources available to them? What do you do with enforcement and also with immigrant members who are undocumented that may not be eligible for social services that otherwise like U.S. citizens or like permanent residents would have? And how are you including them in the conversation of disability rights?

Andy Imparato (1:09:02)

You want us to just go one at a time on that. Do you want to start?

Jessica Hunt (1:09:06)

I'll start. As you probably know, D.C. is a sanctuary city, so people with--people who may, for example, not speak English, whenever they access D.C. government services including those from our office, we actually have the Language Access Act, which will guarantee them access to everything that we have spoken in our language. As far as with the Office of Disability Rights and how we try to include the immigrant population in our efforts, we have the majority of our materials that are done to outreach the public are translated into nine different languages. I can't think of all what those are.

And on a day to day basis, because I take complaints, I tend to have at least a little bit of experience with people who are not native to this country who may be coming into D.C. to receive certain types of benefits and a lot of times when we're trying to get them help, we never ask whether they're documented or not. We actually look to what can we get for them and how can we assist them in ways that do not require a piece of paper.

Because for people with disabilities, whether they are immigrants or whether they are U.S. citizens, actually having identified documentation is sometimes a problem that many people run into. And that could be for a myriad of reasons whether when they went to get their state I.D., for example, they don't have the requisite documentation because they don't have the utility bill and they don't have anything address them at their home address and all they may have is their birth certificate and someone to say, yes, I live with this person, I can verify they are who they are.

And so the idea that you need particular documentation to access services from the government is something that hurts a lot of different people with disabilities in receiving what they are entitled to and the privileges that they are entitled to from the government as not just a citizen, but as a person under equal protection of the law.

Rafael Cox Alomar (1:11:19)

Anyone else from the panel want to react? We have a bunch of other questions, I think.

Andy Imparato (1:11:24)

Sure, I'll be quick. So, in my network, what I find is the people that are doing the work focused on immigrants or refugees are people that have personal connections to

those populations. So, at my center at the University of Illinois, Chicago, Fabricio Balcazar is on the faculty there and he does a lot of work with high school dropouts from immigrant communities in Chicago.

At UCLA, they have an initiative where they're supporting parent organizations in the Latinx community and the Chinese American community as leaders to try to deal with disparities within the developmental disabilities service system in California, which have been documented and are pretty egregious in terms of who's actually getting services under a supposedly, a system where everybody has an entitlement to services in California. So, there's stuff happening across my network, but it's not happening consistently.

And one of the things that we've tried to do is elevate diversity equity and inclusion as a priority for us as a national network. We have diversity fellowship programs across the network and we're doing other things to try to center these issues more for all of our centers recognizing that in different populations the immigrant demographics, the different states, the immigrant demographics are going to be very different.

Rafael Cox Alomar (1:12:40)

So, any questions from this side of the Moot Court room? Anybody here has any question? Anybody here on this side? So, yes, please, go ahead. Let me just wait for a mic here so everybody can hear you.

Audience Member #5 (1:13:02)

Just expanding on the *Olmstead* discussion. I just wanted to give a quick example of a man who used a wheelchair who under *Olmstead* was placed in his own apartment, but it was not an accessible apartment. And he relied on outside services, obviously delivery services, to provide, to give him his medication that wasn't working. He had been in his apartment for a while without getting his medication, which he was supposed to take daily. So, could you talk more about the challenges of finding housing for persons who are deinstitutionalized? Or who are at risk of being institutionalized? Because we hear about *Olmstead* as a kind of standard, but I don't hear a lot of discussion about what happens afterward and how well it's working.

Rafael Cox Alomar (1:13:51)

Well, let's do Karla, perhaps. Do you want to take a stab at that question?

Karla Gilbride (1:13:55)

Sure, so, that is definitely a, you know, a problem in many cities where there just aren't enough accessible apartments, or where there are and there's a long waiting list.

Now some, under, you know, Medicaid in certain states, you'll get a block grant of funding that will, you know, come with the person and maybe some local social

service agencies, whether it's publicly funded or privately funded can also perhaps provide money because renovations obviously are expensive. But it is another provision that you have under the Fair Housing Act is, it at your own expense you can make modifications to your apartment to make it accessible. And so, if that money, you know, gets to the person somehow through some source, it may be something that you can actually, you know, physically modify the apartment yourself. But that's, that requires you know a lot of resources to come together to make that happen, and it, you know, it's a challenge and it's something where I think we could have more private-public partnerships working together to try to get that to happen quickly. So that it's not one of those it's like, yes, you have a right in--in--in theory, but in practice, you know, the infrastructure just isn't there to actually make it work.

Rafael Cox Alomar (1:15:29)

Any...Yes, go ahead, please. We're going to get you a mic so that folks can actually hear you.

Audience Member #6 (1:15:41)

Thanks. In the state of South Carolina, all individuals who are issued a disabled placard for driving purposes or parking purposes, their photograph must be placed on there, whether they're a driver or a non-driver. How does that impact potential targeting for discrimination?

Rafael Cox Alomar (1:16:02)

That's a very good question. Who wants to address? Julie, you want to address that question? Or Jessica, or any of the other, or Andy, perhaps?

Julie Houk (1:16:13)

I'm not familiar specifically with South Carolina, but I know that there have been efforts in state legislatures including in Georgia to have people identified as citizens or non-citizens on driver's licenses and making them less secure in terms of, you know, their interactions with whoever needs to see their driver's license for any reason.

And I would suspect the same would apply in the situation with people who need to have the disability placard and opening them up to potential for discrimination every time they have to use a driver's license to vote, or a driver's license to obtain a service. So, I know that and currently in the Georgia legislature there's a bill that advocates are fighting against around identifying people as non-documented individuals, which is really a problem especially given the anti-immigrant mood in much of Georgia. So, these are things obviously advocates need to be aware of and counteract.

I just would like to add back to your question about the undocumented or immigrant population in the voting world. We're seeing a lot of bills now and laws that we're fighting against both in the courts and in state legislatures, where they're targeting citizenship for voter registration both at the front end where you have to either prove

your citizenship through documentation or an onerous process, or at the back end, such as in Texas where the secretary of state recently decided they were going to try and purge people from the rolls who were alleged non-citizens.

We saw a bill in Virginia that Governor Northam just vetoed where they would have had to match Social Security databases and prove citizenship to stay on the voter rolls there and similarly in Georgia. So, these are really important considerations when you have people who are citizens especially newly naturalized citizens being accused of attempting to register to vote illegally and then being targeted and having to go through an onerous process to prove their citizenship.

Rafael Cox Alomar (1:18:17)

Anyone else on the panel want to react to that very interesting question?

Andy Imparato (1:18:21)

Well, I would just add there is a there's a census aspect to this too.

I'm sure you're aware of the Secretary of Commerce who's trying to add a citizenship question to the census, which is going to have a serious impact on the accuracy of the count, that's being challenged in the courts. But it's just another place where that is playing out right now in public policy.

And I just quickly, on the *Olmstead* question, if I can. I feel like, I don't know if you saw the *New York Times* piece where they talked about folks were living outside of the institution living with schizophrenia in other conditions and they weren't properly cared for. It's scary to think of what is the solution to that problem, because it's the direction of the reporter seemed to be, well, we shouldn't have let them out of the institution in the first place, which to me is not the solution to that problem.

The reality is people who live in institutions don't have a lot of political power. When they get out of the institution, they still don't have a lot of political power. So, if we're going to provide the right level of supports and services, we have to build the political power that these folks matter and the services that they get matter, and I don't think the *Olmstead* frame is enough. It kind of goes back to the earlier panel--law in and of itself is not going to solve all of the political challenges that we face as a community. And if you come from communities of color, low income communities, you're more likely to get inadequate services.

Rafael Cox Alomar (1:19:49)

So, anyway without any further ado, we really appreciate and want to thank our wonderful panel [*applause*] and the audience for so many wonderful questions, so thank you so much.