

2015-2016 Report to the Community



Disability
Rights
Maryland

Empowerment. Integration. Equality.

Change.

In 2016, our organization changed its name to Disability Rights Maryland (DRM). Our new name reflects important changes that have occurred in the lives of people with disabilities, and easily identifies DRM as the National Disability Rights Network member organization in Maryland.

When Congress established the Network in 1975, people with disabilities were commonly segregated in large congregate facilities, out of sight and mind. The disability rights movement has led to widespread deinstitutionalization and desegregation. While DRM continues to monitor facilities to detect and remedy abuse, neglect and other rights violations against disabled persons, our work has increasingly moved into the community along with our clients.

Empowerment. Integration. Equality.

We chose this tagline to accompany our new name and communicate DRM's core values. At the threshold of DRM's 40th anniversary, our clients – individuals with developmental, psychiatric, sensory, and physical disabilities – are more likely to be living in their communities, integrated into mainstream society, pursuing their dreams. Yet integration and equality are not yet fully realized, and the key to these goals is empowerment.

When DRM succeeds, our clients' lives change for the better. When our clients succeed, they and our whole society are transformed. It is this transformative change that we seek in working closely with people with disabilities. Many of our clients experience transformation through standing up for their rights. They learn to advocate for themselves and others. This is the heart of the disability rights movement.

You can see examples of the transformative change DRM and our clients are working together to achieve in the excellent short videos on our YouTube Channel – Disability Rights Maryland.

"Change is a faster caterpillar. Transformation is a butterfly." - Dan Pallotta

From where we stand today, the rate of social change appears to be accelerating. At DRM, we not only have the resilience to adjust to change, but the power to shape it. As we enter our 40th year, DRM has never been stronger, and with your continued support, we are prepared to meet the challenges ahead. We hope our community will remain steadfast in working with DRM to realize empowerment, integration and equality for all. Thank you for your partnership.

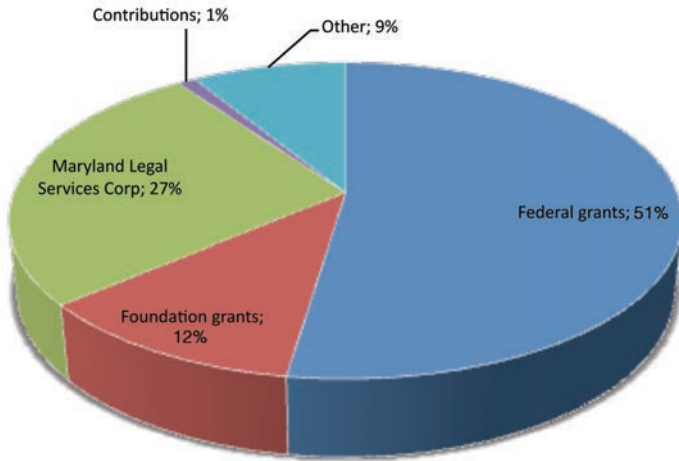
Sincerely,

Ken Capone, Board President &
Virginia Knowlton Marcus, Executive Director

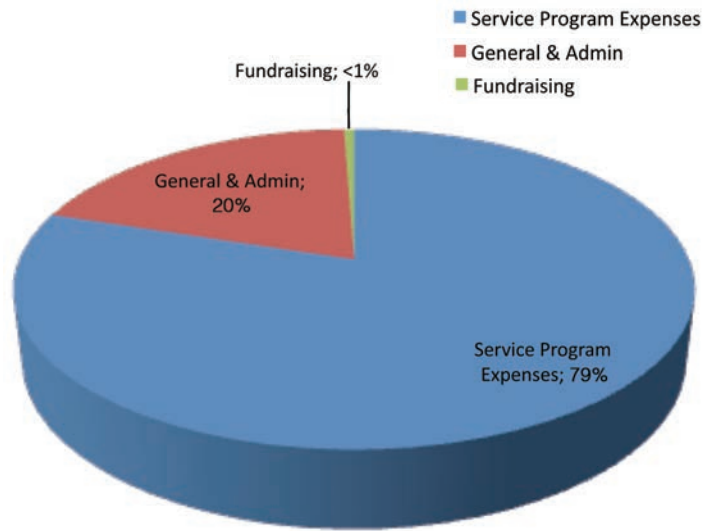


Financial Overview

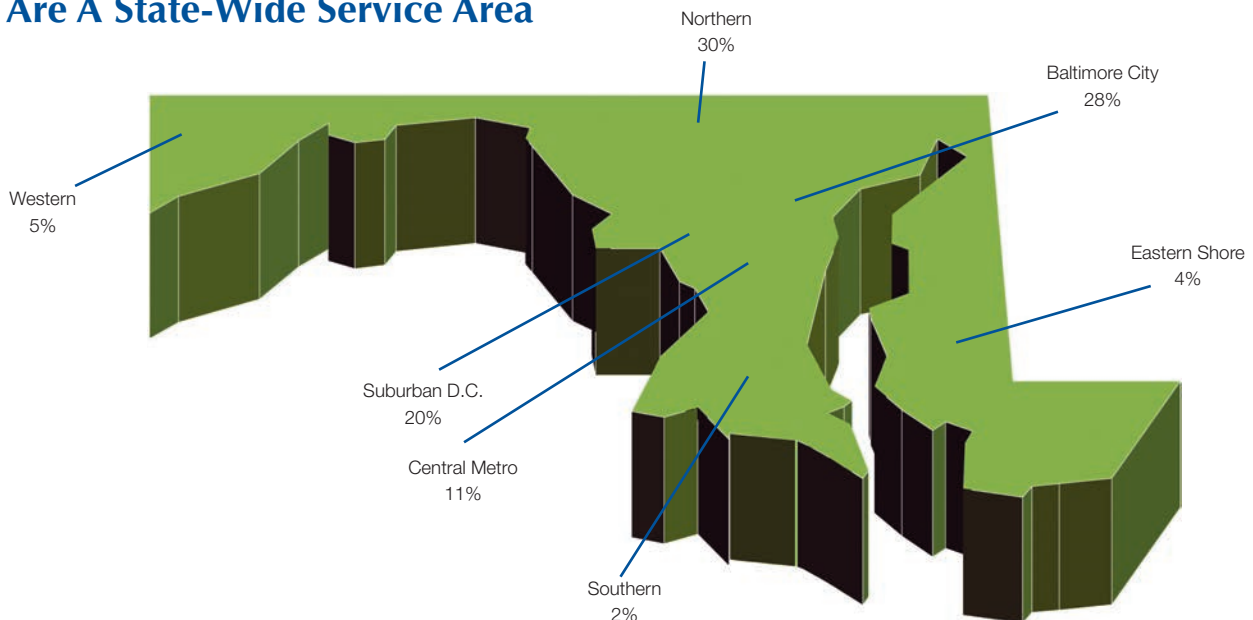
Where Our Support Comes From



How Our Funds Are Used



We Are A State-Wide Service Area



Empowerment through Advocacy

DRM received information in 2014 about a situation in Harford County involving a segregated classroom of students with autism who had reportedly been subjected to abusive treatment by their teacher and classroom assistants. DRM spent several months conducting an extensive investigation that substantiated the allegations. The students had been sprayed in the face with water, isolated behind barriers, and threatened with a rolling pin, and strong odor markers. In addition, DRM uncovered significant educational neglect. Our resulting report and findings made a number of recommendations, including the need for accountability at all levels of the school system, compensatory services to address the educational neglect, professional development and training for staff, communication with parents, program review, student safety, and more. DRM also represented nine of the children from the class to assist them in obtaining appropriate assessments; individualized education programs (IEPs) and compensatory services. Our final individual case closed in June 2016; all nine students DRM represented have been placed appropriately and are making educational progress. The school system has addressed many of the systemic problems that allowed this situation to occur, and has been utilizing a consultant to improve the quality of its autism programs. The school system has also provided intensive professional development to its staff including an “Autism Summit” for the past several summers.



DRM and Venable, LLP represented Jane Done, who was sexually assaulted twice, while committed to the Department of Health and Mental Hygiene (DHMH) facilities, resulting in severe trauma and emotional injuries. Despite DHMH’s knowledge of Ms. Does’ history of sexual victimization, cognitive and behavioral health status; staff failed to provide adequate supervision, and also failed to provide proper aid and treatment following her assaults. After two years of investigation and litigation, Ms. Doe’s case was resolved in October 2016. The state agreed to award Ms. Doe with maximum damages, and DHMH has agreed to service commitments that will be available to her for as long as she needs them. In addition, DHMH agreed to institute reforms at all of its facilities, to enhance patient safety and protect individuals who are identified as victims of prior trauma. The reforms include new screening tools, use of individual protection plans, use of external law enforcements

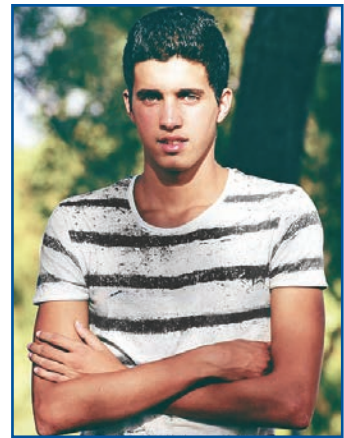
(instead of internal facility police) to investigate allegations of sexual assault, development of protocols for reporting and managing assault allegations, training and identification of preventive and remedial services.

Department of Justice Report on Baltimore City Police Department

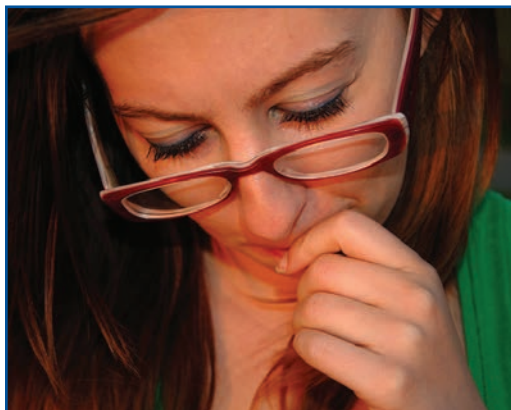
DRM is aware of the very real and potential dangers from interactions between people with disabilities and the Baltimore City Police Department (BPD). A report released on August 10, 2016 from the U.S. Department of Justice (DOJ) found that BPD violated the Americans with Disabilities Act by practices including routinely using excessive force against persons with disabilities, including individuals who committed minor crimes or no crime at all; creating further harm or crisis for individuals with disabilities instead of de-escalating or diverting such individuals to community services. DOJ also found BPD used unconstitutional stop and frisk practices. Police interactions frequently included people with mental health disabilities, individuals with sensory, intellectual, or developmental disabilities and disproportionately affected specific communities, particularly people of color.

The report highlighted the deficient training, oversight and policies of the BPD that are supposed to protect people with whom officers are more likely to encounter. DRM facilitated meetings with DOJ and community members to express how persons with disabilities in behavioral health crisis should be excluded as much as possible from the criminal injustice system. DRM provided comments and testified on the proposed consent decree between DOJ, Baltimore City and the BPD. DRM looks forward to continued involvement related to development of a comprehensive community crisis response system that provides for supports and decriminalization of disability.

DRM represented “Robert”, a student with autism, who was charged as an adult with a criminal offense related to an altercation in the community. While the criminal case was pending, the court would not allow Robert to go home and attend school. When Robert’s mother called DRM, Robert was receiving no educational services, in clear violation of the law. DRM intervened and coordinated with Robert’s public defender to ensure the school system provided services while Robert was detained. Ultimately, Robert was permitted to return to his non-public school placement and was able to stay on track to graduate in June 2016.

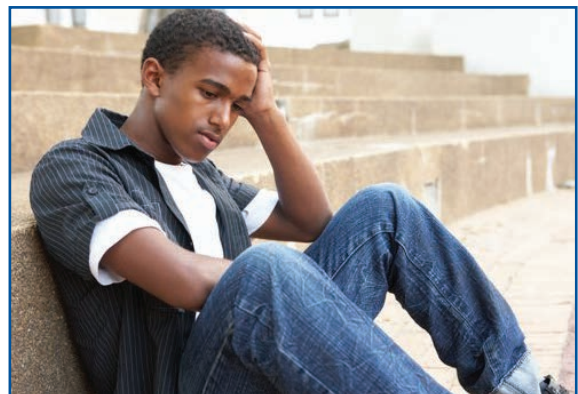


“Jasmine”, a 21-year-old with an intellectual disability, was wrongfully institutionalized after she was committed to the Department of Health and Mental Hygiene following a court determination that she was incompetent to stand trial.



The Developmental Disabilities Administration (DDA) denied Jasmine’s eligibility as an individual with a developmental disability and refused to provide her access to the Medicaid waiver and community services. Jasmine had previously received services through the Department of Social Services, and DRM connected with her former case worker to discuss the extent of her disability and her inability to live independently. DRM also reviewed Jasmine’s DDA and school records, and discovered that DDA’s Chief of Psychology Services had found her eligible two years earlier. With DRM’s involvement, Jasmine had her records re-reviewed by DDA, and was found eligible for services. Jasmine’s public defender is now working with the court and DDA to locate a provider so Jasmine can receive services in the community.

DRM received a referral from a Department of Juvenile Services (DJS) staff regarding a middle school student, “Todd,” who has an emotional disability and recently transferred to public school from a residential treatment center. Todd had been pepper sprayed by a school resource officer (school police) and charged with resisting an arrest. DJS was aware of DRM’s work through training we provided to DJS staff, and contacted us with concerns that Todd was not receiving the services he needed. DRM investigated the incident, coordinated with Todd’s public defender, and represented Todd in several special education meetings. We advocated for updated assessments, one of which identified a significant deficit. The IEP team ultimately agreed to an alternative school placement that would address Todd’s therapeutic and academic needs. After DRM wrote a letter to the Court advising of our involvement, Todd was allowed to return to the community and attend the non-public school placement.



Accolades for DRM's Housing Work

Each year, the National Disability Rights Network (NDRN) hosts an annual gathering of the nation's Protection and Advocacy and Client Assistant Program Agencies, disability rights attorneys and advocates, and self-advocates.

On June 15th 2016, DRM was honored to receive the prestigious 2016 Advocacy Award from NDRN for our groundbreaking housing advocacy in Baltimore County. In addition to DRM, the two plaintiffs from the case, Rhonda Myers and Myesha Allender gave remarks, were presented with awards and received a standing ovation. Representatives from our co-counsel organizations were present and recognized. DRM was congratulated during the keynote speech by the U.S. Department of Housing and Urban Development (HUD) Secretary, Julian Castro. Secretary Castro said, "Their [DRM's] victory on behalf of Rhonda, Myesha, and other Baltimore residents who endured decades of housing discrimination because of their race or disability is a powerful reminder that the NDRN is much more than a network of respected housing advocates. You're a civil rights standard bearer, and one of the nation's preeminent forces for good."

DRM is thrilled to have made progress towards correcting decades of segregation and civil rights violations based on race and disability. Our Conciliation Agreement with HUD and Baltimore County ensures that hundreds of new, accessible and affordable housing units will be developed in Baltimore County in areas of opportunity, and that a modification fund will be established to help residents pay for necessary renovations such as ramps, lowered cabinetry and bathroom modifications, among other remedies.



DRM clients Myesha Allender and Rhonda Meyers



DRM Staff, Clients Myesha Allender and Rhonda Meyers and HUD Secretary Julian Castro

DRM engages in public policy advocacy on key issues affecting people with disabilities, consistent with our advocacy services plan. DRM has been involved with significant legislation, two recent examples are showcased below:

Child Custody Bill (2016 Md. Laws, Chap. 423):

This bill protects people with disabilities and their families from discrimination in private custody, visitation, adoption and guardianship proceedings. It requires findings that an individual's disability affects the best interest of the child to be recorded in writing, places the burden of proof on the party who alleges disability to be a factor, and conforms the Family Code definition of "disability" to federal law. DRM was pleased to work on this groundbreaking legislation with members of the General Assembly, the National Federation of the Blind and other members of the Maryland Disability Rights Coalition, National Council on Disability and others.



Ken Capone Equal Employment Act (EEA) (2016 Md. Laws, Chap. 522):

With this bill, Maryland became the second U.S. state to eliminate the discriminatory exception to Section 14C of the Fair Labor Standards Act of 1938. The EEA will phase out "sheltered workshops" that pay people as little as pennies per hour. It requires the Maryland Department of Disabilities and the Developmental Disabilities Administration to implement a 4-year transition plan to move individuals from segregated day programs to integrated employment. Each individual currently making less than minimum wage due to a 14C certificate will receive an individual plan for the phase out. DRM Board President, Ken Capone of People on the Go, Disability Rights Maryland and other coalition partners and advocates led the successful effort to abolish these outdated policies. DRM participates on the Employment First Steering Committee that is developing the policies and infrastructure to support the transition plan.

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Grassroots Advocacy

Consumers for Accessible Ride Services (CARS)

Consumers for Accessible Ride Services (CARS) is a diverse group of advocates with disabilities who advocate to address systemic issues within Mobility (paratransit) transportation services in Baltimore. Riders are often faced with long hold times when making reservations, dropped calls, and missed appointments due to late services. CARS advocates are trained to connect with riders in the community about their rights as users of Mobility services. CARS members meet regularly to identify issues and strategize and they also provide advice and recommendations to local agencies from the rider's perspective. CARS created a self-advocacy guide that is distributed digitally, and during outreach and education events. The guide presents crucial information and advice for individuals applying for Mobility eligibility or appealing denials of service. In addition, DRM and CARS maintain a dedicated hotline for riders to report issues with Mobility services.



*Back row from left to right: Nichole Fincham, Phillip Freeman, May Robinson, Kate Anderson (DRM Attorney), Debbie Benadaret
Front row from left to right: Will Fields, Imani Graham, Linda Merkle, Floyd Hartley*

2016 Voter Forums

One of DRM's priorities is ensuring that all eligible voters with disabilities are informed and have access to exercise their right to vote. Each presidential election season, DRM hosts voter forums for the disability community. In 2016, DRM held three forums across the state in Baltimore City, the Eastern Shore, and in Frederick County. During the forum, representatives from the local Democratic and Republican parties take turns responding to general interest questions. Participants have the opportunity to ask their own questions and to learn more about their rights as voters. DRM staff assists with registering voters, and the local boards of elections to demonstrate the voting machines for participants to test the accessibility features, and learn how to properly cast a ballot. In addition to hosting voter forums, DRM conducts voter registration and training presentations at various locations across the state.



The Sunshine Folk:

DRM's Sunshine Folk program helps people with disabilities and low incomes who reside in nursing facilities regain their independence by transitioning back into the community. DRM provides training and support to this group of advocates with disabilities who have experienced life in a facility. The Sunshine Folk reach out to facility residents who are often unaware of the Medicaid community based options for long term care, or have been unable to access such services that would allow them to live in a home in the community. The Sunshine Folk visit facilities to provide information, encouragement and assistance as the residents may need and desire. The Sunshine Folk provide hope and case management support to individuals who would otherwise spend their lives languishing in a facility, and also play an important role in helping DRM identify common obstacles and systemic problems that facility residents encounter during the discharge process. Sunshine Folk member Ivis Burris describes her experience with a client she helped to transition out of a facility " When you see somebody walk through their process, and they end up back in the community....hands down, there's nothing like it. It's awesome. Awesome!"



From left to right: Valerie Smith, Floyd Hartley, Ivis Burris, Brenda Reeder (standing) Linda Merkle, Wanda Miller

Success Stories from the Sunshine Folk:

- "Mary" is an 86-year-old woman with advanced dementia who was in a nursing facility for 7 months prior to her discharge. Mary's daughter contacted DRM for assistance with her mother's discharge and, after overcoming a short delay, the Sunshine Folk advocated to ensure Mary had her eligibility assessment completed, and provided Mary and her daughter with support during the waiver application and discharge planning process.
- "Brenda" is a 69-year-old woman who experienced a stroke. The Sunshine Folk first met Brenda in 2015 when she was discharged to an assisted living facility (ALF). When new problems arose after being in the ALF for only a few weeks, Brenda admitted herself back into the nursing facility. The Sunshine Folk helped Brenda communicate her concerns regarding lack of supplies to her supports planner, and with their assistance, Brenda discharged to her own apartment in November 2016.



SSF Advocate Ivis Burris (Right)

DRM Fellows, Volunteers and Advocates

Mary Roberts

As DRM's VISTA project coordinator, Mary Roberts helped nurture partnerships with over 25 Baltimore Out-of-School-Time (OST) programs. The Baltimore OST Inclusion Project began in 2014 with the objective of spreading disability awareness and supporting after school and summer programs in making their services more effective for students of all abilities. Participating OST programs received ongoing support and site-based coaching from local experts in autism, mental health, special education, parent engagement, and more. Our OST partners have become more prepared to make inclusion a foundational element of their organizational structures.



Monica Whitfield

Monica succeeded Mary Roberts as our project coordinator for the Baltimore OST Inclusion Program, designed to help students with disabilities succeed by increasing disability competency and providing training, technical assistance, and coaching for after school and summer programs that are serious about making their services more welcoming and effective for youth of all abilities. A crucial component of the Baltimore OST Inclusion Program is deepening the understanding of the intersection of race and disability biases.

Amanda White

After exemplary performance as a volunteer lawyer at DRM, Amanda joined DRM staff as a Public Interest Fellow. In that role, Amanda spent a year working in the education unit to represent students with disabilities negatively impacted by harsh school discipline. Her advocacy entailed working with students, their families and school teams to find positive and appropriate strategies to respond to inappropriate and challenging classroom behaviors. Amanda attended many meetings with her clients to ensure they remained in school with the opportunity to learn. At the conclusion of her fellowship in March 2016, Amanda successfully competed for a staff attorney position with DRM funded through the generosity of the Open Society Institute – Baltimore, where she continues to provide effective legal representation for students with disabilities in Baltimore City Schools.



Sabriyah Hassan

Since joining the DRM team, Sabriyah has been tirelessly conducting outreach and advocacy in a vast array of Baltimore City neighborhoods and connecting more individuals and organizations with DRM. Sabriyah primarily focuses on building relationships with families who experience difficulties navigating the Special Education process in Baltimore City Public Schools by connecting them with DRM's legal services. For example, Sabriyah recently assisted a family with a disabled child who, due to challenges in the school system, will be repeating the ninth grade for the fourth time this school year. DRM has accepted the case for representation.



Jacob Stone

As DRM's Mental Health Fellow, Jacob focused on advocating for children in residential treatment centers (RTC's). He monitored 11 youth RTCs for abuse, neglect and civil rights violations. When a child was injured, or DRM received a serious incident report, Jacob investigated and made recommendations for making the facilities safer. Often working with kids who felt "stuck" at the facility, Jacob attended treatment team meetings and worked to ensure that facilities complied with their responsibilities to each child. Youths report that they do not always have access to needed services, and by conducting "Know Your Rights" presentations at the RTCs, Jacob informed many vulnerable youth about their legal rights, and how to contact DRM if they need an advocate.



Susana Barrios

As a bilingual advocate, Susana helps parents understand the IEP process, what their rights are, and how their child's disability affects the way they learn. Susana works with parents who are not fluent in English, and some who come from countries where special education is nonexistent. Often there is a risk of the parents not having meaningful input or understanding what is being discussed during school and community meetings regarding their student. Being bilingual and understanding Special Education terminology is a big advantage, Susana is able to make sure the parent has an accurate interpretation of what is being said. As part of her outreach, Susana works to understand the common concerns of parents to check for systemic problems.



Tracy Wright

As a Voting Advocate for DRM, Tracy has designed and presented training on voter rights, self-determination, and self-advocacy for both people with disabilities, and the professionals who support them. Tracy's prior experience as a Project Coordinator for the Self Advocacy Network (SAN) expanded her skills as a peer mentor; she created a mentoring program geared towards individuals in residential treatment centers across the state. Tracy was also the lead SAN mentor during the closure of Rosewood Center in Baltimore. In addition to being a part of the DRM team, Tracy is the Advocacy Specialist for People on the Go Maryland.



DRM Staff

Leadership Team:

Virginia Knowlton Marcus,
Executive Director

Alyssa Fieo,
Director of Legal Advocacy

Charmaine Glass,
Director of Finance

Meghan Marsh,
Director of Operations

Lauren Young,
Director of Litigation

Staff:

Kate Anderson, Attorney

Susana Barrios, Advocate

Robert Berlow, Senior Attorney

Ashley Black, Attorney

Laura Cain, Senior Attorney

Pamela Foresman,
Pro Bono Coordinator

Marni Greenspoon, Attorney

Pat Halle, Paralegal

Sabriyah Hassan,
Special Education Advocate

Nicole Joseph, Attorney

Hal Malone, Intake Specialist

Leslie Margolis, Managing Attorney

Tacha Marshall, Paralegal

Tiffany Nance, Accountant

Luciene Parsley, Managing Attorney

Jackie Phillips, Office Assistant

Nancy Pineles, Managing Attorney

David Prater, Attorney

Mary Roberts, Americorps VISTA

Tracey Rogers, Office Manager

Casey Shea, Legal Advocate

Katherine Smith, Paralegal

Sarah Steege, Attorney

Jacob Stone, Attorney

Cathy Surace, Managing Attorney

Jordyn Taylor, Development Associate

Amanda White, Attorney

Monica Whitfield, Americorps VISTA

Tracy Wright, Voting Advocate

2015-16 Intern Highlights

Hannah Bondurant

Hannah's internship focused on Maryland's Medicaid program and ways to improve its implementation for recipients around the state. While shadowing a member of DRM's 'Sunshine Folk' and following up on client intakes, Hannah explored how Medicaid is implemented on the ground. "Disability Rights Maryland gave me the opportunity to observe a variety of advocacy strategies that gave me a better understanding of the wide range of tools that are available to public interest attorneys. I was able to gain an understanding of a crucial public benefits, along with a sense of the option available to lawyers looking to assist low-income clients."



Sonya Sadjadi

During her internship, Sonya worked with over 40 clients and resolved more than 130 expungements. She planned and executed an expungement clinic on the Eastern Shore for people with Traumatic Brain Injury where she was able to provide a single client with 20 expungements. "My experience at DRM was extremely rewarding; not only did I learn a new area of law but I was exposed to the many unique situations that clients are faced with. I took on a new perspective of how the smallest modification could result in a magnitude of change for an individual. It was a remarkable experience to be able to learn and to help others."



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Matt Gallatin

As a two-time intern for DRM, Matt has connected with countless individuals in the disability community about their experiences with transportation, and assisted with DRM's class action lawsuit against the Maryland Transit Administration (MTA) regarding the Mobility Paratransit Service. The best part for Matt "I've forged strong relationships with some of our clients and advocacy groups that have been productive, yes, but also formative for myself. I'm so proud to have been part of a team that worked tirelessly – trust me, tirelessly – to actually make some true inroads in the daily lives of those with disabilities in Baltimore. At times it can seem like you're chipping away at some kind of Great Wall, but standing back I know that the system and the people will be better off because of the work we've done. I can't thank Kate Anderson and Lauren Young enough for allowing me along on this fight. Keep pushing, everyone!"



Jessica Ramdat

During her internship, Jessica assisted DRM staff attorney David Prater in the Housing Unit. Jessica primarily worked with David to handle a fair housing complaint against the Prince George's County Housing Authority. This past September, Jessica represented DRM at the United Way's 5th Annual Project: Homeless Connect, which provides free on-site services (medical, dental, employment, legal services, etc.) to individuals experiencing or at-risk of homelessness. In addition, Jessica performed legal research on qualified immunity, long distance diagnoses and treatment for mental health diagnoses.



Thank you

DRM is grateful for the generosity of the donors who support our work. On behalf of our clients, and the thousands of other individuals we assist each year, thank you.

Pro Bono Services

Selene Almazan
Uwem Bassey
Josie Bautista
David Briglia
Penelope Brown
Mary Campbell
Eileen Canfield
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Todd Chason
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Tony Wright

Every attempt was made to ensure the accuracy of this list reflecting information through December 2016. Please contact DRM if we have made an error.

Leave a Bequest to MDLC

DRM envisions an inclusive society where people with disabilities have equality of opportunity to participate and make their own choices. Despite our vigorous efforts, this vision may not be achieved in our lifetimes. DRM is building a strong organization to maintain our critical advocacy work. Create a legacy for change by leaving a bequest to DRM to sustain our efforts. For more information, contact Virginia Knowlton Marcus, Executive Director at 410-727-6352 ext. 2482.



Disability Rights Maryland
1500 Union Avenue, Suite 2000
Baltimore, Maryland 21211

Phone: 410.727.6352 • TTY: 410.235.5387
Toll Free: 800.233.7201 • Fax: 410.727.6389

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