

# Disability Rights Florida Annual Report 2021



# Letter From Our Leadership

**Every day, we at Disability Rights Florida (DRF) work to stop discrimination, eliminate abuse and neglect, and increase community integration and inclusion for individuals with disabilities.** In 2021, our staff managed over 1,000 individual cases, some of which impacted thousands of other Floridians with disabilities. We also provided information and referral services to over 4,000 more.

Like many of you, our staff members have spent the past year continuing to navigate the COVID-19 pandemic. We have adapted and we now have staff working remotely, working from our reopened DRF offices, or doing a little of both. The result is that we are handling more cases than ever. Our legal advocacy in federal and state courts and in administrative forums has continued in full force. DRF has fully resumed on-site monitoring of state institutions and other facilities housing people with disabilities to protect their rights. We have also returned to our traditional outreach events to provide information and education about the rights of individuals with disabilities.

Our collaborative advocacy work also increased in 2021. In this report, you will find that our advocacy efforts spread statewide and nationally. DRF is actively involved in Supported Decision-Making 4 Florida (SDM4FL), a coalition that continues to push for the passage of a supported decision-making law in Florida. DRF joined a coalition of over 90 individual members and over 30 local, state, and national organizations working together to end the Pasco Sheriff's Office predictive policing program that disproportionately impacts children with disabilities. Our work with Access the Vote Florida (ATVFL) continues its effort to make sure that every voter with a disability can exercise their right to cast a ballot. The ATVFL coalition received national recognition when DRF staff member Olivia Babis was invited to represent the Florida disability community at the White House in a disability voting focus group with Vice President Kamala Harris.

Our legal work continues to have a wide impact. Last year, Disability Rights Florida staff reached a settlement with the Florida Department of Corrections in a longstanding case to require systemic reforms to facilities, programs, and services to make them accessible to incarcerated people with disabilities – which make up about 25% of the inmate population. In another case, our staff successfully fought changes to the Agency for Persons with Disabilities iBudget program that would have reduced access to Waiver Support Coordinators. And, in southeast Florida, we negotiated a settlement that provided wheelchair accessible buses to a community of 8,000 residents.

Following a year of transition and resilience, we look forward to continuing to serve you and fulfilling our mission of protecting and advancing the rights, dignity, equal opportunities, self-determination, and choices for all Floridians with disabilities.



**Virginia Daire**  
Board Chair/President



**Peter Sleasman**  
Executive Director

# Online Annual Report



Our 2021 Annual Report is also available online. Visit [www.DisabilityRightsFlorida.org/AnnualReport](http://www.DisabilityRightsFlorida.org/AnnualReport) or scan the QR code to the right to download a digital copy of the annual report, visit the web links referenced throughout, and download the publications listed below.

## Other Available Publications

- Disability Rights Florida Brochure
- Ten Steps to Effective Self-Advocacy
- Advocacy 101: Presenting Your Medicaid Case Before the Florida Office of Appeal Hearings or the Florida Division of Administrative Hearings
- Are You Prepared for an Emergency?
- Voting Brochure
- Obtain, Maintain, or Regain - Your Job or Career
- Traumatic Brain Injury
- An Exceptional Cause: Lawyers Helping Students Succeed at School



## Highlighting Artists with Disabilities

This year's annual report features the work of artist Kristin Bouchard.

Kristin Bouchard is one of Pyramid Fort Walton Beach's prolific artists, possessing both extraordinary skill and a keen eye for detail. Her use of vivid hues and multiple layers creates a depth in her works that demands attention. Though at first it may appear as if there is no rhyme nor reason to her palette or broad-brush strokes, the end results are always remarkably cohesive. She is known to paint what appeals to her own aesthetic, using inspiration pieces upon which she expands and expounds; however, when finished, each incredible work of art she creates is profoundly her own. Ms. Bouchard's works have been exhibited across the state of Florida and featured on the cover of several annual Pyramid Arts Calendars.



Dancing Train by Kristin Bouchard



*In July, our Senior Public Policy Analyst, Olivia Babis, was invited by Vice President Kamala Harris to join other disability advocates at the White House to discuss disability voting rights. People with disabilities face many accessibility barriers to vote in elections. This meeting discussed ways to make elections more accessible so the disability community has access to vote. Thank you to all for meeting and continuing the fight for disability rights!*



## Making our Communities Accessible: DRF brings accessible buses to Century Village West Palm Beach



**Accessibility is a right, not a privilege.** Disability Rights Florida recently settled a federal lawsuit against the United Civic Organization of Century Village, specifically regarding Century Village West Palm Beach, a 55+ condominium community, for violating the Fair Housing Act by providing a shuttle bus service that was not wheelchair accessible. These services are vital to the community, as the shuttles are able to take residents to multiple locations inside and outside Century Village West Palm Beach including to grocery stores, the mall, restaurants, the beach, and more. For those utilizing mobility aids, especially individuals using wheelchairs, traveling outside the community using this bus service was not an option for them. Disability Rights Florida collaborated with the Henrichsen Law Group to negotiate a settlement agreement. The settlement demanded that Century Village West Palm Beach provide wheelchair accessible buses within the year and to pay damages to our client. We are happy to share that they have signed a 5 year, \$1.3 million contract with a private transportation company to provide 7 wheelchair accessible buses to the residents of the elder community.

## Success Stories

# Accessible Van Drives New Independence

**Michelle Perez** is a 21-year-old woman who lives with Cerebral Palsy. Due to her physical disability, she uses a wheelchair to get around. Michelle needed her minivan retrofitted to accommodate her wheelchair and sought support from the Agency for Persons with Disabilities (APD) to get the minivan modifications she needed. However, her request was unfortunately denied by APD. Disability Rights Florida staff worked with Michelle and Custom Mobility to get all necessary supporting documentation for the vehicle modification to submit to APD counsel. After resubmission of the information, APD agreed to approve the cost of the van modification, giving Michelle the freedom to access the community through the use of her van.



## Success Stories

# DRF Advocacy Restores APD Care Funding

**Michael Pinelli** is a 36-year-old man who has intellectual and neurological disabilities. Michael requires 24-hour support and uses the Agency for Persons with Disabilities (APD) to fund most of his care. However, APD decreased his overall budget by \$15,000, a decrease that was incredibly detrimental to Michael. Michael's parent, who is also his guardian and care provider, contacted Disability Rights Florida for legal assistance with a fair hearing. Our staff worked with Michael's guardian to ensure that they assembled the proper documentation describing Michael's various services and care needs to use in a hearing with the APD. With this supportive paperwork, we are happy to report that Disability Rights Florida successfully provided legal representation that helped reach a settlement with APD, not only restoring his services' funding, but even increasing the overall budget and services Michael receives.

## Protecting Individuals Living in Congregate Settings at High Risk for COVID

The disability community has been disproportionately impacted by the COVID-19 pandemic. Individuals with disabilities are less likely to have access to equipment and lifesaving medical care and are more likely to experience severe illness or death due to contracting COVID-19. Depending on peoples' disabilities, they may rely on others for support and care needs. For people with disabilities living in congregate settings that rely on facility staff for a variety of services, they are at a much higher risk of contracting COVID-19 due to the high density of not only residents, but staff who may be bringing the virus in from the community to the facility. Disability Rights Florida received and responded to complaints of rights violations in two large inpatient facilities that treat individuals with serious mental illness, investigated these complaints, sought to eliminate barriers to safe care, and worked to assist in reducing the risk of vulnerable residents contracting COVID-19. Our team of investigators learned more about their staffing shortages, access to PPE, staff and patient vaccination rates, COVID-19 staff and patient positivity rates, and procedures to continue providing services to individuals with or without COVID-19. We made it a priority to identify the strengths and weaknesses of the facilities' response to controlling the spread of COVID-19 while ensuring patient rights are being met, including access to treatment and therapies. Disability Rights Florida continues to monitor these and other facilities for issues related to COVID-19 to ensure that the folks living in these facilities remain as safe as possible.



*Individuals with disabilities are less likely to have access to equipment and lifesaving medical care and are more likely to experience severe illness or death due to contracting COVID-19.*

# Advocacy breaks down accessibility barriers to school

**Miraclens Ducrepin** is a 5-year-old boy with physical disabilities due to his Cerebral Palsy. He needed a specialized wheelchair to be able to ride the bus to school each day. Miraclens' biggest advocate, his mom, speaks Haitian Creole, and experienced language barriers that impacted her ability to advocate for his needs and chair. Disability Rights Florida facilitated communication between providers and the family to expedite processing and delivery of the chair. We utilized a third-party translation company to effectively communicate with Miraclens' mother to provide necessary updates and information. We are happy to report that Miraclens has gotten his chair and is back on the bus to school with his classmates. Disability Rights Florida is committed to breaking down all access barriers for people, including language barriers, to provide the rightful access to folks.



## Coalition work with PASCO, SDM4FL, and ATVFL

**Disability Rights Florida is a proud part of multiple coalitions in Florida.** We've joined many other organizations in the PASCO coalition, Access The Vote Florida coalition, and Supported Decision-Making For Florida coalition.

The PASCO (People Against the Surveillance of Children and Overpolicing) Coalition is working together to end the Pasco Sheriff's Office predictive policing program. The Pasco County School District is sharing student information with some of the Sheriff's employees, and there are not enough measures in place to protect private student data. The Sheriff's Office can pull information from child welfare files, student records, family information, and past experiences with law enforcement. Predictive Policing programs disproportionately affect students with disabilities, and we will continue to investigate and protect disabled students.

Since 2018, we have been a part of the Access The Vote Florida coalition. This coalition advocates for

inclusivity and accessibility within state elections. The group aims to increase the political participation of disability communities while also engaging candidates and the media on disability issues. We work to address the concerns of people with disabilities, eliminate barriers to voting, educate people with disabilities about issues and candidates, promote turnout of voters with disabilities, and engage candidates and the media on disability issues.

Disability Rights Florida is a proud part of the SDM4FL (Supported Decision-Making For Florida) coalition. It is a non-partisan coalition of disability rights and advocacy organizations, self-advocates, and parents working together to pass Supported Decision-Making legislation in Florida. Supported Decision-Making is an alternative to guardianship that lets adults with disabilities make their own decisions with the support of people they trust. An SDM law will provide judges and loved ones with the information and tools to support people with disabilities without taking their rights.

## 2020 Rule Monitoring: Agency for Persons with Disabilities Rules

The Agency for Persons with Disabilities' iBudget program, the state's Medicaid waiver system for people with developmental disabilities, went through a redesign process that included potential concerning changes in the Waiver Support Coordinators' job role and the Significant Additional Needs request process. Disability Rights Florida provided written comments on the new Florida Administrative Code Rule 65G-14 and the proposed changes to the Florida Administrative Code Rule 65G-4.0218. These comments prevented what would've been a substantial lack of due process within the Waiver Support Coordinator (WSC) role. Concerningly, the proposed language prohibited the WSC from requesting services that they determined were not medically necessary or would not be covered by the

Agency for Persons with Disabilities without the ability of the recipient to appeal that decision. Our written comments identified that the proposed language was effectively asking WSCs to deny a client's request for Medicaid Waiver services without providing the client an opportunity to request a fair hearing. We are happy to share that this troubling language has been removed, reflecting our concerns and comments to protect recipient's rights. The Medicaid iBudget Waiver program works with approximately 35,000 Floridians in 2021. These recipients deserve access to Waiver Support Coordinators that will advocate effectively and thoroughly for their needs and expressed wishes. We will continue to work with the Agency for Persons with Disabilities, monitor updates regarding these rules, and remain active in the community to help clients.

### Success Stories

## Accessible Training Leads to Employment

**Calvin Britt** is a 51-year-old individual with deafness who has had the life-long dream of becoming a police officer. He reached out to our staff at Disability Rights Florida about being discriminated against in his trainings at the Police Academy. The Florida Department of Law Enforcement (FDLE) interpreted a rule in a way that discriminated against Calvin's disability and violated the ADA by denying sign language interpreters for specific firearm training exercises. Disability Rights Florida challenged the FDLE interpretation, arguing that Calvin deserved the same access as other training police officers. FDLE reversed their interpretation of the rule and allowed Mr. Britt to re-enroll in the police academy. We are excited to share that he passed the officers exam with a high score. Congratulations, Calvin!



## Treatment of Incarcerated People With Physical Disabilities

### Disability Rights Florida Reaches Settlement with Florida Department of Corrections Requiring Systemic Reforms to Treatment of Incarcerated People with Disabilities

In November, Disability Rights Florida reached a settlement with the Florida Department of Corrections (FDC) requiring the FDC to improve its treatment of incarcerated people with physical disabilities. Working with the Florida Justice Institute and Morgan & Morgan, we required the FDC to come into ADA compliance in its services, programs, communications, and activities to incarcerated individuals with disabilities. After speaking with hundreds of incarcerated individuals, Disability Rights Florida documented thousands of pages of mistreatment by the FDC. The 39-page Settlement Agreement requires the FDC to

- identify, track, and continuously evaluate individuals with disabilities
- locate such individuals in accessible facilities and expand such facilities
- ensure equal access to work, educational, and vocational programming
- provide trained assistants
- provide videophones, qualified sign language interpreters, captioned telephones, teletypewriters (TTYs), and visual alert systems
- provide access to the Talking Book Program
- and provide wheelchairs.

It also requires the FDC to make significant long-term architectural changes at dozens of facilities, including paving recreational tracks, to ensure they are accessible to people with disabilities. Finally, the Agreement requires that a monitor inspect FDC facilities to determine whether they are in compliance. Disability Rights Florida Executive Director Peter Sleasman shares, “When laws are not followed, not only do they result in a lack of access, but people with disabilities are put at daily risk with little opportunity to gain the skills or training necessary to contribute as productive citizens once their sentence has ended.”












## Success Stories

# Employment Aspirations Become Reality

**James Williams** is a 62-year-old individual who is blind, with aspirations to own his own cleaning business in South Florida. James is a client of Florida’s Division of Vocational Rehabilitation (DVR) and the Division of Blind Services (DBS), both of which he sought out logistical and financial support to pursue his entrepreneur interests. Disability Rights Florida helped facilitate communication between James, DVR, and DBS in order to ensure that he had all the necessary technology, equipment, and tools to get his business up and running. We represented Mr. Williams in multiple administrative reviews and court actions, as well as mediation. We are happy to share that he is in the final steps of his business preparations and successfully secured funding needed to launch the business.



## Financial Information

Assistive Technology - PAAT	\$291,579	3%	
Beneficiaries of Social Security - PABSS	\$215,884	3%	
Client Assistance Program - CAP	\$717,151	8%	
Developmental Disabilities - PADD	\$2,723,675	31%	
Individual Rights - PAIR	\$1,152,481	13%	
Individuals with Mental Illness - PAIMI	\$1,749,334	20%	
Traumatic Brain Injury - PATBI	\$250,913	3%	
Voting Access - PAVA	\$153,952	2%	
Social Security Rep Payee - SBSSB	\$1,434,454	16%	
COVID-19 Vaccine Access - PAC5	\$39,663	>1%	
Other Grants, Donations, and Program Income	\$36,314	>1%	
<b>Total Revenues and Support</b>	<b>\$8,765,400</b>	<b>100%</b>	

## Program vs. General and Administrative

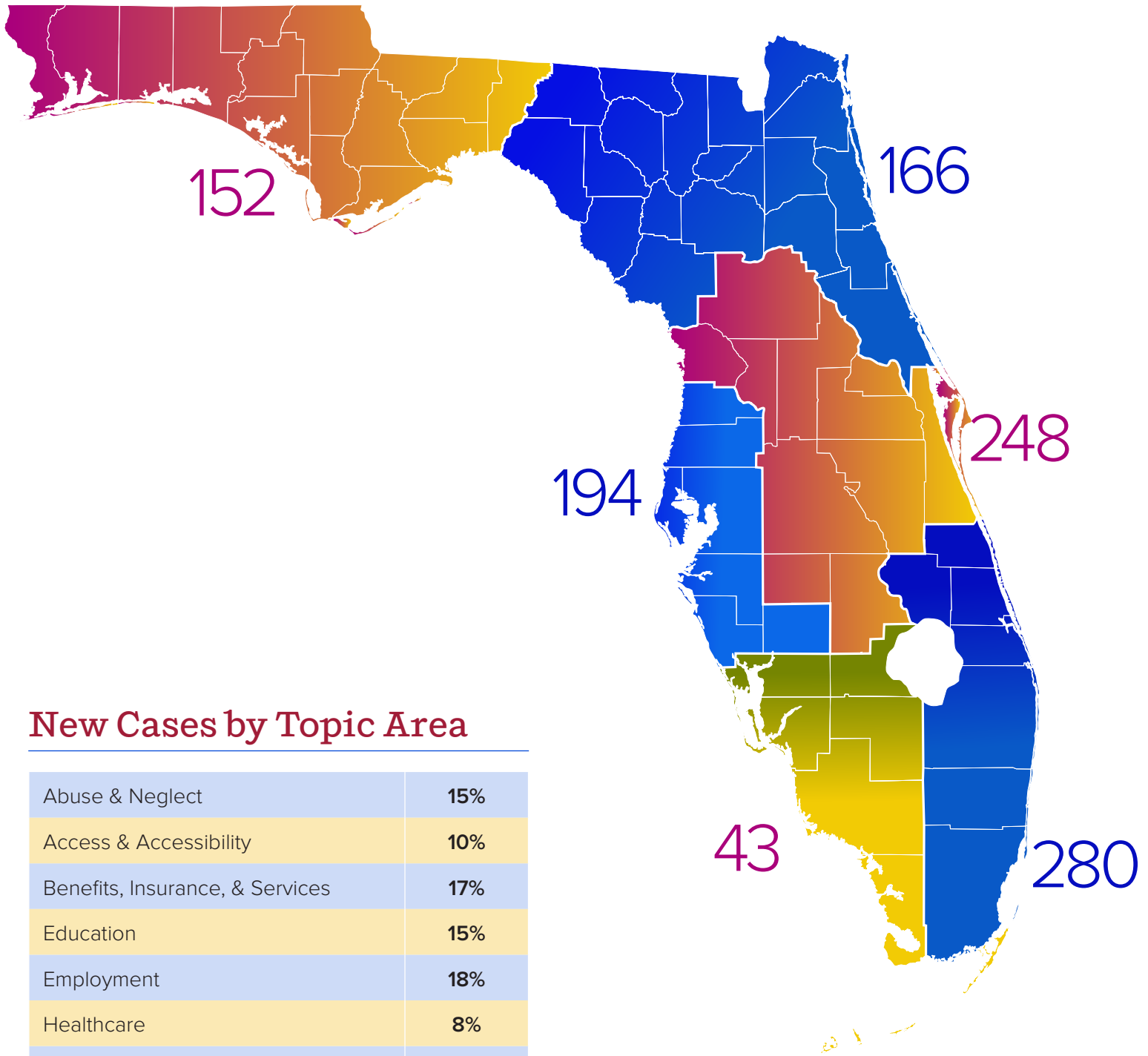
**89%** Program Services  
\$7,844,671

**11%** General and Administrative  
\$970,136

**TOTAL EXPENSES**  
**\$8,814,807**



## New Cases by Region



## New Cases by Topic Area

Abuse & Neglect	15%
Access & Accessibility	10%
Benefits, Insurance, & Services	17%
Education	15%
Employment	18%
Healthcare	8%
Rights Protection	15%
Other	2%
<b>Total New Cases</b>	<b>1,083</b>



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