



Quarterly Report

FY 2022, Quarter 1

Prepared for the
Mental Health Advisory Council (MHAC) Meeting
February 16, 2022

and

Indiana Protection and Advocacy Services (IPAS)
Commission Meeting
February 18, 2022

Equity Through Advocacy

The Protection and Advocacy System for the State of Indiana



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Executive Director's Report

Key Accomplishments

- IDR and the IPAS Commission completed strategic planning. The work is now in finalizing the plan and creating an implementation plan.
- IDR's new Public Policy and Special Projects team is working with NDRN on a communication audit.
- Staffing changes: Emily Munson promoted to Policy Director, Sam Adams joined as a new Senior Attorney overseeing Civil Rights, two temporary representative payee reviewers are going through the initial suitability process. IDR is currently seeking applicants for a litigation paralegal and a staff attorney. IDR has also posted for our second Disability Law Fellow. IDR will also be hosting one to two interns this summer.

Challenges

- Staff are continuing to be flexible during the pandemic. IDR staff continues to monitor conditions regarding office guidance and will continue to allow staff flexibility to address the need for quarantine, school closures, and caregiving responsibilities.
- IDR, similar to other state agencies, has experienced problems in finding staff to fill our needs. IDR is working with SPD to adjust our salary ranges for both current and future staff to maintain our competitiveness.

Operations Updates

- IDR successfully moved office spaces. We are now located at 4755 Kingsway Dr. The suite is on the first floor and has access to a partially fenced in yard for our service animal co-workers and visitors.
- The state is transitioning several of its HR and finance software platforms.

Upcoming Items

- Look for the draft implementation plan for the Commission's strategic plan.



Diversity, Equity, and Inclusion

Executive Director Updates

- Melissa joined the Indiana State Bar Association Diversity Committee.
- IDR began working with Joseph Pinnell (Deputy Chief and Executive Director of Workforce Engagement for Office of the Chief Equity, Inclusion, and Opportunity Officer) to assist with staff training and review of internal policies.

Client Demographics

Hispanic Ethnicity Demographics

	Hispanic	Not Hispanic	Blank	Total
Count	6	50	209	265
Percent	2%	19%	79%	

Figure 1 – Client Hispanic Ethnicity Demographics

Race Demographics

	Asian	Black / African American	Race Unknown	White	Blank	Two or more races	Native Hawaiian/ Other Pacific	American Indian/ Alaskan Native/ Indigenous	Unknown-Declined	Total
Count	2	29	2	99	131	2	0	0	0	265
Percent	1%	11%	1%	37%	49%	1%	0%	0%	0%	

Figure 2 – Client Race Demographics

Gender/Sex Demographics

	Female	Male	Other	Unknown	Blank	Total
Count	49	95	0	3	118	265
Percent	18%	36%	0%	1%	45%	

Figure 3 – Client Gender/Sex Demographics

Age Demographics

	1 to 3	4 to 10	11 to 21	22 to 40	41 to 65	66 to 80	81 and above	Blank	Data Errors	Total
Count	0	21	61	65	71	14	0	30	3	265
Percent	0%	8%	23%	25%	27%	5%	0%	11%	1%	

Figure 4 – Client Age Demographics



Priorities and Objectives Progress

GOAL 1: PREVENTING, FINDING, AND STOPPING ABUSE, NEGLECT, AND EXPLOITATION OF PERSONS WITH DISABILITIES IN FACILITIES.

PRIORITIES TO ADDRESS:

1. Conduct systemic investigations at private secured facilities and psychiatric rehabilitation treatment facilities.

Tools Used to Address Goal 1, Priority 1

Educate

Know Your Rights Presentations:

- 3 presentations; 107 attendees
- **Outcome** – IDR spoke with a resident who reported that he is frequently locked in his room "for his safety" but there is no mechanical release on the inside of his door. This was reported to the facility, who stated they would fix the mechanisms. IDR also reported the issue to DCS resulting in a corrective action plan.
- IDR, in conjunction with Child Advocates, applied for a grant from the Indiana Criminal Justice Institute to support this project.
- IDR met with the Director of IARCA to provide information about IDR and the goal of the Know Your Rights project.

Know Your Rights Handbook:

The AND team is developing a handbook for kids in facilities to better understand their rights. The team has started to identify the layout of the booklet and the rights to be included in the booklet.

Monitor and Investigate

PRTF and PSF Monitoring

- 7 facility visits completed
- 2 reports filed with overseeing entities
- **Outcomes:**
 - IDR filed a complaint with DCS resulting in substantiated allegations with two plans of correction.
 - As a result of IDR advocacy, one PSF stopped using suicide smocks ("turtle suits"). The facility also stopped the blanket use of paper spoons and now allows girls to use plastic utensils and any use of paper spoons must be an individualized and documented need.
 - IDR contacted IDOH to determine where to make reports when IDR learns that a facility is not reporting serious occurrences. This resulted in



notification to OMPP. OMPP sent a memo to all PRTFs stating the reporting requirements. IDR followed this letter with its own letter stating the incidents that are also to be reported to IDR.

Advocate

Litigation

Ashley W. et al v. Holcomb et al (3:19-cv-00129-RLY-MPB; U.S. District Court, Southern District of Indiana)

IDR continues to litigate. The case is currently stayed in the district court while Defendants appeal the district court’s decision denying their motion to dismiss on abstention grounds. Plaintiffs are still pending class certification in the district court. Plaintiffs have connected with a potential ADA expert.

Community Connections

- Rachel Roman-Lagunas, Child Advocates – connection resulted in IDR co-presenting the Know Your Rights trainings in PSFs detailed above.

2. Investigate suspected abuse, neglect, and exploitation in facilities or by a service provider.

Tools Used to Address Goal 1, Priority 2

Educate

No education activities tied to this priority

Monitor and Investigate

Rep Payee – IDR presented 34 Rep Payee reviews to SSA which are now in end stages.

Investigations – 27 investigations were opened or still open during Q1; 4 investigations were substantiated.

Investigations in Q1	Opened	Closed
Unnecessary Restraint	0	1
Death of Patient	2	3
Neglect	1	5
Other Abuse	1	0
Missing Category	1	0
TOTAL	5	9

Public Reports

[Slipping Through the Safety Net: How Indiana’s Disability Services System Failed One Client and Jeopardizes Others](#)



- Summary: This report is regarding the unpunished neglect and death of a BDDS client.
- Report was shared with 18 media sources. Resulting reach included 46 website hits and reach of 844 on Facebook and 140 on Instagram.
- 1 resulting connection: WFYI Side Effects reporter, Carter Barrett, connected to IDR through this report. Although she did not pick up this story, the conversation resulted in a connection with the Self-Determination Team. See page 17 for more details.
- It is unknown if the report was published outside of IDR or any of its recommendations implemented. The changes recommended in the report are still things IDR continues to push for.

Advocate

Individual Cases

- 6 cases opened in Q1
- 19 cases closed in Q1

Advocacy Project

IDR continues to monitor the CRMNF in Marion on a weekly basis. There has been substantial improvement in the environmental conditions of the facility, but there continues to be ongoing rights violations of people sleeping on mattresses on the floor, restricted from community activities due to staff shortages, among others. IDR recently opened three investigations, one due to an overdose on medication not prescribed to the individual, one for physical assault by a staff person, and one due to alleged self-harm and accidental fall that resulted in stitches, sutures, and multiple bruises. We continue to make reports to IDOH and copy BDDS and CMS on those reports.

There has been an increase in discharges at the facility since IDR began investigating this facility. Since May 2021, the facility has transitioned seven people into less restrictive settings and there are currently eight additional individuals in process of transitioning out of the facility.

Policy Advocacy

Workgroups

- BQIS Incident Reporting Process Workgroup Collaborative Workgroup
- Mortality Review Committee (MRC)

Community Connections

- IDR Executive Director Melissa Keyes was interviewed by the *Indiana Lawyer* about resources for adults who have been victimized.
- 5 state agencies contacted which resulted in strong working relationships with BQIS and IDOH.



- Cierra Thomas-Williams, Indiana Coalition Against Domestic Violence – IDR provided technical assistance and referral to legal assistance to their client with disabilities.

3. Use monitoring authority to ensure appropriate treatment of residents in: children’s nursing homes, mental health facilities, nursing facilities, private psychiatric facilities, sheltered workshops, educational settings, waiver settings, juvenile detention centers, and jails and prisons.

Tools Used to Address Goal 1, Priority 3

Educate.

No education activities tied to this priority

Monitor and Investigate.

IDR conducted 27 monitoring visits at 10 facilities. Monitors continue to navigate facilities both virtually as well as physically, oftentimes dealing with last minute restriction amidst the ever-increasing and fluctuating COVID numbers, county by county.

Advocate.

Litigation

Indiana Protection and Advocacy Services Commission et al v. Commissioner, Indiana Department of Correction (1:08-cv-01317-TWP-MJD; Southern District of Indiana)

No facility monitoring visits were conducted this quarter. IDR continues to work with ACLU of Indiana and the Indiana DOC to ensure compliance with the settlement. Due to COVID related issues, the settlement monitoring period will likely be extended another year.

Policy Advocacy

Workgroups

- Facility-based human rights committees
- Institutional Modernization Workgroup

Community Connections

No connections from this quarter tied to this priority.

4. Investigate instances of discharge delays for individuals dually diagnosed with developmental disabilities and mental illness in mental health facilities.

Tools Used to Address Goal 1, Priority 4

Educate.

No education activities tied to this priority.



Monitor and Investigate.

See Advocacy Project on page 7.

Advocate.

Individual Cases

2 discharge meetings attended. See success story for Goal 1 below.

Policy Advocacy

Workgroups

- ResCare Marion Bureau of Developmental Disabilities Services (BDDS) Transition Meeting

Community Connections

- IDR engaged with 1 state agency involved in discharge.
- Outcome – There has been an improvement in the discharge number from one facility. Strong working relationships have also been developed with BQIS and IDOH.

Success Story – Goal 1:

“Jimmy” had been a resident of an ICF/IDD transitional facility since 2017. Jimmy worked hard and had met his discharge criteria in 2020 but was not able to discharge due to delays by BDDS due to behavioral issues in January 2021. Jimmy was able to successfully transition to a Medicaid Waiver home in November 2021.



GOAL 2: BREAKING DOWN BARRIERS TO ENSURE RIGHTS ARE RESPECTED AND SUPPORTS ARE AVAILABLE FOR PERSONS WITH DISABILITIES TO PARTICIPATE IN AN EQUITABLE AND INCLUSIVE SOCIETY.

PRIORITIES TO ADDRESS:

1. Provide individual legal advocacy to ensure the protection of rights for individuals with disabilities in the areas of self-determination, health care, abuse and neglect, discharge from institutions, civil rights, education, employment, justice, and voting.

Tools Used to Address Goal 2, Priority 1

Educate

Presentations

- 45 people attended a presentation on October 2, 2021 about Reasonable Accommodations in Employment. The panel presentation was hosted by Work To Include and IDR staff Zaida Maldonado-Prather and Bonnie Bomer served as facilitators. Zaida and Bonnie are members of Work To Include and assisted in the coordination, promotion and delivery of this presentation.
- 46 people attended a presentation on October 19, 2021 about Assistive Technology. IDR staff Bonnie Bomer facilitated the webinar through Work To Include.
- 12 people attended a presentation on November 19, 2021 about IDR's Client Assistance Program. IDR staff Zaida Maldonado-Prather and Bonnie Bomer presented to VR in Evansville.
- 12 people attended a presentation on December 5, 2021 about IDR services and the Client Assistance Program. IDR Staff Bonnie Bomer presented to the Rehabilitation Hospital of Indiana.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Individual Advocacy Cases

265 individual client cases were open or opened during this quarter. See table on next page for breakdown.



Individual Advocacy Case Data

	Opened	Closed
Civil Rights	8	7
COVID-19 Vaccine	0	2
Education	20	13
Employment	16	6
Health Care	3	3
Self-Determination	3	5
TOTAL	50	36

Individual Representation Outcomes

Evan - Education

“Evan” was a client with ASD and epilepsy. Evan was placed on homebound schooling due to behavior concerns. IDR successfully advocated that he return to school with resource room support.

Harmony - Employment

“Harmony’s” employer required its staff to return to working in-person in July 2021. Harmony has been diagnosed with a depression and anxiety disorder, fibromyalgia, and other medical conditions. She had been working remotely for over 18 months due to COVID-19 and requested that she be allowed to continue that arrangement as a reasonable accommodation. Her employer denied this request. IDR opened Harmony’s case and helped her reach an agreement with her employer to work a hybrid schedule and use intermittent FMLA, as needed.

Tim – Health Care

“Tim” requested IDR assistance after a local hospital refused to treat him in the presence of his service dog. When Tim chose to leave the hospital rather than be separated from his service animal, the hospital contacted the police to detain Tim as a threat to himself and return him to the hospital. IDR assisted Tim in filing a complaint with the ICRC.

After more than a year, ICRC completed its investigation and issued its findings, which included probable cause that the hospital had discriminated against Tim. IDR then represented Tim before the ICRC Administrative Law Judge (ALJ). Minutes before the initial prehearing conference, the hospital’s attorney provided a settlement offer. The parties continued to discuss potential settlement throughout the summer and reached an agreement that Tim would withdraw his complaint in exchange for settlement which included damages for Tim and recovery of attorney’s fees for IDR.

The settlement agreement was executed by both parties and IDR assisted Tim in filing a Motion to Dismiss, which was granted by the ALJ the following day.



Litigation

Crumley v. Forestall et al. (1:19-cv-04110-TWP-DML; U.S. District Court, Southern District of Indiana)

IDR continues to litigate under the Americans with Disabilities Act and the Rehabilitation Act. The lawsuit alleged that client suffered unexplained injuries while incarcerated and the defendants failed to provide him with any accommodations or supports while in their custody. The IMPD and nurse's motions for summary judgment were granted and they have been dismissed from the case. The Marion County Sheriff's (MCSO) motion for summary judgment was granted as to the individual defendants and denied with respect to the ADA and Section 504 claims. Plaintiff's ADA and Section 504 claims against the MCSO will proceed to trial. Settlement negotiations between Plaintiff and MCSO restarted after the summary judgment decisions. If those are unsuccessful, trial is scheduled to begin August 1, 2022.

Policy Advocacy

Public Comments

- Two letters were exchanged with Representative Ledbetter regarding her interest in creating legislation clarifying access rights for service dogs and the rights of places of public accommodation to ask handlers of unruly and un-housebroken animals to remove their animals from the location.
- **Outcome:** Representative Ledbetter introduced HB 1102 this legislative session, which would add language to the Indiana Code mirroring service dog regulations promulgated by the U.S. Department of Justice.

Workgroups

- Disability Employment Technical Assistance Center (DETAC) Grantee Advisory Workgroup
- Fair Housing Center of Central Indiana Board of Directors
- Indiana Association of People Supporting Employment First (INAPSE) Public Policy Committee
- National Board of Directors for Association of People Supporting Employment First (APSE)
- RISE Peer Mentor
- State Personnel Department (SPD) Employees with Disabilities Workgroup

Community Connections

No community connections tied to this priority.



2. Civil Rights – Improve the accessibility of buildings and public services.

Tools Used to Address Goal 2, Priority 2

Educate

Technical Assistance

Margaret Jones, Disability Legal Services of Indiana to provide technical assistance to a university student experiencing accessibility issues.

Monitor and Investigate

No monitoring/investigating activities tied to this priority

Advocate

Individual Representation Outcome

“Bryan” was facing eviction over an argument he had with his apartment office manager after the elevator had been broken for several days. Bryan is a paraplegic and uses a wheelchair, so he had been confined to his fifth-floor apartment for several days. IDR represented Bryan in the eviction proceeding and it was dismissed. IDR then informally negotiated Bryan’s damages claims and settled for damages and attorney’s fees were recovered for IDR prior to having to file a lawsuit.

Litigation

Rowe v. Indianapolis Metropolitan Police Department et al. (1:20-cv-01373-RLY-MJD; U.S. District Court, Southern District of Indiana)

IDR has closed this case. See Success Story for Goal 2 on page 19 for further details.

Policy Advocacy

Workgroups

- Americans with Disabilities Act (ADA)-Indiana Steering Committee
- Back Home in Indiana Alliance Steering Committee
- Carmel Advisory Committee on Disability
- Division of Disability and Rehabilitative Services (DDRS) Advisory Council
- Fishers Advisory Committee on Disability
- Indiana Department of Transportation (INDOT) Americans with Disabilities Act (ADA) Community Advisory Working Group
- Indianapolis Mayor’s Advisory Council on Disability (MAC-D)
- Paratransit Next Steps Taskforce

Community Connections

Deputy Chief Nugent with the Avon Police Department to provide feedback on their initiative to improve interactions between first responders and people with disabilities.



3. Education – Address education barriers for children in institutions (e.g., juvenile detention, private secure facilities).

Tools Used to Address Goal 2, Priority 3

Educate

No education activities tied to this priority.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Advocacy Project – FAPE in Institutions

IDR contacted a Special Education Attorney in Indiana’s Department of Education regarding which school system would be considered the student’s school of legal settlement when a student is placed in an institution. The attorney provided IDR with a variety of statutes that explained how school of legal settlement is decided for students in institutions in Indiana.

Community Connections

Dr. Naomi Swiezy, IU School of Medicine to discuss possible referrals for children transitioning out of institutional care regarding education services.

4. Employment – Advocate for increased VR funding and equitable service prioritization within order of selection.

Tools Used to Address Goal 2, Priority 4

Educate

Toolkit – Competitive Integrated Employment Initiative – VR application toolkits for current and/or potential applicants are in development. IDR Disability Law Fellow Natasha Crespo attended the NDRN Virtual VR/CAP orientation. Natasha also researched sheltered workshops and competitive integrated employment in Indiana.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Advocacy Project

IDR staff began working with state agencies and the Center for Public Representation to discuss plans to increase competitive integrated employment and decrease or eliminate sheltered workshops.



Policy Advocacy

Public Comment

- IDR submitted public comments in response to the AbilityOne Commission's Request for Information regarding proposed changes to the program.

Workgroups

- Vocational Rehabilitation (VR) Commission
- Work to INclude Advisory Committee
- Work to INclude Coalition

Community Connections

Joseph Pinnell – met to discuss the initiative to make the state as a model employer.

5. Health Care – (1) Provide individual or systemic advocacy relating to policies or practices around COVID-19, including long-term consequences from those policies and practices. (2) Advocate for policy changes to ensure availability and access to Home and Community-Based Service (HCBS) providers.

Tools Used to Address Goal 2, Priority 5

Educate

No education activities tied to this priority.

Monitor and Investigate

COVID-19 Vaccine Project

- IDR contacted 35 assisted living facilities, so far, and the vaccination rate appears to be above 80% in all facilities.
- **Outcome:** IDR has also completed a virtual monitoring project regarding the prevalence of COVID-19 within the state's sheltered workshops. Efforts included contacting every state accredited/certified sheltered workshop and scheduling an interview-type call with an Administrator to obtain the percentage of residents and staff vaccinated, whether they are experiencing staff shortages, etc. Fifty-five facilities were contacted in the quarter.

Advocate

Individual Cases

2 COVID-19 Vaccine cases were completed with 1 securing other legal representation and 1 closed due to a non-responsive client.

Advocacy Projects

COVID-19 Vaccine

- A video campaign explaining the importance of the COVID vaccine, in partnership with NDRN and GCPD, was posted to IDR's Facebook, Instagram,



Twitter, and YouTube channel. The postings reach was 227, 93, and 86 for the first three platforms respectively. YouTube resulted in 9 views of the video in English and 2 in Spanish.

Health Care

- IDR conducted research regarding best practices within consumer-directed care programs. This research was done in conjunction with the Long-Term Care Coalition, a group that meets monthly.

Policy Advocacy

Workgroups

- Center for Youth and Adults with Conditions of Childhood (CYACC) Advisory Board
- Health Care Justice Coalition
- LifeCourse Ambassador Group
- LifeCourse Partners in Transformation Chapter Group
- Long-Term Care Coalition
- Waiver re-design workgroups

Community Connections

- Allison Taylor, OMPP regarding use of enhanced FMAP funds to support community based services.
- Adam Mueller, Indiana Justice Project to collaborate on health equity issues in Medicaid re-determination.
- Dennis Frick, Indiana Legal Services for consultation on proposed MED Works bill.

6. Self-Determination – Expand the knowledge and use of supported decision-making/less restrictive alternatives to guardianship.

Tools Used to Address Goal 2, Priority 6

Educate

Presentations

- 60 people attended a presentation on October 29, 2021 about alternatives to guardianship. IDR Staff Attorney Justin Schrock presented to LEL Home Services.
- 84 people attended a presentation on December 8, 2021 about What to Know About Decision-Making Supports for Adults. IDR Executive Director Melissa Keyes presented as part of the Brain Injury & Resource Facilitation Conference.

Press



Self-Determination Team Attorney Justin Schrock provided several media interviews with the intention to increase public awareness of use of guardianship within Indiana and to highlight work of IDR. Interviews regarding Nick Clouse' case, problems with Indiana guardianship system, and supported decision-making included such outlets as:

- Australian Broadcasting Corporation
- Indiana Lawyer
- Side Effects Media
- ALL IN Indiana
- Huntington Herald Press

Justin also consulted extensively with reporter Carter Barrett of Side Effects Media regarding alternatives to guardianship story that has since been picked up by national news organizations like NPR and Kaiser Health News.

Technical Assistance

IDR attorney Justin Schrock provided technical assistance regarding issues within guardianship cases to the following state agencies and partner organizations. These conversations were informational and/or problem solving in nature and led to at least two direct referrals.

- BDDS
- DMHA
- Arc of Indiana
- Indiana Long-Term Care Ombudsman/APS
- Honoring Choices Indiana
- Indiana Legal Services
- Disability Rights Pennsylvania
- Crown Point Public Schools

IDR Executive Director Melissa Keys provided technical assistance to organizations in Massachusetts, Pennsylvania, and Maryland related to supported decision-making legislation.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Individual Representation Outcome

Alex – Self-Determination

“Alex” requested assistance terminating the guardianship over his person after his professional guardian expressed a willingness to cooperate with this process. IDR assisted Alex in filing a Petition to Terminate Guardianship; later that month, the Court granted the position and terminated Alex’s guardianship. Following the Order, IDR provided Alex with technical assistance to appoint his fiancé as



Healthcare Representative and making a request to SSA to manage his own benefits.

Advocacy Projects

- SDM Indiana State Plan – IDR staff are meeting internally to develop a plan to move forward with the SDM Indiana State Plan.
- Transition-Aged Youth – IDR applied for Indiana to be a Community of Practice with the Center on Youth Voice, Youth Choice to focus on transition-aged youth in disrupting the school to guardianship pipeline.

Policy Advocacy

Legislative Meetings

- IDR Executive Director participated in several meetings regarding national legislation aimed at funding guardianship court improvement projects.
- IDR participated in meetings with federal guardianship action coalition regarding proposed legislation that would impact Indiana's guardianship system. The coalition involves the ACLU, CPR, BBI, various P&As and other state level stakeholders.

Public Comments

- IDR submitted a written statement to the U.S. Senate Judiciary Committee regarding toxic guardianships, in conjunction with oral testimony delivered by a former IDR client.
- Outcome: IDR and its client's involvement with the Judiciary Committee resulted in six news stories. See Success Story for Goal 3 on page 25 for more details.

Workgroups

- Indiana Adult Guardianship State Taskforce (WINGS)
- Indiana Supported Decision-Making Coalition

Community Connections

No community connections tied to this priority.

7. Voting – Ensure elections are accessible to voters with disabilities.

Tools Used to Address Goal 2, Priority 7

Educate

No education activities tied to this priority.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.



Advocate

Litigation

American Council of the Blind of Indiana et al. v. Indiana Election Commission et al. (1:20-cv-03118-JMS-MJD; U.S. District Court, Southern District of Indiana)

IDR continues to litigate with co-counsel from Disability Rights Advocates under the Americans with Disabilities Act and the Rehabilitation Act alleging that the Indiana absentee voting options are inaccessible to blind voters and voters with print disabilities. Discovery will close April 8, 2022, with the Plaintiffs' dispositive motion due May 4, 2022.

Advocacy Project

IDR met with Count US IN to discuss mutual goals for the 2022 election cycle, including partnering on polling place accessibility surveys. IDR also scheduled a meeting with the Election Protection Hotline to learn more about their operation.

Policy Advocacy

Workgroup

- Indiana Voting Coalition

Community Connections

No community connections tied to this priority.

Success Story – Goal 2:

“Johnny” was denied access to an ASL interpreter during his arrest and subsequent incarceration. IDR filed a federal lawsuit on his behalf against the police department and the sheriff's office (for the jail). Both parties agreed to settle the claims prior to summary judgment being filed for damages and attorney's fees. The police department also agreed to implement a new policy regarding when a deaf individual is entitled access to an ASL interpreter.



GOAL 3: SERVING AS A PARTNER IN RIGHTS ISSUES AND SUPPORTING SELF-ADVOCATES AND DISABILITY-LED ORGANIZATIONS.

PRIORITIES TO ADDRESS:

1. Provide easily accessible paths for the public to contact IDR for advocacy needs and to distribute information, referrals, and resources to individuals.

Tools Used to Address Goal 3, Priority 1

Educate

I/R and Website

533 Intake requests; 68 converted to I/R
4669 website sessions

Presentations

10 presentations; 306 total participants

Event

- Indiana Council Against Senior Exploitation (INCASE) meeting; IDR Investigations Coordinator Tina Frayer; group with 18 participants is focused on developing a resource guide for the elderly (10/27)

Projects

Accessibility Checklist

- A first draft for Word-based documents is in development. IDR has identified a need for website and PDF accessibility checklists.

Website Revamp

- IDR began a Communication Audit with David Card, NDRN Communication Manager. Results of the Audit are expected to assist in improving the IDR website.
- IDR added a [Reports and Press](#) webpage to its website.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Policy Advocacy

Workgroup

- Indiana Advisory Committee to the US Commission on Civil Rights



Community Connections

- Crystal Hagans, Epilepsy Foundation of America – Midwest Region
 - **Outcome** – IDR has been invited to present at their conference.
- Lael Hill, Hendricks County Mental Health Association to discuss avenues for referral
- Loren Pilcher – connect for technical assistance relating to guardianship issue.
- Holly Wheeler, Indiana Family to Family – provided letter of support for their organization to receive funding as the Family to Family network.

2. Support the self-advocacy and disability-led movement in Indiana through continued collaboration with self-advocates and disability-led organizations on voting initiatives, supported decision-making and other activities that align with the mission of IDR.

Tools Used to Address Goal 3, Priority 2

Educate

No education activities tied to this priority.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Partner Support

- HIV Modernization Movement – IDR Executive Director reached out to Dr. Carrie Foote, Chair of the Indiana HIV Modernization Movement, to coordinate support for the upcoming legislative session. Further legislative activities will be reported in Q2.

Community Connections

- Katie Kelsey – Kids Voice – connected her to disability-led advocacy group for training to GALs about working with parents with disabilities.
- Connected reporter to Indiana Chapter of Black Deaf Advocates to get community's perspective.

3. Increase participation in the local, state and federal policy process including the monitoring of emerging trends in the area of disability rights, the use of strategic collaborations with other organizations, and educating legislators and policymakers regarding the impact of policies on people with disabilities.

Tools Used to Address Goal 3, Priority 3



Educate

No education activities tied to this priority.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Policy Advocacy

Public comments are listed above throughout Goal 2. Further legislative activities will be reported in Q2.

Workgroups

- Governor's Council for People with Disabilities
- Helen Keller Advisory Board
- National Alliance on Mental Illness (NAMI)-Indiana Public Policy Committee
- National Disability Rights Network (NDRN) External Relations Committee
- National Disability Rights Network (NDRN) Technical Assistance Advisory Committee
- State/Local Education Equity Resource Group
- Training and Advocacy Support Center (TASC) Advisory Group
- Transition Partners of Northeast Indiana
- United States Attorney's Office (USAO) Disability Rights Roundtable

Community Connections

No community connections tied to this priority.

4. Ensure IDR's services are inclusive and respectful of the intersectional identities of the people it serves and employs.

Tools Used to Address Goal 3, Priority 4

Educate

Event

Binational Health Fair; IDR Bilingual Paralegal Carmen Ledezma (10/16)

- 45 individuals stopped at the IDR booth, 100 total participants at event
- Spoke in both languages English and Spanish, with several Hispanic and non-Hispanic families and individuals about IDR areas of service, intake, resources, advocacy, and legal representation, given away information sheets (45 sheets), presentation cards in both languages English and Spanish.
- Organizers expressed their interest for a radio interview in Spanish language about IDR due to major issues with Hispanic families and children's disabilities in school process and services.



- Video interview in Spanish about IDR and our services was done at the event by an IPU media college student.

Professional Development

IDR staff completed 122.5 hours of professional development in following areas:

- 50 Agency/Job/Mission Related
- 27.25 Diversity and Cultural Competency
- 45.25 Ethics

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Client demographics listed on page 4.

Policy Advocacy

Workgroups

- Diversity Roundtable Participation
- Georgetown University Cultural & Linguistic Competence Initiative
- IDR Diversity and Cultural Competency (DCC) workgroup
- Ivy Tech Diversity Workgroup

Community Connections

- Dr. Gina Forrest – Director of the Commission on Equity and Access in the Court System – to support work centering BIPOC communities and to advocate for the inclusion of people with disabilities in the Commission’s work.
- Mariposa Legal – provided resources in Spanish for client with mental illness in institution.

5. Advocate for the inclusion of people with disabilities, those from marginalized communities, and people with lived experiences to be meaningfully included in policy workgroups at the agency/state/national level.

Tools Used to Address Goal 3, Priority 5

Educate

No education activities tied to this priority.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.



Advocate

Advocacy for Meaningful Leadership & Inclusion of Individuals with Lived Experience

IDR recommended Nick Clouse, a person formerly under guardianship, to sit on the National Guardianship Network task force to draft a bill of rights for people under guardianship.

Internal Policies – 3 policies are in development:

- Press Release Process
- Event Request Process
- Event Reporting Process

Community Connections

- Michael Darlrymple, attorney with a disability interested in membership on the Commission
- Christine Hennessy – connect student researcher to people with disabilities for input on disability activism.

6. Generate new partnerships with stakeholders that have not traditionally held a seat at the policy table (e.g., cultural or religious groups, legal or professional groups, community issue groups, e.g., homelessness, Veteran’s issues).

Tools Used to Address Goal 3, Priority 6

Educate

No education activities tied to this priority.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Partnerships/Workgroups

- Immigration Welcome Center
- Mexican Consulate
- Count US IN
 - **Outcome** – connected IDR with the Election Protection Hotline.
- Indiana State Bar Association Diversity Committee – outcome: IDR is helping to facilitate a panel of attorneys with disabilities for the ISBA Open Conversations program.

Community Connections

No community connections tied to this priority.



Success Story – Goal 3:

IDR client Nick Clouse, a person formerly under guardianship, testified before the Senate Judiciary Committee on September 28, 2021. Mr. Clouse’s testimony has resulted in several news stories being published this quarter, further educating the public about the inappropriateness of granting default plenary guardianships. Full coverage of Mr. Clouse’s testimony and resulting media publicity can be tracked by visiting <https://www.in.gov/idr/reports-and-press/>.



Acronyms

List of Common Acronyms

504 -	Section 504 of the Rehabilitation Act of 1973-504
ACF -	Administration for Children and Families
ACLU -	American Civil Liberties Union
ADA -	Americans with Disabilities Act
AIDD -	Administration on Intellectual and Developmental Disabilities
APS -	Adult Protective Services
ARC -	State and local organizations for developmental disability advocacy
ARTICLE 7 -	Special Education Regulations (Indiana)
BDDS -	Bureau of Developmental Disabilities Services
BQIS -	Bureau of Quality Improvement Services
CAP -	Client Assistance Program
CMS -	Center for Medicare and Medicaid Services
CPR -	Center for Public Representation
DAD -	Disability Advocacy Database
DCS -	Department of Child Services
DD -	Developmental Disabilities
DD Act -	Developmental Disabilities Assistance and Bill of Rights Act
DD Council -	Developmental Disabilities Council
DDRS -	Division of Disability and Rehabilitative Services
DMHA -	Division of Mental Health and Addictions
DOC -	Indiana Department of Correction
DOE -	Indiana Department of Education
EEOC -	Equal Employment Opportunity Commission
EEOC -	Equal Employment Opportunity Commission
GCPD -	Governor's Council for People with Disabilities
HAVA -	Help America Vote Act
HMM	HIV Modernization Movement
HRSA -	Health Resources and Services Administration
I&R -	Information and Referral
ICF -	Intermediate Care Facility
ICRC -	Indiana Civil Rights Commission
ICLU -	Indiana Civil Liberties Union
IDD -	Intellectual or Developmental Disabilities
IDEA -	Individuals with Disabilities Education Act (Federal)



IDOH -	Indiana Department of Health
IIDC/Institute -	The Indiana Institute on Disability and Community
IN*SOURCE -	Indiana's Parent Training Information Project
IPE -	Individual Plan for Employment
IPE -	Individual Plan for Employment (a VR term)
LD -	Learning Disability
MI -	Mental Illness
NDRN -	National Disability Rights Network
OCR -	Office of Civil Rights
OMB -	Office of Management and Budget
OMPP -	Office of Medicaid Policy and Planning
P&A -	Protection & Advocacy System
PAAT -	Protection & Advocacy for Obtaining Assistive Technology
PABSS -	Protection & Advocacy for Beneficiaries of Social Security
PADD -	Protection & Advocacy for Persons with Developmental Disabilities
PAIMI -	Protection & Advocacy for Individuals with Mental Illness
PAIR -	Protection & Advocacy for Individual Rights
PATBI -	Protection & Advocacy for Persons with Traumatic Brain Injury
PPR -	Program Performance Report
PRTF -	Psychiatric Residential Treatment Facility
PSF -	Private Secure Facility
RSA -	Rehabilitation Services Administration
RULE7 -	Part of Nursing Home Regulations (Indiana) concerning the facility's requirements for programming for MR residents used in QMRP-D Training
SAMHSA -	Substance Abuse and Mental Health Services Administration
SDM -	Supported Decision-Making
SSA -	Social Security Administration
TASC -	Training and Advocacy Support Center
TBI -	Traumatic Brain Injury
UCEDD -	University Centers for Excellence in Developmental Disabilities
USDOE -	United States Department of Education
VR/Voc Rehab - Vocational Rehabilitation Services	Vocational Rehabilitation Services



List of IDR Teams

- Abuse, Neglect, and Discharge (AND)
- Civil Rights
- Education
- Employment
- Health Care
- Policy and Special Projects (PSP)
- Self-Determination
- Representative Payee

List of Grant Programs

CAP -	Client Assistance Program
PAAT -	Protection & Advocacy for Obtaining Assistive Technology
PABSS -	Protection & Advocacy for Beneficiaries of Social Security
PADD -	Protection & Advocacy for Persons with Developmental Disabilities
PAIMI -	Protection & Advocacy for Individuals with Mental Illness
PAIR -	Protection & Advocacy for Individual Rights
PATBI -	Protection & Advocacy for Persons with Traumatic Brain Injury
PAVA -	Protection & Advocacy for Voting Access

List of State Hospitals

LCH -	Larue Carter Hospital
LSH -	Logansport State Hospital
EPCC -	Evansville Psychiatric Children's Center
ESH -	Evansville State Hospital
MSH -	Madison State Hospital
RSH -	Richmond State Hospital