

MAINSTREAM

A Disability and Elder Rights Advocacy News Magazine



DISABILITY LAW
COLORADO™

Colorado's Protection & Advocacy System

Disability Law Colorado protects and promotes the rights of individuals with disabilities and older people.

Spring 2020

Americans with Disabilities Act 30th Anniversary Stories Inside

IMPACT OF COVID-19 ON THOSE WE SERVE Steadfast in Protecting Rights

Like the country and the entire world, Colorado has been hit hard by COVID-19 and while we may be flattening the curve, the reality is that we will continue to face health, economic, and social changes for months to come. Disability Law Colorado has been on the front lines, fulfilling our mission to protect and promote the rights of people with disabilities and older people. This is a challenging time for our community and we want to share some of the important work we have undertaken.



At the outset of this pandemic, Disability Law Colorado undertook a large-scale community outreach effort. We wanted to let people know that we would remain open for business and would continue to fight to protect people with disabilities and older people. We created a survey that allowed anyone living in a facility or anyone who called a resident to fill out a survey on the conditions in that facility. Our goal was to get information on how staff and residents are handling COVID-19, determine if proper personal protective equipment (PPE) and social distancing procedures are being followed, identify if staff and new residents are being screened and tested, and confirming if appropriate

isolation techniques are employed when a person presents with symptoms. We continue to seek responses, looking for folks throughout Colorado to be our "eyes and ears" for some of our most vulnerable residents.

"The COVID-19 pandemic has significantly impacted Coloradans with disabilities and our state's older adults - particularly those in nursing homes. We've been working nonstop fighting for the rights of those we serve."

Alison Butler, Esq.
Director of Legal Services for Disability Law Colorado

Additionally, we have worked diligently with our state partners to address COVID-19 in state-run and licensed facilities. Disability Law Colorado is on the Colorado Department of Public Health and Environment's (CDPHE) Community Engagement Committee providing input to the Governor's Expert Emergency Epidemic Response Committee (GEEERC) on the Triage Crisis Standards of Care Plan. This plan provides requirements for hospitals around the state in the event that medical care or equipment must be rationed. Our input helped ensure that people do not face discrimination based on their disabilities, and ensured that there is an opportunity for reasonable accommodations to provide effective communication and an opportunity for appeal. We will continue to work on this important, yet heavy, task as it rolls out.



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100 Long-Term Care Ombudsmen and Legal Assistance Providers gathered to discover tools to protect residents' rights and quality care.



Open House Kudos | Page 4

We had a wonderful Open House where we presented Mark Ivandick with the Randy Chapman Lifetime Achievement Award.



30 Years of ADA | Page 6

Discover Disability Law Colorado's work through 30 years of the Americans with Disabilities Act and learn how you can help make this law even stronger in the future.



Thank You Donors | Page 10

We're grateful for the loyal support of donors who empower us to do our life-changing work. Check out our list of contributors.



Housing Advocacy | Page 12

The Colorado Health Foundation awards Disability Law Colorado a two-year housing grant aimed at promoting accessible housing in five rural Colorado communities.



AMERICANS WITH DISABILITIES ACT CELEBRATES 30 YEARS



Dear Friends,

July 26, 2020 marks the 30th anniversary of the signing into law of the Americans with Disabilities Act. As with so many ground-breaking civil rights laws, there's a temptation to think that change was inevitable.

But there was nothing inevitable about passage of the ADA. As we celebrate this historic event, I remember those Americans with disabilities, including many Coloradans, who paved the way for this groundbreaking legislation often at great personal risk and with tremendous moral courage.

"We will ride!" was the cry heard across Denver on July 5, 1978 as members of the Atlantis community launched a two-day protest against the Regional Transportation District (RTD) because it had no wheelchair-accessible buses. These brave men and women – hailed as the "Gang of 19" – risked their lives as they hurled themselves out of their wheelchairs and in front of buses at the busy intersection of Colfax and Broadway. For those who thought about people in wheelchairs as charity cases to be cared for in institutions, seeing them block traffic as they demanded a seat on the bus and a wheelchair lift to get them there was a wake-up call!

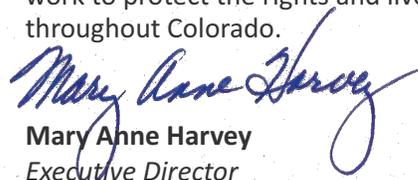
Throughout the 70s and 80s, Disability Law Colorado advocates – and I'm proud to have been among them – pressed hard for changes in both federal and state laws to prohibit discrimination and promote opportunities for people with disabilities. But we learned that even when laws are on the books, without legal advocacy and the tenacity of the individuals desperate for a better life, that change is slow in coming. Even as our colleagues in Washington were steadily amassing support—and beating back opposition—for sweeping changes to American life, in 1989 advocates were successful in prohibiting discrimination on the basis of mental illness or intellectual disability in Colorado's State Civil Rights Act.

Before writing this letter, I checked the date on the framed copy of the signed legislation that hangs in our lobby at Disability Law Colorado. The ADA was a landmark victory in the history of the fight for disability rights. We keep the legislation in our sights to remind ourselves that we are still making that history every day at Disability Law Colorado.

The ADA prohibited discrimination in employment, government services, public accommodations, public transportation and telecommunications. It would be nice to think that on July 27, 1990, America instantly became a more welcoming place for people with disabilities. It didn't – in fact, many people were outraged at the inconvenience and expense they incurred in complying with the law.

The ADA only provides us with a framework around which to strive to build a better world. At Disability Law Colorado, our advocates have used the legal and financial remedies embodied in the ADA to help people with disabilities live better lives. For some people, it meant leaving the confines of a nursing facility for an independent home in the community; for others, the ADA made possible a rewarding career rather than a job in a sheltered workshop. And let's not discount the simple joy of being able to eat out with friends in an accessible restaurant, or forget that the opportunity to attend a concert at Red Rocks is a victory only achieved in 2018! Too many people are still waiting for the ADA to make good on its promise. All of us at Disability Law Colorado will continue the fight.

I invite you to read our ADA feature stories and join your voice with ours as we continue our work to protect the rights and lives of individuals with disabilities and older people throughout Colorado.


Mary Anne Harvey
Executive Director

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OLDER AMERICANS ACT PROGRAMS

Protecting the Rights of Older Coloradans

The Colorado Long-Term Care Ombudsman and Legal Assistance Developer programs were created by the federal Older Americans Act. The two programs are administered by Disability Law Colorado under a contract with the Colorado Department of Human Services, Division of Aging and Adult Services and work in conjunction with the 16 regional Area Agencies on Aging (AAA). The Colorado Long-Term Care Ombudsman and the Legal Assistance Developer support our state's local ombudsmen and legal providers with the information and resources they need to protect the rights and promote the wellbeing of Colorado's elders. They also advocate for and against public policy at the state and national levels that will impact the lives of Colorado's elders. The following examples of impact illustrate the power of that state and local partnership:

Colorado Legal Services Offers Pro Bono Assistance

A case came into one of our eviction clinics at the Denver District Court. This case caught our attention because the alleged amount of rent past due was in the tens of thousands of dollars, significantly higher than what we normally see. The client told our attorney he had been on the Medicaid Elderly, Blind and Disabled Waiver, which had been terminated because when his recertification for Medicaid was due, he had been in poor health and did not complete the paperwork on time. Since Medicaid had been paying most of the cost of his assisted living facility and he did not have the income to pay for the facility



without Medicaid, the amount due to the facility had skyrocketed over many months. The Colorado Legal Services housing attorney consulted with an attorney in the Health and Elder Unit for assistance with the Medicaid termination. We discovered that the client had reapplied for Medicaid and it was approved retroactively to cover almost the entire period of time at issue in the eviction. The assisted

living facility claimed it had not been able to get the appropriate documentation about the client's Medicaid from his home and community-based case manager. We obtained documentation from the county that the client's Medicaid was reinstated retroactively and provided it to the assisted living facility. Based on this information, the eviction proceeding was dismissed, and the facility and client worked out a repayment plan for the small balance still due.

Protecting Residents' Rights & Promoting Quality Care

Long-Term Care Ombudsmen are charged to make unannounced visits to skilled nursing and assisted living homes. During these visits, ombudsmen check for health and safety issues and meet with individual residents to talk about any concerns, problems or complaints. On a routine visit to an assisted living community located near a road with very heavy traffic, the local ombudsman found a resident who appeared lost and confused walking alone in the parking lot. This community has enclosed courtyards to allow residents access to the outdoors, but many residents should not be outside of the assisted living facility unaccompanied. A staff member explained that the door to the building was broken and was going to be repaired in several days.

Advocating on behalf of all the residents, the ombudsman asked the owner to call and schedule an immediate repair, and then followed up with a visit to the community to verify its safety. The vigilance of this local ombudsman highlights the mission of our work, which includes amplifying the voice of all residents, including those who are not able to advocate for themselves, and ensuring that their right to quality of care is protected.



MARCH GATHERING Ombudsmen & Legal Providers

Over 100 Long-Term Care Ombudsmen and Legal Assistance Providers gathered on March 11-12 for a training conference in Denver. The two-day gathering provided insight and helpful tools to equip the 16 regions Area on Aging Agencies in Colorado to advocate for residents' rights, quality care and protect against abuse, neglect and legal barriers for older Coloradans.



2019 ANNUAL OPEN HOUSE

Celebrating Our Work and Sharing Stories of Community Impact

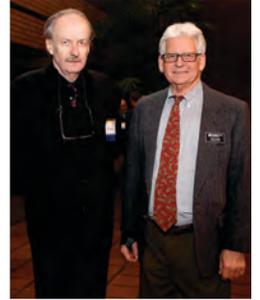
We welcomed over 130 guests to our Annual Open House on November 21, 2019. The annual event featured the presentation of the Randy Chapman Lifetime Achievement Award to Mark Ivandick, Disability Law Colorado's Managing Attorney. Also featured were stories about our work through four "storytelling stations" - Protection & Advocacy System, Older Americans Act Programs, Mighty Rights Press, and art created by individuals at the Colorado Mental Health Institute at Pueblo (CMHIP). Thank you to all those who were able to attend the Open House to celebrate our work to protect and promote the rights of individuals with disabilities and older people throughout Colorado.



NEW STATE LONG-TERM CARE OMBUDSMAN

Leah McMahon is the new State Long-Term Care Ombudsman. Leah joined Disability Law Colorado in 2017 in the newly created position of the State PACE Ombudsman. Over the past three years she has overseen the growth and development of that critical program, and she looks forward to continuing to advocate on behalf of Colorado's residents of long-term care.

DisabilityLawCO.org/Ombudsman



MEET BOARD MEMBER GREG HOLM

Passionate About Disability Rights & Fundraising



Greg Holm is senior vice president at the international real estate services company, CBRE, where he provides tenant representation services to both national and local corporate and professional services clients. Greg and his wife, Mary, are the parents of a son with Down Syndrome, currently in his second semester of the GOAL (Go On And Learn) Program, which serves students with intellectual/developmental disabilities at the University of Northern Colorado. Greg explains that Mary was part of a group of mothers of special needs students who successfully lobbied the legislature to secure funding for the program.

“When Jack was born, only one friend called to say congratulations,” Greg recounts. “Everyone else responded as though we'd had a death in the family.” While Jack was still a baby, Greg and Mary, along with a group of parents of children with Down Syndrome, began investigating all the pre-school options and found nothing in Denver's public or private schools that they thought was appropriate for their son's needs. At the time, Greg was working for a company based in Dallas, and on a visit a colleague told him about that city's RISE school for children. RISE is an inclusive national model that educates kids with and without disabilities together, while providing individualized therapy for children with I/DD. In collaboration with the parents of five other children with Down Syndrome, Mary & Greg founded the RISE School of Denver, which opened before Jack turned three years old.

Greg joined the Board of Disability Law Colorado because he is an ardent supporter of disability rights, and is also passionate about the environment. “I'm a very outdoors person,” he explains. “And if we don't do something about the way we live, we're headed for disaster. The planet will be fine, it's been through changes before, but we won't survive.” Greg is an active member of Conservation Colorado, which works to 'elect pro-conservation leaders to public office and then hold our decision makers accountable to move Colorado forward in protecting our environment.'

After two years of Board service, Greg has some ambitious plans for the organization's future. “As part of our fund raising goals, I'd like to see us continue to elevate Disability Law Colorado's profile with the general public, so that everyone knows about us. We do such important work – we should be a household name – like The Arc. That's my goal!”



“Greg is a great advocate and political strategist,” says Executive Director Mary Anne Harvey. “He and Jack Hanley joined me in Fort Lauderdale for a National Disability Rights Network event on 'How to Build an Exceptional Board.' Greg has embraced the task of elevating the Board's fundraising ability through the “IEP Project” where each member develops their own 'individual engagement plan.' Last year, our combined Board giving was the highest it's ever been!”

“Greg exemplifies the very best in Board service,” says Mary Anne. “He holds us all accountable, he is creating a wider culture of fundraising, and he is an incredible ambassador for our mission throughout the community. I should mention that he is also one of the most thoughtful people I know. Disability Law Colorado is very lucky to have him on our Board!”



HONORING MARK A Champion for Disability Rights

On November 21, 2019 we honored and celebrated Mark Ivandick - a champion for disability rights and Disability Law Colorado attorney for 20 years. At our Open House, Mark received the Randy Chapman Lifetime Achievement Award – an award that recognizes extraordinary service and impact in the disability community.

Learn more about Mark's remarkable disability rights advocacy and to make a Tribute Gift in his honor by visiting: disabilitylawco.org/MarkIvandick



AMERICANS WITH DISABILITIES ACT

Celebrating 30 Years of Disability Rights

This year we celebrate the 30th anniversary of the Americans with Disabilities Act (ADA). Signed into law on July 26, 1990 by President George H.W. Bush, the ADA is a landmark civil rights law, that has significantly improved the lives of millions of Americans with disabilities. In the three decades since it became law, we have seen improved accessibility, accommodations in the workplace, and a greater consciousness about the needs of people with disabilities throughout communities. While civil rights advocates will readily acknowledge that we still impose unnecessary barriers to full societal inclusion for people with disabilities, we can also recognize the great successes that have come as a result of the ADA. This article highlights a few of those successes that were made possible for DLC clients.



The ADA is separated into five titles: Employment, Public Services, Public Accommodations, Telecommunications and Miscellaneous. At Disability Law Colorado, we focus on the first three titles.

TITLE I – EMPLOYMENT

Title I of the ADA prohibits discrimination against people with disabilities in the workplace, including: during the application process, in compensation, in receiving training and promotions, and requiring employers to make reasonable accommodations to allow employees with disabilities an equal opportunity at work.

Christina was a client with Intellectual/Developmental Disabilities who was severely harassed and discriminated against at work because of her disability and race. She was constantly taunted at work for over a year. She felt helpless, but a friend encouraged her to call us. We helped Christina file a grievance with her employer. When that proved fruitless, we filed a complaint with the Equal Employment Opportunities Commission (“EEOC”). Despite a successful outcome at the EEOC, Christina's employer continued to shirk responsibility, so we filed a lawsuit in federal court alleging, among other claims, violations of the ADA. We were able to successfully resolve the case, allowing Christina to transition to a better job and feel compensated from the disability discrimination she endured. This was all thanks to the ADA.

TITLE II – PUBLIC SERVICES: STATE & LOCAL GOVERNMENT

Title II of the ADA prohibits discrimination against people with disabilities by state and local government agencies, or “public entities.” Public entities must make their programs, services, and activities accessible to people with disabilities. This may include removing physical barriers or making changes to policies and includes a requirement to provide effective communication with people with disabilities.

A few years ago, Disability Law Colorado joined forces with other civil rights lawyers to file a federal lawsuit against the City of Denver, as operator of Red Rocks Amphitheatre, alleging violations of the ADA. Specifically, due to ticketing practices and policies, the city was failing to ensure that the few accessible seats available at the venue were going to patrons who had disabilities and needed accessible seats. People with disabilities were unable to purchase accessible seats during online sales because they were being gobbled up immediately by non-disabled patrons, especially scalpers. A year after filing the ADA suit, we were able to settle the case, forcing the city to develop policies and practices at Red Rocks that would ensure the accessible seats at the venue were being used by patrons who needed them. We engaged in two years of official monitoring and are pleased to report that the city continues to seek input on making the venue more accessible to patrons with disabilities.



#ADA TURNS 30 FUNDRAISING APPEAL



Join your voice with ours as we celebrate the ADA's 30th Anniversary this year.

We're challenging you to a 30 for 30 donation. For every \$30 donation given in celebration of the ADA turning 30, donations will be matched by a donor advised leadership fund.

Your \$30 donation will be doubled to \$60 and will go directly to support our work to protect the rights and lives of individuals with disabilities and older adults throughout Colorado.

Make your 30 for 30 donation today at:

DisabilityLawCO.org/ADA30for30

FIGHTING FOR DISABILITY RIGHTS WITH ADA EXPANSION

Working to Strengthen the ADA Through Expansion & Compliance

TITLE III – ACCOMMODATIONS

Title III of the ADA prohibits discrimination against people with disabilities in places like hotels, restaurants, and privately funded colleges and universities, known as public accommodations. Title III imposes physical accessibility rules for new buildings and changes to existing buildings. It also requires that public accommodations make changes to the way they serve people with disabilities in order to ensure equal access, including providing effective communication.



Tom called Disability Law Colorado because he was having issues with his technical school. Because of his disability, he needed to take tests away from others and needed extra time. Despite making a request and providing documentation, the school denied these accommodations for his final clinical exam. Tom did not do well on his exam without the necessary accommodations. This exam was the final step between Tom finishing his program and moving on to his clinicals, meaning his several years of success at school were in jeopardy. We got involved, contacted the school, explained the school's obligations under the ADA, and was able to secure a solution that allowed Tom his necessary accommodations for the final exam. With these accommodations safely in place, Tom took the test and passed with flying colors.

The ADA is a vital tool to help safeguard the rights of people with disabilities in society. While we continue to have cases where the ADA was violated, knowing we have this crucial law behind us helps us win those important battles. Here's to an impressive 30 years!

ADVOCATING FOR LIFE IN THE COMMUNITY

Disability Law Colorado was contacted in March of 2018 by a client who wanted to move out of a nursing home and into the community. He had tried to self-refer for the Colorado Choice Transitions program, but was told that the referral had to come from nursing home staff. We originally advised him that self-referrals were allowed, and provide him information so he could contact the options counselor for his region to get the transition process started. After he attempted this and it failed, he again reached out to us and we provided information for the individual with the state who oversees the transition program. We asked that he reach out to her and give her a deadline to respond, then to let us know if that resolved his issues.



We did not receive information that this had not resolved his concerns until staff members were visiting nursing homes, including the one where this client lived, with staff from the Department of Justice in September 2018. We also met his brother, who lived in the same nursing home, who also wanted to move into the community. Both brothers desired a situation where they could live in the same home together. At that point, he and his brother were officially added to the complaint we had filed with the Department of Justice in November of 2016. We also stepped in to provide individual advocacy on behalf of both brothers, and a staff member referred them to options counseling to avoid any delay caused by another denial of a self-referral.

For the next year, the brothers patiently waited to be assigned to a transition coordinator in order to get the process started. Throughout this time, a staff member mailed the options counselor every other week for an update on their waitlist status. Finally, in September of 2019, the brothers were assigned to a transition coordinator. After multiple planning meetings, the brothers moved into a home with their mother in January of this year.

Unfortunately, there was another bump in the road when the home health agency was not able to provide the nursing services the brothers needed to live successfully in the community. They were still receiving other community services, but not the critical services that can be provided by a CNA. This problem came to a breaking point just a month after the brothers had transitioned, and the solution presented to the family was for the brothers to move back into a nursing home temporarily. Luckily for the brothers, their mother and aunt stepped in to provide the needed services on an interim basis. We continued to be in communication with the transition coordinator and the state throughout this time, trying to put pressure on them to figure out how to provide the funding and actual services for the two brothers rather than moving them back into a nursing home.

Due to the COVID-19 pandemic, we were increasingly concerned about the brothers going back into a nursing home through no fault of their own, but also worried that it would impact the ability to find services in the community. Fortunately, nursing services were finally established through a different agency in early April. Although the hours are not fully staffed, they are receiving services at a level that allows them to remain in the community without placing the full burden on their family members to care for them. We are continuing to follow up and work with this family to ensure that they are able to successfully remain in their own home with their family in the community.

COVID-19 IMPACT ON DLC

Continued From Page 1

Our State Long-Term Care Ombudsman program has been working diligently with both state partners and all local ombudsmen. They are helping respond to outbreaks at facilities, work with local ombudsmen to problem solve specific cases and, perhaps most importantly, the team was able to work with others to ensure that the state gathers and publishes data on any outbreaks at facilities across the state. Having this information, including the name of the facility and



the number of positive cases, provides some sense of relief for those in the community who have loved ones in nursing homes, assisted living residences or group homes.

These are just a few of our efforts. We have also: drafted resources for parents nervous about their student's right to schooling and related services while at home; we are providing expert advice to employees facing COVID-related questions on the job; we are advocating for safe practices at the state mental health hospitals and regional centers; we are working to decrease the number of people in jails; we are working with others on creative solutions to move people that do not need nursing home level of care to safer, smaller homes in the community; we are working nationally on increasing the ability of SNAP benefit users to have grocery delivery; and we are working with the state and court-appointed experts from our jail-wait lawsuit to try and find some resolutions for people with disabilities experiencing homelessness.

At this extraordinary time, we are particularly thankful for our advocacy partners in the community, including Colorado Cross Disability Coalition, The Arc of Colorado, Native American Disability Law Center, Alliance, the ACLU, Colorado Legal Services, Colorado Coalition for the Homeless, and many others. We depend on the expertise and reach of our partners to help us all work toward the same goal – protecting the lives and rights of people with disabilities and older people.

JOIN OUR FIGHT FOR RIGHTS

Get an Inside Look at Disability Law Colorado

Have you “liked” us on Facebook? “Followed” us on Twitter, LinkedIn or Instagram? Subscribed to our YouTube channel? Get an inside look at Disability Law Colorado through our social media posts as we use pictures and articles to help tell the story of our work. Help us grow our social media presence by encouraging your friends, family and co-workers to “like” and “follow” us today!



WELCOME NEW STAFF

New Staff Bring Robust Skill Set



Shelbie Engelking, MSW
State PACE Ombudsman

Shelbie previously worked with the Larimer County Office on Aging as a long-term care ombudsman. She has also worked for the Larimer County Single Entry Point as an intake case manager and has a background as a nursing home social services director. Shelbie will ensure that the voices of PACE participants are brought to the forefront and that systemic patterns of concern are addressed with the PACE organizations.



Marck Kollasch, Esq.
Access Team Attorney

Mark Kollasch joined Disability Law Colorado as an Access Team attorney in 2019. He graduated from Colorado State University in 2013 with an English Literature degree and from the University of Denver Sturm College of Law in 2019 with certifications in Intellectual Property Law and Workplace Law. Mark's past experience includes work with nonprofit groups and advocating for individual rights.



Erica Newton
Housing Advocate

Erica Newton joined Disability Law Colorado in April 2020 as a Housing Advocate. She has worked with nonprofit organizations offering disability rights advocacy, court advocacy for survivors of domestic violence and sexual assault and dental care. Erica is executive co-chair of the Colorado Interagency Coordinating Council, a state council appointed by the governor whose role is to advise and assist in the development of early intervention policies.



Patrick Thibault
Housing Advocate

Patrick is a fourth generation Coloradan. He joined the Disability Law Colorado staff in March 2020 as a Housing Advocate. Patrick has experience working on local issues and connecting the community to the legislative process. He is passionate about working to make sure all Coloradans have accessibility to safe and sustainable housing. Patrick's passion for the disabilities community began from his work as a peer mentor and adaptive technologies trainer at the Community College of Denver's Accessibility Center.

\$10 MILLION IN “JAIL WAIT” FINES

Consent Decree Benefits Coloradans Needing Support Services

In January 2020, Fusion Studios, a 139-unit apartment building, welcomed homeless people from throughout the Denver metro area, 28 of whom are awaiting competency hearings before they can stand trial.



It has been one year since Disability Law Colorado and the Colorado Department of Human Services signed a consent decree to settle a series of federal lawsuits that began in 2011. We first filed suit to address chronic delays in the system for providing court ordered competency evaluations and restorative treatment to pretrial detainees with serious mental illness. Pretrial detainees, almost half of whom were charged with

minor non-violent crimes, were languishing in county jails across Colorado suffering unconstitutional delays, in some cases lasting six months, in receiving evaluations and treatment that would enable them to participate in their criminal proceedings.

In addition to appointing a special master to oversee the development of an improved competency system, the decree established daily fines for each individual waiting longer than the time prescribed in the decree (capped at \$10 million per year) for as long as the state remains out of compliance. Staff from Disability Law Colorado, representatives from the state's Office of Behavioral Health, and the special master comprise the committee charged with using the fine money to develop services for people with mental illness involved in the criminal justice system. The ultimate goal is to keep people with mental illness out of jail and receiving treatment in the community.

Fusion Studios is an old hotel on Quebec Street that has been renovated by the Colorado Coalition for the Homeless (CCH). Using funds from Denver Housing Authority, the Department of Local Affairs, and \$3 million in the fine money, CCH purchased and opened the building in a little over six months – an impressive timeline and an indication of just what is possible when the community comes together to find solutions.

Managing Attorney Mark Ivandick, who spearheaded the “Jail Wait” litigation team and now serves on the fines committee, is thrilled at this first tangible outcome of the settlement. “The 28 people housed in Fusion as they await competency hearings will all receive mental health care and supportive services,” he explains. “Right now, we’re looking at all types of solutions for the many hundreds of people still caught in the state's backlog, but housing, mental health care, and supportive services have to be the key components. In this case, CCH came to us and offered a wonderful alternative to keeping these people in jail and we jumped at it.”



Mark notes that the Office of Behavioral Health is working hard to address the backlog, with pilot competency programs in separate units of county jails and an effort to add beds at the Colorado Mental Health Institute at Pueblo, but he stresses that “the best solution would be to expand community restoration – people don't go to jail in the first place! It will take time to get judges comfortable with taking jail out of the picture, and replacing it with community mental health services and support, but that's what we're working toward.” As the committee continues to weigh solutions, the fine money to fund them continues to accrue. “The state is reducing the wait list, but they are still behind,” Mark says. “They've admitted that they won't be in compliance by the end of 2020 and are on the hook for \$10 million this year alone.”

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We Greatly Appreciate Those Who Supported Our Work in 2019

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James Carr	Sally Leuer	Billie B and Sid Smith*
Deborah Clendenning	Daries Lile	Cleone and Paul Smith
Terri Cohee	Peter and Pam Lindquist*	Fred Smokoski
Nadine Cohen	John Litz	Vinson Snowberger
Dale and Alice Coski-Fritz*	Monica Loseman-Barwind*	Richard Stanley
George and Marion Curtis*	Eric Maxfield	Vicky Stieb
Michael Duncan	Ramona May	Michele Suriano*
Vinni Ferrara	Jim and Beth McBride	Louise Todd
Adela Flores-Brennan	Kayla McCarnes	Heather Tousignant
Alan Folkestad	Aileen McGinley	Robert Traver
Chris and Liz Fuselier	Leah McMahon	Nancy Tucker
Terry Galpin-Plattner	Anne Meier	Charlotte Valencia
Angie Garberding	Deb Miller	Barbara Vossler & Kimberley Erickson*
Sandy and Roger Garberding*	Dann Milne	Reesa Webb
Kimberly Gent	Shanalyn Molina	Jody and Judy Webb*
Ed George	Cat Morgan	Jeanne Weis
Katherine Gerland	John and Myrna Murray	Chuck and Lola Wilcox
Marjorie Goldstein	William Neighbors	Neil and Joan Windsor
Faith Gross	Arnie and Bobbi Neiss	Patricia Yeager
Mary Anne Harvey*	Cindy New	Steven and Barbara Zimmerman
Emily and Zach Harvey	Lynn Noesner	David Zinger*

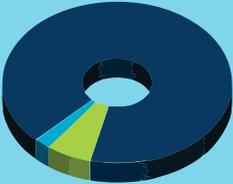
FISCAL YEAR 2019 FINANCIAL SNAPSHOT

INCOME

Operating Support:

Government Grants	\$2,675,467	91%
Charitable Contributions	\$115,076	3%
Court Awards & Client Fees	\$181,274	5%
Other	\$35,337	1%

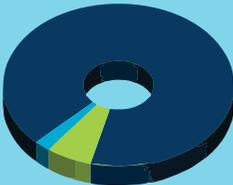
Total Revenue \$3,007,154



EXPENSES

Programs	\$2,512,464	88%
Development	\$122,465	5%
Administrative	\$273,025	7%

Total Expenses \$2,907,954



For full financial information, to include audits and 990's, please visit:

DisabilityLawCO.org/FY19

TRIBUTE GIVING

In Memory of R. Sterling Ambler
*Dorothy Ambler
In Honor of Julie Busby
Vicki Capek
*Billie & Sid Smith
*Jody Webb & Judy Wolfe
In Honor of Andrew Fokestad
Alan Fokestad

In Honor of Andrew Fox
*Denver & Nora Fox
In Honor of Ed George
Jennifer Hill
Anne Meier
Mike Robbins
In Honor of Mary Anne Harvey
Marjorie & Seth Goldstein
Mike Robbins

In Memory of Dan Hoffman
*John C. Hanley
In Memory of Bill Keating
Cleone & Paul Smith
In Memory of Clarence Miller
*Randy & Carol Chapman
In Honor of Teri Westerman Wagner
*Deborah Clendenning

FOUNDATIONS, BUSINESS AND ORGANIZATIONAL SUPPORT

AmazonSmile
Anschutz Family Foundation
Caring Connections
CBRE Foundation, Inc.
Colorado Access
Community First Foundation

Corepower Yoga
CMIT Solutions of Denver
Denver University- Sturm College of Law
Louis and Harold Price Foundation, Inc.
OneDigital Health & Benefits
Mandy M. Rigg Consulting, Inc.

Sheridan Ross, LLC
Sherman & Howard, LLC
Spencer Fane
Spirit of Christ Catholic Community
The Denver Foundation - Lowe Fund
The Jay & Rose Phillips Family Foundation

BY THE NUMBERS

Fiscal Year 2019 Impact Report

In 2019, Disability Law Colorado enjoyed victories that changed the lives of hundreds of individual clients, as well as public policy advances that have the potential to change thousands of lives for years to come. We continue to stand our ground and fight every day for the rights of people with disabilities and elders throughout Colorado.

The Protection & Advocacy Teams include: Intake, Education, Access, Facilities, and Community Integration. In 2019 P&A staff recorded: **794** Information & Referrals (I&R's) and a total of **586** Case Services. **We served clients aged 2 to 90 in 51 of Colorado's 64 counties.** Thirty-nine percent of our cases were from rural areas, while 61 % were in urban settings. In addition to taking over **3,000** calls and conducting over **1,000** intakes, staff from all teams contributed to our work.

In 2019, the Colorado State Long-Term Care Ombudsman Program and the Legal Assistance Developer Program worked to expand their service capacity. In 2019, legal assistance providers served **7,824** elders across the state requiring **12,748** hours of legal services. In addition, **2,837** hours of service were provided on a pro bono basis. Colorado has **232** nursing homes with a total of **21,134** beds and **698** assisted living residences with a total of **24,145** beds.

DISABILITY LAW COLORADO OUTREACH

Sharing Census 2020 & Mighty Rights Press Information

Mighty Rights Press, the publications division of Disability Law Colorado, has been ramping up its outreach efforts to educate and empower people with disabilities and their advocates. In early February, we attended the Courage to Risk Conference – an annual gathering in Colorado Springs of special education advocates that include administrators, teachers, parents and support service providers. Mighty Rights Press spoke to conference attendees about our award-winning self-advocacy tools. Many conference attendees shared how reading and sharing *The Everyday Guide to Special Education Law*, *Guía de la Ley de Educación*, and *Preventing Litigation in Special Education Workbook* made a positive impact in their lives and schools. Disability Law Colorado attorneys, Emily Harvey and Jennifer Levin, presented at the conference and encouraged attendees to visit our information table and learn more about self-advocacy in special education.

In early March, Disability Law Colorado was a sponsor of a screening of the Intelligent Lives documentary at Children's Hospital. At the event team members Georgia Kasow and Elina Rodriguez gave away water bottles filled with information about the upcoming 2020 Census, and shared insights about our self-advocacy tools and ways individuals with disabilities can learn and thrive inside and outside school settings. It was a meaningful reminder of how education and self-advocacy can make a big difference.

Discover more about our self-advocacy tools and other Mighty Rights Press products by visiting our website: mightyrightspress.org.

intelligent lives
a film by dan habib



Together We're Stronger



What if giving from the heart helped change the lives of individuals with disabilities, older adults and their families in Colorado? Rest assured that your donation to Disability Law Colorado will impact lives throughout the Centennial state – up and down the Front Range, to rural communities on the Eastern Plains and across the Mountain Frontier and Western Slope.

Your gift will help fuel the fire of disability rights advocacy as we work to broker systems change, protect rights and improve lives. But we cannot accomplish this alone. Please partner with us and join your voice with ours by making a donation.

WAYS to GIVE

Return the enclosed remittance envelope along with your tax-deductible donation.

Donate online at:
DisabilityLawCO.org/donate

This publication was made possible by funding support from the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration and the Administration for Community Living; U.S. Department of Education, Rehabilitation Services Administration; Social Security Administration; State of Colorado; and Individuals, Foundations and Corporations.

NEW HOUSING ACCESS PROGRAM

Colorado Health Foundation Grant Benefits Rural Colorado

Safe, accessible, affordable housing – the essential foundation for a healthy life - is often out of reach for low-income people with disabilities, especially those living in rural areas. At Disability Law Colorado, we often hear from people unable to find accessible housing, being evicted because of their disability, or unable to convince their landlord to make a reasonable accommodation.



The Colorado Health Foundation™

We are thrilled to report that the Colorado Health Foundation has awarded Disability Law Colorado a \$397,000 grant to launch a two-year housing initiative in five rural communities: Craig, Durango, Ft. Morgan, Glenwood Springs and La Junta. This grant award is the largest private foundation grant in our 43-year history. We chose these communities based on what our clients with disabilities have told us and what our nonprofit and government partners have confirmed – the lack of safe, affordable, accessible housing is having an impact on health and wellbeing.



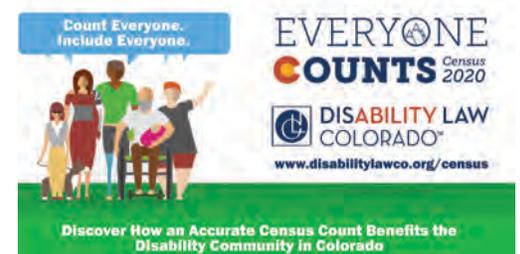
These issues are complex, and while a core component of the initiative will include training on the rights and responsibilities for both landlords and tenants, we hope to partner with stakeholders to address the deeper systemic issues unique to each community. Our Rights, Responsibilities and Resources Initiative begins with listening and learning during initial visits

this spring and summer. Two housing advocates have been hired to lead this two-year program: Erica Newton and Patrick Thibault. If you live or work in one of these communities and have information or ideas to share about housing, we'd love to hear from you. Please contact Jennifer Purrington, Access Team Leader, at jpurrington@disabilitylawco.org.

CENSUS 2020

Everyone Counts in Colorado

When everyone in Colorado is counted in the 2020 Census our communities get the funding they need for things like health care, education, elder care, disability services, and more.



Disability Law Colorado is a 2020 Census partner with the Colorado Department of Local Affairs through a grant from the Colorado Cross-Disability Coalition. Over the course of the last few months, staff have been making presentations to various groups throughout the state providing information about the 2020 Census accessibility provisions for individuals with disabilities and the importance for everyone in Colorado to participate in the Census count.

Due to the impact of COVID-19, the schedule for the 2020 Census has been amended. For up-to-date information please visit our Census 2020 webpage:

www.disabilitylawco.org/Census