

MAINE STATE LEGISLATURE

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2023 ANNUAL REPORT



ABOUT THE COVER ART



In 2023, Disability Rights Maine held an art contest to center the creative energy of Maine's disability community in connection with our annual Disability Pride event.

The cover art winner is Jelisa Hamilton. She described her submission as follows:

"My artwork celebrates the aspects of inspiration, growth, and resilience. I am a visually impaired artist, and my lifelong impairment worsened, resulting in the loss of over 90% of my sight several years ago. Art has been my passion for as long as I can remember. When I lost my sight, I thought that it was the end of my creativity. With the love and support of my fiancé, I was able to find ways to adapt with magnifiers, working in very close proximity to my paintings. By adjusting my process I could continue my journey of expressing myself artistically. I created this piece utilizing my digital drawing tablet with a 65" monitor with access to the total magnification available.

This piece is called "A New Day" and I created it to be a vibrant reminder that there is beauty in every moment, and while some of us face challenges, we can celebrate the hope and grace that each new day brings. In every new day, we have a chance to shine, grow, flourish, and inspire others with the life we live."



LETTER FROM THE ED

Dear Friends and Colleagues:

I am pleased to present Disability Rights Maine's 2023 Annual Report, which provides a snapshot of the impactful work undertaken by DRM over the past year.

DRM continued to grow this year, with the addition of a new and innovative youth self-advocacy project. This pilot, shaped by a team of self-advocate trainers, is building community and advocacy skills statewide. I am truly inspired by their hard work and dedication. I am extremely optimistic about the new generation of leaders in the disability civil rights movement.

In addition to our important legal advocacy work, self-advocacy and movement building are the foundation of DRM. DRM attorneys and advocates fight every day for the rights of people with disabilities. We also lift up the voices of Maine people with disabilities and we speak up for people when they ask us to. We must continue this work. In 1990, we celebrated the passage of the ADA. In 1999, the *Olmstead* decision said it was discriminatory to segregate and isolate people based on disability. Yet, decades later, we continue to fight for inclusion in nearly every aspect of life.

I am proud to work at DRM among an amazing group of dedicated, passionate people, to advance justice and equality for Maine people with disabilities. We will not stop fighting for a more inclusive Maine.

Thank you to our board, and particularly our outgoing Board President, Simonne Maline, who helped steer DRM for the past three years. We are grateful to our funders, partners, and supporters who make this work possible and to our clients, who push us every day.

Sincerely,



Disability Rights
Maine is supported by
funding from:

the Administration on
Disabilities

the Center for Mental
Health Services

the Rehabilitation
Services
Administration

the Social Security
Administration

the State of Maine

Acadia Hospital

the Maine Civil Legal
Services Fund
Commission

the Maine Health
Access Foundation

the U.S. Department
of Justice Office on
Violence Against
Women

private donors

To learn how you can
aid the work of DRM,
visit:
www.drme.org/donate

Available in
alternative
formats upon
request

ACCESS TO THE POLLS

During the November 7th, 2023 Referendum Election, DRM partnered with the League of Women Voters of Maine to monitor polling places for accessibility. Under federal law, polling places must be accessible to all people with disabilities. DRM created a survey for staff and volunteers to complete at each polling place. DRM adapted the questions from a resource developed by the U.S. Department of Justice.

The survey asked staff and observers about:

- Availability and condition of accessible parking;
- Curb ramps;
- Walkways/sidewalks;
- Ramps;
- Accessible entrances; and
- The interior route through the polling place.

The survey also asked respondents to detail the positioning of the “Accessible Voting System,” or AVS, a legally required machine that must be present and functional in every polling place. The AVS allows voter with disabilities to vote privately and independently.

The surveys identified accessibility barriers in 49% of the polling places visited. Surveys noted poor infrastructure, lack of signage for the accessible route, and poor positioning of the AVS as the most common barriers. Examples of poor infrastructure included:

- Faded paint markings for accessible parking spaces;



DRM Voting Access Advocate, Molly Thompson and her service dog, Poppy.

- Crumbling asphalt; and
- Broken push buttons on doors.

When the main entrance of a polling place is not accessible, signs directing voters to the accessible route are required. Many polling locations lacked the proper signage.

Staff noted significant issues with the privacy and availability of the AVS. More than 20% of polling places visited did not have their machines arranged to protect voter privacy. Further, four machines did not have the AVS readily available for voters to use, in violation of federal law.

To address the findings, DRM shared a report with the Secretary of State, who acted immediately. DRM and the Elections Division then collaborated to deliver a training for Town/City Clerks on election accessibility and best practices for interacting with voters with disabilities.

DRM will be working hard through the remainder of the 2024 election cycle to ensure all polls are accessible.

GUARDIANSHIP REFORM

Disability Rights Maine continues to make guardianship reform a priority, both systemically and through individual cases. DRM's goal is to ensure that Maine's 2019 Probate Code is followed so that individuals subject to guardianship, or at risk of going under guardianship, are guaranteed their fundamental rights. The new Probate Code marked a pivotal shift in how Maine empowers and supports individuals in the adult guardianship system. DRM's guardianship work underscores the importance of having an attorney to ensure that individuals can enforce their rights in guardianship proceedings.

Limiting Lucy's Guardianship

"Lucy" contacted DRM after her guardians withheld her food stamp card. A DRM attorney utilized a new process that allows people under guardianship to file grievances in court. As a result of the grievance, the Court limited the guardianship, thus affirming Lucy's right to control her food stamp benefits.

Ensuring Autonomy for Cooper

Maine's Probate Code explicitly requires that guardians promote self-determination of individuals and involve them in decision-making. In a contentious guardianship case, "Cooper" enforced these provisions when his guardian insisted on moving him to a new home; a move Cooper adamantly opposed. DRM filed a grievance asking that the court stop the move, and end the guardianship. Thereafter, tensions escalated as the guardian attempted to physically compel Cooper to move, prompting police intervention. Ultimately,

the judge affirmed Cooper's autonomy, and ordered that the guardian could not physically compel him to leave his home and move to a new one against his will. Soon after, the guardianship was terminated, and Cooper now makes his own decisions using supported decision-making.

Combating Discrimination for Kai & Maggie

Individuals with unique communication abilities are often incorrectly regarded as needing guardianship, especially if they don't communicate verbally or in a recognized language like American Sign Language. There appears to be slow progress in how courts approach guardianship cases involving people who use alternative communication methods. DRM represented "Kai", an individual who communicated mostly through gestures. Before DRM's intervention, Kai had been completely excluded from court proceedings, forced to wait in the courthouse hallway during a guardianship hearing about them. The DRM attorney ensured Kai's inclusion in the process, and even called them as a witness to give testimony using gestures. In another case, DRM represented "Maggie" who relied on a communication device. With DRM's assistance, Maggie participated in court proceedings using their device, ultimately leading to the termination of their guardianship.

Without legal representation, these fundamental rights would not have been enforced. DRM continues to advocate for changes in the law that require the mandatory appointment of attorneys in guardianship court proceedings.

RESPONDING TO LEWISTON

On October 25, 2023, a mass shooting took place in Lewiston, Maine that left 18 people dead and 13 injured. The horrific violence and loss of life rocked the Lewiston-Auburn community, and the entire state, to its core. Maine's Deaf community bore an especially heavy toll; four Deaf community members were killed, while several others survived.

In the wake of this tragedy, Maine's Deaf community, small and close-knit, was left reeling. These losses cut deeply, and rippled out across the state, and nation, through the many people their lives had touched. The events in Lewiston are believed to have been the first mass shooting with multiple Deaf victims and injuries. This led to an unexpected spotlight being thrown on Maine's Deaf community.

The aftermath of the shooting became a microcosm of larger structural failures to ensure Deaf and Hard of Hearing inclusion and communication access, particularly in emergency situations. First responders lacked awareness and tools on how to work with Deaf victims and survivors. Hospitals did not reach out to local ASL interpreting agencies to request ASL interpreters on-site for Deaf victims. Initial press conferences lacked American Sign Language interpreters. Captions were sometimes available, sometimes not. When interpreters were added to later briefings, media crews cut them out of the frame.

During a terrifying public emergency, many Deaf and Hard of Hearing Mainers were stuck relying on person-to-person information sharing. Had the shooter been caught? Who needed to shelter in

place? Who was safe? Who had died?

DRM's Deaf Services team mobilized to begin identifying and addressing gaps in accessible communication, services, and resources. Advocates shared information and resources with affected Deaf community members, helped advocate for impacted Deaf individuals experiencing barriers, and were present at the FBI Victims Services Center set up for victims and families. DRM Deaf Services, together with ME Association of the Deaf, and other Deaf community leaders, met with local leaders and policy makers to discuss access barriers, service gaps and to advocate for Deaf inclusion in long-term response planning for the tragedy. With funding from ME DHHS, DRM established a pro bono interpreting fund. As DRM began receiving questions about the legal needs of survivors, we coordinated a response with Maine's legal services providers to meet the civil legal needs of survivors and families of victims.

DRM also played a key role in the development of the new Maine Resiliency Center. As local leaders shared plans for the new center, DRM provided feedback on accessibility needs that needed to be considered to make a space that was usable and welcoming to Deaf community members. DRM Deaf Services advocates continue to maintain a regular presence at the Center.

As Maine continues to process the impacts and trauma of this event, the Deaf community continues to be an integral part of these conversations to ensure that communication access is not an afterthought.

TRAINING MENTAL HEALTH PROVIDERS

Mental health case management services play a crucial role for many individuals, yet accessing these services is a challenge. One reason for this is that providers do not have immediate openings for people seeking services. In the past, many providers maintained internal waitlists, which could not be monitored by the state. This meant that state officials did not accurately understand the gap in access to services, nor the information needed to help individuals find alternative referrals.

Over the past year, the Office of Behavioral Health (OBH) worked with providers to develop a new process to better track individuals waiting for services. Providers now place individuals on a “Hold for Service” through MaineCare’s managed care provider Acentra. OBH is then able to monitor these placements.

As a result of this change, DRM partnered with OBH to conduct a training session on the “Hold for Service” requirements for agencies providing community mental health services. Over 175 individuals from over 80 mental health agencies attended. DRM also educated providers on how we support individuals who make self-referrals for these services and DRM’s subsequent follow-up process with OBH.

Providers of these services were trained on their responsibility to:

- Accept referrals, including self-referrals;
- Obtain authorization from OBH in cases where they could not provide the referral same-day service;



- Place the referral who they could not serve on a “Hold for Service”;
- Follow up with the referral they placed on “Hold for Service”; and
- Provide the referral with information on other agencies in the area they could contact for the service.

DRM also trained providers on the types of support DRM staff provides to individuals during this process. This support includes:

- Assisting individuals in making self-referrals;
- Providing advocacy assistance during the referral process;
- Faxing confirmation letters to agencies following the initial referral;
- Following up with agencies to verify the entry of the individual’s referral into the platform as a “Hold for Service;” and
- Coordinating with OBH for follow-up when needed.

Individuals who need help accessing these services can contact DRM [online](#) or by phone and ask to speak with a community advocate.

BY THE NUMBERS

DRM provided direct representation to **1135** clients in **1343** cases. DRM's equipment distribution programs served an additional **204** clients, while information and referral services were provided to **1838** individuals.

Client Age

4 and under
5 to 12
13 to 18
19 to 25
26 to 64
65 and over

17
90
74
166
689
99

Client Disability

Blindness/Visual Impairment 9
Brain Injury 30
Deafness/Hard of Hearing 58
Developmental Disability 684
Mental Illness 271
Physical Disability, Health Impairment, Chronic Illness 83



Clients by County

Androscoggin
Aroostook
Cumberland
Franklin
Hancock
Kennebec
Knox
Lincoln
Oxford
Penobscot
Piscataquis
Sagadahoc
Somerset
Waldo
Washington
York
Out-of-State
Unknown

169
66
210
11
24
139
29
17
45
177
14
16
35
32
27
113
5
6

Case Problem Area

Abuse/Neglect & Other Rights Violations 355
Community Integration 429
Due Process 16
Education 133
Employment 76
Government Services & Public Accommodations 132
Guardianship 88
Housing 64
Vocational Rehabilitation 49
Voting 1



Financial Summary

Year Ending September 30, 2023

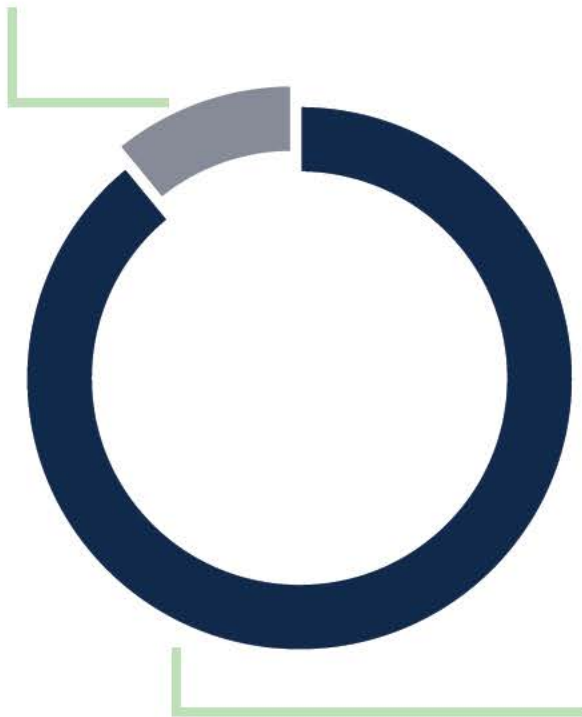
REVENUE AND SUPPORT

Federal Grants	\$2,488,951
State Grants	\$1,640,149
Contributions	\$31,593
Other Revenues	\$274,137
Other Grants	\$27,650
TOTAL REVENUE	\$4,462,480

EXPENSES

PADD	\$608,774
PAIMI	\$490,352
PAIR	\$228,970
PAAT	\$58,373
PABSS	\$157,036
PABRP	\$108,892
PATBI	\$40,131
PAVA	\$170,972
Client Assistance Program	\$116,059
Educational Advocacy	\$182,300
Psychiatric Ctr Adv	\$358,545
Acadia	\$43,660
Developmental Svc Adv	\$641,100
Deaf Advocacy + Comm Access Prog	\$584,570
OVW Grant	\$56,330
Innovation Grant	\$68,586
Health Access	\$37,622
Supporting Services	\$484,768
TOTAL EXPENSES	\$4,437,040

SUPPORTING SERVICES: 11%



PROGRAM SERVICES: 89%

DRM PROGRAMS

Disability Rights Maine (DRM) is Maine's Protection & Advocacy agency for people with disabilities. This means we represent people whose rights have been violated or who have been discriminated against based on their disability. We also provide training on rights and self-advocacy and we advocate for public policy reform.

DD Advocacy provides legally based advocacy to individuals with intellectual and developmental disabilities who have experienced abuse, neglect, exploitation or who have been discriminated against based on their disability. In addition to the federal Protection and Advocacy program for individuals with diagnoses of developmental disabilities, DRM receives State of Maine funding to advocate for adults with labels of intellectual disability and autism.

MH Advocacy serves individuals who have a diagnosis or label of serious mental illness. DRM provides these services statewide to individuals in the community and in institutions through federal and State funds.

Protection and Advocacy for Voting Access (PAVA) is a federal program that allows DRM

to represent individuals who have been denied the right to vote and to increase access to the polls for people with disabilities.

Protection and Advocacy for Individual Rights (PAIR) serves individuals who have a disability and who are not eligible for either the PADD or PAIMI programs. PAIR focuses on civil rights violations under the Americans with Disabilities Act (ADA).

Social Security Advocacy serves individuals with disabilities who receive Social Security Disability Income (SSDI) or Supplemental Security Income (SSI) and who want to work, return to work, or are working and need assistance with respect to benefits. DRM also monitors, investigates and reviews representative payees to prevent and detect financial exploitation or misuse of an individual's benefits.

Brain Injury Advocacy provides legally based advocacy for people who have a brain injury and who have experienced a rights violation or discrimination.

Protection and Advocacy for Assistive Technology (PAAT) assists individuals with disabilities in obtaining assistive technology devices or equipment in order to

live more independently, work, attend school, or meet medical needs.

Children's Advocacy State funds allow DRM to serve children with disabilities who are denied access to appropriate and inclusive educational services; have been subjected to restraint and seclusion in school; are seeking assistance with obtaining appropriate home and community services; or who are in a hospital or residential facility and have experienced abuse, neglect or violations of their basic rights.

Deaf Services provides legally based advocacy to individuals who are Deaf, late-deafened, hard of hearing and Deaf-Blind; provides technology to improve communication access; provides peer support to Maine citizens who also have developmental disabilities; and provides outreach statewide to ensure that people know about communication options and access.

Client Assistance Program (CAP) is a federally funded program that provides information, assistance and advocacy to people with disabilities receiving services under the Rehabilitation Act.

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Mission

Disability Rights Maine advances justice and equality by enforcing rights and expanding opportunities for people with disabilities in Maine.

Vision

People with disabilities must not be stigmatized, undervalued, institutionalized or excluded. Disability Rights Maine envisions a just world, without barriers, where all disabled people have power and autonomy. In this world, disabled people have full and equitable access to education, jobs, resources and community.

Values

DRM Board and staff believe that the disability rights movement is inseparable from the human rights movement for racial, economic and gender equity. We renew our commitment to eradicate ableism, racism, sexism and bigotry, and to dismantle institutional and structural disadvantage.

160 Capitol St, Suite 4
Augusta, ME 04330
207.626.2774 (V/TTY)
800.452.1948 (Toll-Free)
207.621.1419 (Fax)
207.766.7111 (VP)



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www.maineshare.org



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