



Speaking out for people  
with intellectual disabilities

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## VOR Weekly News Update

News and views for VOR advocates

[HURRY! Hotel reservation deadline approaching on May 11. Plan to join us in Washington, D.C. for VOR's Annual Conference and Initiative. Complete details, including hotel reservation and conference registration are available on VOR's website.](#)

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#### VOR and You

1. VOR's Cristy Dwyer awarded the prestigious 2012 Dean's Medal and 2012 Outstanding Research Award for the State University of New York, School of Graduate Studies

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[Cristy Dwyer](#), who serves as VOR's New York State Coordinator with her husband, Hugo, has been awarded the prestigious State University of New York (SUNY) Empire State College, School for Graduate Studies 2012 Dean's Medal. The Dean's Medal is presented to students for outstanding graduate work. Students are nominated by a faculty member, and posters explaining their research were reviewed by a faculty committee who forwarded their recommendations to the Dean. This year, there were 10 recipients of the Dean's Medals. Because Ms. Dwyer was ranked first out of all ten recipients, she was also

presented with the SUNY School for Graduate Studies 2012 Outstanding Research Award which is awarded for exemplary research.

Ms. Dwyer will finish her graduate studies in December 2012 after the completion of her thesis. Her graduate focus has been on the plight of older unemployed workers. Recent research also focused on the need for the accountability in the care of New York citizens with intellectual and developmental disabilities.

### **Action Opportunity**

#### **2. Speak Out for Choice: Letters needed in Illinois**

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[A legislative panel recently voted AGAINST the Governor's proposal to close Murray Developmental Center, an ICF/MR in Centralia, Illinois. This is the third time this panel has voted against ICF/MR closure proposals.](#)

[To show your support for resident choice, please visit CapitolFax, read by Illinois lawmakers, and enter a comment in support of a full array of residential services for people with profound intellectual. More details follow in the next story.](#)

#### **3. Illinois legislative panel advises governor not to close developmental center**

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#### **Associated Press \* May 1, 2012**

A panel of Illinois lawmakers recommended against closing two prisons and a developmental center on Tuesday, a vivid illustration of how difficult it will be for officials to slash state spending this year.

Closing the facilities would save the state about \$90 million at a time when the governor and legislative leaders want to cut billions. But the closures also would eliminate hundreds of jobs, deliver painful blows to downstate communities and, in the case of the developmental center, disrupt life for disabled people and their families.

Legislators were unwilling to endorse that trade-off.

The votes were only advisory. The Democratic governor, Pat Quinn, is still free to close the institutions if he wants.

Rep. Patricia Bellock, a top budget negotiator for House Republicans, rejected all the proposed closures. The amount of money involved may be relatively small, she said, but the impact would be huge. Closing halfway houses, for instance, would mean less job training and drug counseling to help inmates start over when they leave prison.

Quinn's proposal, he says, to close the developmental center in Centralia is not aimed at saving money. It's part of a larger effort to move people out of institutions and into community care.

Quinn's office has hinted it might buck the recommendation and close the facilities anyway—a highly unusual move that would likely set up a showdown between Quinn and the Legislature even as they struggle to cobble together a new state budget.

### **Legal News**

#### **4. New Jersey: Women's Guardians Scorch Gov. Christie**

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#### **Courthouse News Service \* May 1, 2012**

Gov. Chris Christie, in violation of federal laws, will "depopulate" a state-owned woman's home by sending its mentally disabled residents to uncertified care centers, subjecting them to "increased danger of death, abuse and neglect," to further his "political plan," the women's guardians say in a [federal class action](#).

Seven named residents of the Vineland Developmental Center sued Gov. Christie, the Vineland Center, the New Jersey Department of Human Services, and top-ranking officers in the New Jersey DHS.

Vineland Developmental Center is an Intermediate Care Facility for the Mentally Retarded (ICF/MR) which currently serves 347 residents, 86 percent of whom have been diagnosed with "profound or severe intellectual disabilities" and 68 percent of whom have lived there for more than 30 years, according to the complaint.

In May 2011, "defendants announced their plan to 'depopulate' and close the Vineland Developmental Center and discharge residents to non-ICF/MR certified, alternative settings," the complaint states.

"Among the reasons identified by defendants for their 'depopulation' plan was the ostensibly high cost of providing the necessary services for the disabled residents of the state's developmental centers."

And they did it dishonestly, according to the complaint:

"Defendants have instructed plaintiffs' treating professionals to include language in plaintiffs' individual habilitation plans indicating that Plaintiffs have requested discharge to settings other than Vineland Developmental Center, regardless of whether plaintiffs actually communicated such a request," the complaint states.

It adds: "As part of that plan, defendants also announced that they would close the West Campus of the Vineland Developmental Center. Defendants have taken significant steps in that plan and their plan to completely close the Vineland Developmental Center, including transferring and discharging residents without adequate transition plans, without guardian or

residents' full and fair participation, without treating professionals' independent and sound assessments, without regard for residents' specific individual needs and desires, and without regard for the rights of residents.

"Contrary to defendants' public statements, plaintiffs have not requested discharge or transition from Vineland Developmental Center."

The class claims: "Defendants know or should know of the increased danger of death, abuse and neglect to which plaintiffs will be subjected if they are discharged from the Vineland Center in accordance with defendants' political plan."

The class seeks an injunction preventing the defendants from transferring residents until a proper, recommended facility and/or treatment plan has been evaluated and deemed appropriate, and damages for civil rights violations and violations of the Americans With Disabilities Act, the Rehabilitation Act, and the Medicaid Act.

[Read Complaint](#)

#### **5. Virginia: Choosing Care**

##### **Fredericksburg.com \* May 1, 2012 (opinion)**

ONE SIZE does not fit all when it comes to caring for the profoundly mentally and emotionally disabled, despite what government lawyers think. They want to close all but one of the five residential centers dedicated to caring for those severely disabled Virginians. But some families think that's a bad idea, and they deserve a say in the matter, too.

After a four-year study, the U.S. Justice Department brought a case against the commonwealth regarding the training centers where many disabled people live. These centers don't meet the "community model" of care that is currently in vogue and, therefore, say the feds, they violate federal disability laws. So behind closed doors, federal bureaucrats and state workers forged a plan to close four of the five centers by 2020, moving 1,000 of their residents into apartment-like environments in their communities.

[Read more](#)

##### **ICFs/MR as Inclusive Communities**

#### **6. California: Family fun at SDC Festival**

##### **Sonoma Valley Sun \* May 1, 2012**

The beautiful grounds of the Sonoma Developmental Center are the site of the Sixth Annual Sonoma Valley Footrace and Festival, a day of outdoor exercise and fun on Saturday, May 12. The race starts 9 am with a 5k run/walk and an advanced 10k

run. The 5k run/walk course runs throughout the center's tree-lined streets, with the advanced 10k continuing on through the campus and surrounding hill sides. There will also be a kids' fun run during the festival.

The festival, 9 a.m. to 2 pm, featuring events and activities to entertain people of all ages. There will be a car show, beer and wine tasting, food vendors, a raffle, carnival games and attractions, and music all day by Harvey and the Wallbangers. Sorry, no pets are allowed.

Advance registration fees for the footrace are \$25 for adults and \$15 for children 12 and under. On the day of the race, registration will be \$30 for adults and \$20 for children. All race participants will receive a commemorative t-shirt and goodie bag. In addition, adults will receive a souvenir glass and two drink tickets.

The event is proudly sponsored by The Sonoma Sun. The center is located at 15000 Arnold Drive in Eldridge. Find out more at 938.6713 or [Dds.ca.gov/SVFF/](http://Dds.ca.gov/SVFF/).

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