

Report to the Annual Meeting of VOR 2024

From Thomas M Spellman parent/guardian of Rosa Miriam Palmer Spellman

Actually some movement (not so good) and some potential (good) since last year

The not so good, first, is that the head of Wisconsin's Disability Service Providers Network (DSPN) is on the Board of ACCSES and as we know ACCSES has abandoned many of its members who are Sheltered Workshops or Shelters Workshops are part of Larger Program.

When your friends become "neutral" who are your enemies??

The good I am working with the executive director of VIP Services where Rosa works who is in contact with the 10 largest Sheltered Workshops in Wisconsin out of some 60 in total.

They are beginning to listen to possibility that the end is not in sight! For them it has been a 50 year story of explicit exclusion. In 1976 when the Protection and Advocacy agencies were created by the Congress and signed into law all individuals who worked for Sheltered Workshops or Facility Based Day Program were explicitly bared from serving on the Boards of directors of the both new agencies the Lawyers and the Advisors. A little history to help understand the issues we fact today.

Also found out that because members of the Board for People with Developmental Disabilities (BPDD) are appointed by the Governor their meetings are now required by law to allow individuals to speak at them and I assume to provide materials to the Board Members as well.

The other news is that BPDD has created a list of RIGHTS for all individuals who are disabled. The Rights include CHOICE and Laws. While the Law section does not include Section 14(c) nor the RIGHT to a Person Centered Plan. I will be recommending that they be added. It finally provides a framework for discussing CHOICE. What does CHOICE mean to an Individual whose IQ is 10 and is Profoundly Disabled or whose IQ 20 and is Severely Disabled??

As I say an avenue for access and discussion and I suggested burying the hatchet of 50 years.

Also have I made contact with Senator Tammy Baldwin who now supports eliminating Section 14(c) because it allows businesses to take advantage of disabled workers. I am in the process of education her about her misconceptions. (About the LIES that she has been told)

Also the DOJ Civil Rights Division published on Oct 31, 2023  
Questions and Answers on the Application of the ADA's Integration Mandate  
and Ruth Bader Ginsberg - Olmstead Decision  
On Employment (Sheltered Workshops) and Day Service (Facility Based Day Programs) for  
People with Disabilities (See below)

Peace  
Thomas M Spellman

December 6, 2023

Thomas Spellman  
Dona Palmer  
Guardians for Rosa Miriam Palmer  
210 N 2nd Street  
Delavan, WI 53115

Merrick Garland U.S. Attorney General  
U.S. Department of Justice  
950 Pennsylvania Ave NW  
Washington, DC 20530

Dear U.S. Attorney General Garland,

You are in receipt of a copy of a letter from us to the DOL Leadership just two weeks ago. Attachment A of that letter, is a description, of who Rosa Miriam Palmer Spellman is. (Attached here) We as her guardians have a DUTY to protect her RIGHTS to the best of our abilities and therefore, WE MUST RESPOND to those who have the power and DUTY to protect Rosa's RIGHTS when they are threatened. We do not have the money to file a Cease-and-Desist action against the National Disability Rights Network (NDRN) for all the LIES they tell about Rosa.

As you know that DOJ Civil Rights Division on October 31, 2023 just published some additional Guidance for the ADA's Integration Mandate.

Considering the fact, that Justice Ruth Bader Ginsberg, in her decision, *Olmstead vs L.C.* 527 U.S. 581(1999), included the following, which, should have been the STARTING POINT, for the DOJ Civil Rights Division analysis, of the *Olmstead* decision's impact, on programs that benefit Individuals who are Disabled. As you know it was not their starting point!

Yes, Community Based Services are to be provided EXCEPT when,

***(b) the affected persons do not oppose community-based treatment***

***(a) such services are appropriate;***

***(c) community-based services can be reasonably accommodated, taking into account the resources available to the entity and the needs of others who receive disability services from the entity***

These conditions create TWO additional RIGHTS, added to the Six that we have already identified.

## **SIX OF OUR RIGHTS**

A long story cut short. National Disability Rights Network (NDRN) and many of the State Protection and Advocacy agencies like Disability Rights Wisconsin (DRW) have RIGHTS as an integral part of the name of who they are and what they are about. They are all part of the National network of State Protection and Advocacy agencies created by Law in the 1970's for the protection of those who were disabled and voiceless.

What could go wrong? In the 1970's disabled individuals were being discriminated against and now with the creation of each State having its own Protection and Advocacy agency they would have lawyers, paid by the Federal Government, to Protect their interest. How is it possible that now 50 years later the very organizations, Collaboration Promotion of Self Direction (CPSD) and the NDRN and the ALL of the State Protection and Advocacy agencies are attacking a sub group of the Family of disabled individuals? How is it that the very organization created to PROTECT the RIGHTS of ALL the disabled are now the Leader of the Pack of organizations attacking some of the very people who they have a DUTY to protect? How is that possible?

We and thousands of other family members have heard the claim that the NDRN and the State Protection and Advocacy agencies are protecting our disabled family members RIGHTS and sometimes more specifically our CIVIL RIGHTS. We asked ourselves exactly WHAT RIGHTS (for those over 18 years of age) do our disabled family member actually HAVE? Considering these RIGHTS is another way to see and understand the family fight.

The first RIGHT is the universal RIGHT of all of us to petition a Court that has the power to grant guardianship of the person and or the estate to another so that we are protected and that we have a voice if we need to have a guardian.

The second RIGHT is the RIGHT of ALL disabled individuals to have a Person-Centered Plan as granted in SS 441.725. The Person-Centered Service Plan is a specific plan for each disabled individual that is specific to their needs and desires and wants and dreams. While the regulation is poorly written, and written as if some disabled individuals do not exist, it still does provide for ALL disabled individuals the RIGHT to a Person-Centered Plan.

The third RIGHT is the universal RIGHT to LIVE where s/he wants to. Now for an individual who is disabled that might mean living in a small or large group home, an Intermediate Care Facility (ICF), an apartment, or in a home that they own or rent. They have the RIGHT to live where ever they wish and can afford.

The fourth RIGHT is the universal RIGHT to ASSOCIATE with whomever they want to. No one can tell an adult, with whom to be friends. It is that simple.

The fifth RIGHT is the RIGHT to work for less than the minimum wage as allowed by Section 14 (c) of the Fair Labor Act of 1938 as amended in 1986.

The sixth RIGHT is the RIGHT TO SO WORK because of Section 14 (c). By Law without Section 14 (c) everyone who WORKS must be paid the minimum wage.

Based upon the Olmstead decision, the following two RIGHTS are added.

The first RIGHT that is added is to have “Appropriate Services” which is obviously an Individual RIGHT relative to the Intelligence (IQ) and Behavior and Social Skills and other human factors that would impact each Individual who is Disabled. What are appropriate services for an Individual who is Disabled whose IQ is 20 and is physically disabled? What are the appropriate services for some liked Steven Hawking? Both are physically disabled and both need vastly different services.

The second RIGHT that is added, is the RIGHT in essence to CHOSE which Services to buy and WHERE those services WILL BE PROVIDED and WHO will provide them. In the decision it is stated as,

***“affected persons do not oppose community-based treatment”.***

These RIGHTS as set forth in the 6 – 3 decision, were further supported by Justice Anthony Kennedy who wrote, in a concurring opinion,

***“It would be unreasonable, it would be a tragic event, then, were the Americans with Disabilities Act of 1990 to be interpreted so that States had some incentive, for fear of litigation, to drive those in need of medical care and treatment out of appropriate care and into settings with too little assistance and supervision.”***

Both Ginsberg and Kennedy, comment upon the RIGHT of Individuals who are Disabled to DO WHAT THEY WANT TO DO - To WORK where they want to WORK, To LIVE where they want to LIVE, To ASSOCIATE with WHOM they want to ASSOCIATE. Three of LIFE’s most basic FREEDOMS!!

And yet as you know the DOJ Civil Rights Divisions IGNORES this starting point of FREEDOM and begins with the Integration Mandate which significantly LIMITS choices for those Individuals who are Disabled.

HOW IS THIS POSSIBLE, that you or your office, approved this Guidance?

WHO SPEAKS for the TREES? YES, WHO SPEAKS FOR Rosa Miriam Palmer Spellman and 100,000 others who ALL WORK in Sheltered Workshops and the now 300,000 more who spend time in Facility Based Day Programs? Who will speak for them?

Where is the National Disability Rights Network and the affiliated 50+ State Protection and Advocacy Agencies? YES, WHERE ARE THEY??? They are not protecting Rosa Miriam Palmer Spellman! And who is?? They are not protecting the 100,000 others! And who is?

What is the meaning of the Law and Regulations and Court decisions WHEN they are ALL IGNORED first by the DOJ Civil Rights Division and then by you or your representative?

WHY WHY WHY have we been tortured by the incessant attacks against Sheltered Workshops for almost 13 years? And why are there now, more attacks against Facility Based Day Programs?

Attached are the comments we originally wrote in response to the Integration Mandate that was published October 31, 2023 by the DOJ Civil Rights Division is the following Attachment Comments

**We would surely like an answer to these most basic questions.**

Sincerely

Thomas Spellman

Dona Palmer

CC Secretary of Labor Julie A Su

## Attachment COMMENTS

### Introduction to Comments on DOJ Civil Rights Divisions Guidance of October 31, 2023

We are not Lawyers. The following comments are based upon a basic understanding of WHO Rosa is and WHO the 100,000 others who WORK in Sheltered Workshops are. It also is based upon a basic understanding of WHO the majority of the 300,000 who spend time in Facility Based Day Programs are. The vast majority of those who WORK in Sheltered Workshops have IQ's below 60 and have other social or physical disabilities as well. All of those who are in Facility Base Day Programs have IQ's and other Social or physical disabilities that truly LIMIT their lives. (NOTE because of "politics" there are some individuals in Facility Day Service Programs who are very capable of WORKING and have in fact WORKED in Sheltered Workshops but their State or their funding source have decided that they can no long WORK in the Sheltered Workshop.)

We never hear about Rosa and the others' RIGHT to WORK for less than the minimum wage – a special minimum wage - and the DOL and DOJ ongoing effort to take away that RIGHT.

What are the operative words and twisted meanings that the highly educated Lawyers use to make their CLAIMS? WHAT are the WORDS they FAIL to USE that describe the real world of those who are Intellectually Disabled. (Those with IQ's below 70 and who also lack the Social Skill necessary to WORK with or for non-disabled individuals.)

### WORDS USED

Most integrated Least Restrictive Integration MANDATE

integrated used 55 time integration used 16 times in the Guidance

### WORDS NOT USED

IQ, Behavior, Social Skills, Severe -Moderate-Mild,

Freedom, CHOICE, Person Centered Plan as required by Law

The **SIX** specific RIGHTS, plus two RIGHTS that all individuals who are Intellectually Disabled have plus the added two Rights are

The RIGHT to refuse community-based treatment

The RIGHT that services are appropriate

Comments on the ADA's Integration Mandate. **Comments in Red**

Our comments are on content of only page 1 of the “Questions and Answers.....” that the DOJ Civil Rights Division published, October 31, 2023. We do not have the time to respond to the other parts of the letter as many of those statements are included on page 1 of the guidance.

## **Questions and Answers on the Application of the ADA’s Integration Mandate and Olmstead v. L.C. to Employment and Day Services for People with Disabilities**

What are the operative words and twisted meanings that the highly educated Lawyers use to make their CLAIMS?

“...Integration Mandate...”

Definitions

*Integration* the action or process of integrating: - *integrating* bring (people or groups with particular characteristics or needs) into equal participation in or membership of a social group or institution.

*Mandate* an official order or commission to do something.

How is it that ANY adult (those over the age of 18), who is an Individuals who is Disabled can be MANDATED to do anything, much less WORK and LIVE and ASSOCIATE with non-disabled others, **who they do not chose to be with?**

Who are these highly educated Lawyers who would MAKE SUCH A CLAIM? Upon what AUTHORITY do they make such a CLAIM? The Individuals who are cognitively/intellectually disabled (IQ’s below 70) would be the ONLY ADULTS, that are U.S. Citizens, who are so MANDATED. It is as if FREEDOM does not EXIST for them and they are being TREATED LIKE CHILDREN!

WHY does the DOJ Civil Rights Division, focus on Sheltered Workshops and Facility Based Day Programs, the two programs that provide services to the those who are most impaired?

Nationally, a significant number of **individuals with disabilities**

“Individuals with disabilities”

Who are these individuals

Are they Intellectually Disabled

Are they Physically Disabled

Are they Emotionally Disabled

What is their IQ? Is it 10 or is it 69?  
What is their physical ability?  
What is their behavior “normal” or somewhere on a scale of violent behavior?  
What are their Social Skills  
What help do they need  
And the list goes on!

So just WHO are we talking about, when the term Individuals with Disabilities is used?

Without KNOWING who we are talking about how can we say anything that has any meaning? For example, Mary whose IQ is 15 and must be in wheel chair or bed 24/7 and has no motor control BUT still smiles at those who take care of her at the Facility Based Day Program. She is known as Severely Disabled and it is estimated that there are ???? in the U.S.

What, the highly educated Lawyers, who wrote the guidance, do not acknowledge, much less understand is how we associate with one another. Sometimes WE ALL SEEK other like ourselves. That reinforces our own selves. So. NO ONE will SEEK to be with Mary because Mary has nothing to offer except the awareness of empathy for another and some feeling that we ALL have something to give to another. That may last an hour or a day but after that WE will be seeking those who we can relate to. It is critical that we all relate to those who can challenge us and who understand us, as we understand them.

spend the majority of their daytime hours receiving **public services** in sheltered workshops and facility based day programs. These **settings segregate** individuals from the community and provide little or **no opportunity to interact** with people without disabilities, other than paid staff.

What are the operative words and twisted meanings that the highly educated Lawyers use to make their CLAIMS?

“...public services...”  
“...settings segregate ...”  
“...no opportunity to interact...”

Public Services These highly educated Lawyers CLAIM that the services any Individual who is Disabled receives are Public Services. Those services are NOT Public Services! They are services that individuals with disabilities purchase using their own funds or more likely using money that is allocated to them through the IRIS program or one of the other Family Support programs. The MONEY IS NOT PUBLIC as it is granted to an individual to use as they chose to use it, within program guidelines that grant the money. To be clear the money comes from the Government BUT that does not make the SERVICES PUBLIC as the highly educated Lawyers CLAIM.



Settings segregate – No opportunity to interact. All of the individuals who are receiving any of these so-called Public Services are there BECAUSE THEY ARE CHOOSING TO BE THERE. IT IS THEIR CHOICE. There is NO SEGREGATION, just because they are choosing to use a service, with other Individuals who are disabled. The “settings are not segregated”! Also being adults, they do not have to interact with anyone they do not chose to interact with. If they wanted the opportunity to interact with people without disabilities, other than “paid staff” that provide the service they are buying, they would have chosen another place to be. (Paid Staff is a derogatory name, that people, who WORK at Facility Base Day Programs and Sheltered Workshops, are called by other members of the Community of Individuals who are Disabled- A family fight)

What the highly educated Lawyers continue to do, is to be as GENERAL as possible and make CLAIMS that are broad. Here the highly educated Lawyers use Public Service when it is not a public service. Segregated when there is NO Segregation. No opportunity to interact with people without disabilities, WHEN THERE IS NO DESIRE TO BE WITH PEOPLE without disabilities. For some they choose to be around individuals who are as productive as they are.

**The work of individuals with disabilities in segregated settings is often highly regimented and typically offers no opportunity for advancement.**

Again, what are the operative words and twisted meanings that the highly educated Lawyers use to make their CLAIMS?

They work ... “...in segregated settings...”

Their work ... “...often highly regimented...”

Their work ... “...offers no opportunity for advancement...”

In one sentence the highly educated Lawyers CLAIM that the work place is segregated when again ALL of the individuals who are disabled are there, BY their own CHOICE. Where is the segregation? Oh all (most) of the individuals are disabled just like, most of the people at Historically Black Colleges are people of color and most stock brokers are college educated etc etc etc All of those individuals are there by their own choice, just as those who are WORKING in Sheltered Workshops or participating in Facility Base Day Programs are there by their OWN CHOICE.

The work is often highly regimented, which, actually matches, the abilities of those who WORK in the Sheltered Workshops. It seems that the highly educated Lawyers ignore that those who WORK have IQ’s ranging from 30 to 69 and so the WORK that these individuals can do is always simple, 1 to 4 steps. Yes, there is NO opportunity for advancement. The highly educated Lawyers here demonstrate that THEY have no awareness of the range of disabilities, of the individuals who WORK in Sheltered Workshop much less those who participate in Facility Based Day Service. It seems that the highly educated Lawyers should visit both well run Sheltered Workshops and Facility Based Day Programs so they can SEE and experience both the abilities and the disabilities of those who use their own money, which has been granted to them to pay for the services they are receiving.

In many sheltered workshops, for example, people with disabilities **perform highly repetitive, manual tasks**, such as folding, sorting, and bagging, in shared **spaces occupied only by other people with disabilities**.

Again, what are the operative words and twisted meanings that the highly educated Lawyers use to make their CLAIMS?

“...perform highly repetitive manual task...”  
“...spaces occupied only by other people with disabilities.”

And maybe the highly educated Lawyers can explain how an individual who is disabled whose IQ is 30 is going to perform any task, that is not, a highly repetitive, manual task. Again, visiting a Sheltered Workshop might educate these highly educated Lawyers who have demonstrated yet again the total lack of knowledge about those who WORK in Sheltered Workshops and participate in Facility Based Day Programs.

While the previous statements are vague, the next statement is flat out a LIE. “Shared spaces occupied ONLY by other people with disabilities”. This not true as there are ALWAYS supervisors present or as the highly educated Lawyers call them “Paid Staff”. Why would highly trained lawyers LIE about how shared spaces are occupied unless they are trying to create a NEGATIVE image of the Sheltered Workshop. No, the highly educated Lawyers would not be doing that now would they? YES! Those highly educated Lawyers did, right here in black and white.

They also often **earn extremely low wages** when compared to people with disabilities in integrated employment, **resulting in stigmatization** and a **lack of economic independence**.

Again, what are the operative words and twisted meanings that the highly educated Lawyers use to make their CLAIMS?

“...earn extremely low wages...”  
“...resulting in stigmatization...”  
“...lack of economic independence.”

To describe the payment of one or two dollars a day received by an individual whose IQ is 30, intentionally IGNORES the fact that their disability is such that their productivity is so low, that, that is all they can earn. They are earning a prorated salary and happy to see worth even in a small amount of production. Again, what most Individuals who are Disabled earn is based upon what they make or produce. Often such a person is very happy and has no awareness of money. So again, WHY would highly educated Lawyers use these words to TWIST the facts that the individuals who “*earn extremely low wages*” also have very low IQ’s. Again, a visit is in order.

The highly educated Lawyers CLAIM that individuals who are disabled are stigmatized and who are these Lawyers who make this CLAIM.

The majority or is it the vast majority of individual who are disabled, WHO WORK in Sheltered Workshops, will never know economic independence, because they are on SSI or on a parent's Social Security and are therefore on Medicaid or Medicare. By artificially increasing the income of an Individual who is Disabled would only result in many more bureaucratic problems for the individual or their guardian. Who provides the subsidy payments proposed by highly educated Lawyers.

All individual who participates in Facility Based Day Program WILL NEVER KNOW economic independence as it is implied here and the highly educated Lawyers who make such a CLAIM are again actually LYING about those of us WHO ARE THE MOST DISABLED!

As long as **individuals with disabilities who can and want to work remain in segregated work or day settings**, they will be deprived of an important opportunity to interact with the community and the community will be deprived of their talents, skills, and contributions.

Again, what are the operative words and twisted meanings that the highly educated Lawyers use to make their CLAIMS?

“...individuals...”

“...who can and want to remain in segregated work or day setting...”

“...individuals...”

“...will be deprived of an IMPORTANT OPPORTUNITY to interact with the community...”

“...community will be deprived of their talents, skills and contributions.”

Where is the RIGHT to have a Person-Centered Plan? Here the highly educated Lawyers are SAVING individuals who have CHOSEN to WORK at a Sheltered Workshop (remain in segregated work) or participate in a Facility Based Day Programs by claiming that they **will be deprived** of an important opportunity to interact with the community. If the Individual who is Disabled WANTED TO interact, THEY WOULD CHOSE a program that provided that benefit BUT THEY DID NOT DO SO. As to the broader community being deprived of the talents, skills, and contribution, which belong to the Individual who is Disabled, and are theirs to share IF THEY WANT TO. How do highly educated Lawyers, who understand basic freedoms, deny any individual who is disabled the RIGHT TO be with THOSE WHO THEY CHOSE TO BE WITH?

When people with disabilities **are instead given access** to supported employment services in the **most integrated setting appropriate to their needs**,

Again, what are the operative words and twisted meanings that the highly educated Lawyers use to make their CLAIMS?

“...are instead GIVEN access...”  
“...most integrated setting appropriate...”  
“...to their needs...”

WHO is giving this access and what are they accessing? These jobs are all in the private sector. So who is providing these opportunities and doing all the paperwork to get hired? Not clear to say how for-profit businesses fit this into their business plan.

What is the meaning of “*most integrated setting appropriate.*” The statement on its face implies that there is a continuum of services that provide different levels of integration. What is the “most integrated setting appropriate” for an Individual who is Disabled? It surely will depend on the IQ, the Social Skills, and the Physical abilities of the Individual. Yet there is the broad CLAIM that Sheltered Workshops and Day Facility Day Programs should be shut down because the setting is not integrated. There seems to be a disconnect between Setting being appropriate to the Individual who is Disabled and what Programs the highly educated Lawyers are willing to approve. Who gave them the power or authority to make claims about any setting, when the setting, MUST be appropriate to the NEEDS of the Individual who are Disabled.

Yes, with Sheltered Workshops as one of the settings for all individuals who are disabled then the continuum exists, and without Sheltered Workshops there is NO MEANING to the phrase, “most integrated setting”.

A Sheltered Workshop is built around the needs of individuals who are disabled, and whose IQ and physical abilities allow them to WORK.

The lack of clarity (honesty), that all Community Integrated Employment is in the private sector. In the private sector, it is simple, you do the work (maybe with a little bit of help) or you are out the door.

they have the opportunity to **live fuller lives, be more integrated into the community, and gain financial independence** to “**move proudly into the economic mainstream of American life.**”<sup>1</sup>

Again, what are the operative words and twisted meanings that the highly educated Lawyers use to make their CLAIMS?

“...live fuller lives...”  
“...be more integrated into the community...”  
“...gain Financial Independence...”  
“...move proudly into the mainstream of American Life.”

Once again who are these Lawyers to make such CLAIMS that Individuals with Disabilities will “live fuller lives” because they are integrated into the community of non-disabled individuals?

How is it that these highly educated Lawyers KNOW that all it takes to “*live fuller lives*” is being around individuals who are non-disabled, outside of their family and care providers? And once again to “*gain financial independence*” as if they are not now. What is the meaning of financial independence to someone who has a guardian who has no concept of money much less to “move proudly into the mainstream of American Life”? Yes, WHO are these highly educated Lawyers talking about?

These opportunities **fulfill the core promises** of the Americans with Disabilities Act to “**assure equality of opportunity, full participation, independent living, and economic self-sufficiency.**”<sup>2</sup>

Again, what are the operative words and twisted meanings that the highly educated Lawyers use to make their CLAIMS?

“...fulfill the core promises...”  
“...assure equality of opportunity...”  
“...full participation...”  
“...independent living...”  
“...economic self sufficiency.”

Yes, all nice WORDS! There is NO REALITY for the majority of those who benefit from WORKING at a Sheltered Workshop, and NO REALITY AT ALL for vast majority of those participating in a Facility Based Day Programs.

WHO ARE THE Lawyers talking about?

State and local governments that **fail to provide services** to people with disabilities in the **most integrated setting appropriate** to their needs may be failing to

Again, what are the operative words and twisted meanings that the highly educated Lawyers use to make their CLAIMS?

“...fail to provide services...”  
“...most integrated settings appropriate...”

Once again acknowledging that for 50 years Most Integrated, (Most appropriate Least Restrictive) have been the qualifiers and yet once again there is NO ACKNOWLEDGEMENT that if MOST is used, it implies that there are levels of integration that are LESS integrated and yet the ONLY means of accomplishing that goal is to have Sheltered Workshops and Facility Based Day Programs. This is basic LOGIC and yet it seems that the highly educated Lawyers are ignoring basic LOGIC.

Who are these highly educated Lawyers to threaten the States with lawsuits (which they have done in the past).

What is the standard for determining the “most integrated setting appropriate”?

1 President George H.W. Bush, Remarks at the Signing of the Americans with Disabilities Act (July 26, 1990), <https://perma.cc/VNU4-HR7P>.

2 42 U.S.C. § 12101(a)(7).

Start of Page 2

comply with Title II of the Americans with Disabilities Act (ADA). The U.S. Department of Justice (the Department) has created this **guidance to discuss** and **explain the requirements of the ADA’s integration mandate** and the Supreme Court’s decision in *Olmstead v. L.C. ex rel. Zimring*, 527 U.S. 581 (1999), as applied to segregated employment settings and facility-based day programs.

Again, what are the operative words and twisted meanings that the highly educated Lawyers use to make their CLAIMS?

“Guidance to discuss (??) and explain the requirements of the ADA’s integration mandate”

And we are back to the starting point. The DOJ Civil Rights Division is claiming that Rosa and 400,000+ others (Workshops and Facility Based Day Programs) MUST be integrated!

BUT integrated with WHO and WHEN and WHERE and even WHY? And WHO WILL PAY and find the staff necessary to totally rework the care of 400,000+ individuals who are either Moderately or Severely disabled?

This guidance complements and supplements, but does not supersede, the Department’s 2011 *Olmstead* guidance, Statement of the Department of Justice on Enforcement of the Integration Mandate of Title II of the Americans with Disabilities Act and *Olmstead v. L.C.*

We have not commented on the other 12 pages for lack of time and those pages have been deleted.

Finally, are not the highly educated Lawyers conclusions, nullified by their blind familiarity. They only see things from their own point of view rather than the reality of the Individuals with Disabilities whose IQ’s are lower than 50 and whose social skills are lacking.

## Attachment A

On November 3, 1999, on Rosa's eighteenth birthday, we became Rosa's guardians, as a Court in Milwaukee Wisconsin approved our petition to become Rosa's guardian. Yes, Rosa is Cognitively Disabled and she also has Cystic Fibrous. As her guardians we have a duty, to the best of our abilities, to protect her RIGHTS and so we will be sending you a number of Letters that will be written to explain as clearly as we can how CPSD and all its member groups, LIE about Rosa Miriam Palmer Spellman and all the others who WORK in Sheltered Workshops, because Section 14 (c) of the Fair Labor Act of 1938 as amended in 1986, allows Rosa and the others to WORK for "less than the minimum wage", which allows them to do WORK itself, a human activity that goes back thousands of years as it is an integral part of our humanness.

Rosa graduated from high School in June of 2003 and most fortunately started to WORK at VIP Services, a Sheltered Workshop in Elkhorn Wisconsin, in July of 2003. At VIP Services every day was different because of the variety of things to do. Rosa had her friends who were other workers and staff members to talk with, and many different jobs to stimulated her brain as well.

Just as COVID changed all of our lives it was particular cruel to Rosa as all of her social interactions were eliminated and as hard as we worked to maintain them, she did not have the capacity to make the change. What we NEVER realized was how critical VIP Services was to Rosa's mental health for all those years before COVID. Finally, after 20 months of no WORK, Rosa now spends a few hours each day WORKING at home, doing some of the WORK that she did at VIP Services. Rosa's mind can still get stuck in a 20-minute loop so to speak, where she perseverates on working at a police station and or marrying a police officer. Hopefully you can imagine what it is like to keep living in such a loop.