

SUMMER 2016 | ISSUE 32

# empower

REAL PEOPLE, REAL PROGRESS

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Pathways for Justice

Help Prevent FASDs





# SHAPING THE FUTURE

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# LETTER FROM THE CEO



*“Whatever you want in this world you can put in or take out. Together we can make change happen.”*

*—Adonis Reddick,  
The Arc’s Catalyst Award Winner  
for Self-Advocate of the Year, 2015*

In just a few months, citizens, including people with intellectual and developmental disabilities (I/DD), will have the opportunity to select our next President, and a host of federal, state, and local officials up for election.

In this election cycle, we have heard the major candidates address the issues of various constituency groups. From time to time, people with disabilities have been singled out. But to my dismay, I don’t think we are taken seriously as a significant portion of the electorate despite the fact that people with disabilities, their families, and professionals in the field make up millions in our population.

So, I’m issuing you a challenge.

First, are you registered to vote? If not, do it.

Then, exercise your right to vote. To learn more about how to do that, visit [thearc.org/what-we-do/resources/toolkits/vote](http://thearc.org/what-we-do/resources/toolkits/vote).

Third, stay engaged. You can do this by signing up for our Disability Advocacy Network at [thearc.org](http://thearc.org), click on Take Action. (Be sure to check the opt-in box when you sign up.)

You will get information about issues impacting people with I/DD and be

asked to take timely action when it’s needed most.

As I issue this challenge, I’m thinking of my friend Adonis Reddick, featured on the cover of this issue of Empower. Adonis was a powerhouse when it came to advocating for people with disabilities in St. Louis. In early May, he passed away suddenly.

Many know Adonis as the inaugural winner of The Arc’s Catalyst Award for Self-Advocate of the Year. These awards were created to recognize those who were trailblazing to make the future more inclusive.

At the awards luncheon, you could have heard a pin drop when Adonis was at the podium. He captivated us with his energy. His energy became the room’s energy when he said:

*“Whatever you want in this world you can put in or take out. Together we can make change happen.”*

He put everything in, and we thank him for making many great things happen.

Now, it’s up to all of us to live as Adonis did—and put everything in. You can do that by being a part of our democracy. It’s as simple as register, vote, and stay engaged. ●

## empower

Real People, Real Progress

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*Throughout this publication the term intellectual and developmental disabilities may be replaced with the acronym I/DD.*

# PATHWAYS FOR JUSTICE™: EMPOWERING CHAPTERS TO CREATE REAL CHANGE



The impact of Pathways to Justice is significant and lasting, because it is filling a gaping hole in knowledge not only for criminal justice professionals, but for the disability community as well.

The Arc's National Center on Criminal Justice and Disability® bridges the gap between the criminal justice and disability worlds. One of the most exciting initiatives of the center is the Pathways to Justice™ Program.

Pathways to Justice is a comprehensive program that begins with building a community-based response through the creation of Disability Response Teams (DRTs). These teams work to educate law enforcement, victim advocates, legal professionals, and others in the criminal justice system about cracks in the system that can have devastating effects on people with disabilities—especially those with “invisible” disabilities. This first-of-its-kind program is equipping chapters of The Arc to build lasting and meaningful relationships with criminal justice professionals. One shining example is Pikes Peak, Colorado.

The Arc Pikes Peak Region was one of five chapters selected to pilot Pathways

to Justice. The chapter supports people with I/DD who get involved in the criminal justice system and provides direct advocacy within the court system for a number of clients. The chapter was eager to bring Pathways to Justice to their community to bolster their already growing outreach in this area.

Recently, their DRT had the opportunity to put their training into practice by working to divert a suspect with I/DD from the criminal justice system. A staff person from Pikes Peak BOCES (Board of Cooperative Educational Services) called their chapter with a crisis. BOCES staff stated that one of their clients—a 19 year old with autism in transition services—met a girl who said she was of age, but was actually only 13. Allegedly, they “hooked up” but did not have sex. However, the girl's friends told their parents who subsequently reported this to authorities. The young man was in trouble, and BOCES staff hoped The Arc could help.

# TOGETHER, WE ACHIEVED

## WE COULDN'T DO IT WITHOUT YOU!

The Arc's tagline is "Achieve with us". In many ways, it is "Achieve with YOU"—our supporters. Your dedication provides the fuel that ensures we can continue to advocate, educate, and develop programs with and for people with disabilities.

*Thanks to the generosity of people like you...*



**Wings for Autism®/Wings for All™** provided 45 airport rehearsal trainings in 27 cities nationwide. This program alleviates the stress of families traveling with a child with autism or I/DD. You helped make travel a reality for many families!



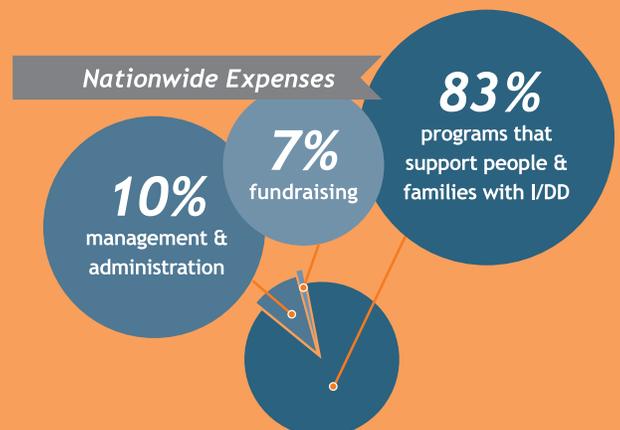
**Health & Fitness For All**, part of **HealthMatters™**, is a training developed by the University of Illinois at Chicago. People with I/DD get the support they need to improve their nutrition and exercise habits, allowing them to achieve healthier lives and measurably improving health outcomes.



**Center for Future Planning®** provides people with I/DD and their families the tools they need to plan for the future. Planning ahead eases the stress of future transitions for aging caregivers and their family member with I/DD.

We are most appreciative of the generous gifts that we have received, but we still need your support to grow and sustain our programs.

When you support The Arc, 83% of every dollar is invested into programs. To make a donation, use the enclosed envelope or visit [thearc.org/donate](http://thearc.org/donate).



Thanks to the Pathways to Justice training, the chapter quickly reached out to Officer Sean Collins, one of their DRT members, to find out if the Sex Crimes Unit had interviewed the young man yet. Officer Collins called Sex Crimes Unit and informed them that he had a disability and learned that they hadn't interviewed him yet, but would in the near future. The chapter staff asked Officer Collins to notify them when the young man was brought in for questioning, because it was critical that the suspect not be alone without representation or an advocate. Officer Collins agreed to this request and helped make arrangements. The quick coordination among just a few DRT members enabled The Arc to be involved early in the process. This small early intervention act will help ensure that the suspect obtains proper due process and is provided the assistance he will need every step of the way in the criminal justice system.

Another benefit of Pathways to Justice is that it helped the chapter expand training to new audiences. The program helps all who are involved in the criminal justice system, from police officers to probation officers, to become more empathetic and patient with those with disabilities. For example, court ordered group therapy wasn't working for an individual, because group settings caused great anxiety and angst. Thankfully, a probation officer who was recently trained by The Arc Pikes Peak Region advocated that the client be placed in individual therapy, which would increase the chances for successful therapy.

The impact of Pathways to Justice is significant and lasting. It fills a gaping hole in knowledge not only for criminal justice professionals, but for the disability community as well. ●



## MILITARY SURVIVOR BENEFITS AND SPECIAL NEEDS TRUSTS

BY KELLY A. THOMPSON, ESQ., SPECIAL NEEDS ALLIANCE



The U.S. Department of Defense recently published guidance for military parents to assign Survivor Benefit Plan (SBP) payments—up to 55% of their retirement pay—to a special needs trust (SNT) for a dependent son or daughter with disabilities. Prior to passage of the Disabled Military Child Protection Act, upon the parent's death, such payments had to go directly to the son or daughter. This had the potential to disqualify the son or daughter from important means-tested benefit programs, including Supplemental Security Income (SSI) and Medicaid.

Medicaid home and community-based services programs, for instance, often provide residential support, in-home caregiving, and employment services. If SBP payments were to push the beneficiary beyond the Medicaid program's stringent income and resource (asset) limits, the beneficiary could lose access to these vital services, greatly affecting his/her quality of life. If, on the other hand, SBP payments were properly channeled to an SNT, these funds wouldn't be counted when evaluating eligibility for the Medicaid program.

Here is what you need to know about assigning payments to an SNT:

- ▶ The trust must be a **first party SNT**, which means the trust is funded with assets belonging to the beneficiary and requires payback to Medicaid upon the beneficiary's death.

- ▶ Assigning payments to an SNT may take place at **any time during the life of the military parent**.
- ▶ **If the military member** arranged SBP coverage for the son or daughter **but has since passed away**, payment may be assigned to an SNT by a surviving parent, grandparent, or court-appointed guardian.
- ▶ The military member or appropriate surviving person may *either* write a **letter** describing their intention to the Defense Finance and Accounting Service or complete the appropriate **form** (DD Form 2565).
- ▶ The military member or appropriate surviving person must send a **notarized statement** from an active, licensed attorney certifying that the trust is an SNT for the sole benefit of a dependent child with disabilities and complies with applicable federal and state law.

The rules for creating such an SNT are strict, and family members should consult an attorney with expertise in special needs planning.

*The Arc promotes and protects the human rights of people with intellectual and developmental disabilities and actively supports their full inclusion and participation in the community throughout their lifetimes. SNA is collaborating with The Arc to provide educational resources, build public awareness and advocate for policies on behalf of people with intellectual/developmental disabilities and their families. ●*

## NATIONAL INITIATIVES

### BUILDING A ROADMAP FOR THE FUTURE

**D**o you know an adult with I/DD living with an aging caregiver in your community? There are approximately 600,000–700,000 adults with I/DD in the U.S. who live with aging caregivers over the age of 60, and have no plan in place for their future. It's a journey with no roadmap.

The Arc's Center for Future Planning® recognizes that many of these families don't plan for the future because of emotional barriers and misconceptions. These families often have no connection to the disability community or the disability service system. It is our role to find these families and support them to overcome the fear of planning and to provide them the reliable information and resources they need to create future plans.

Thanks to the generous support of The Retirement Research Foundation, the Center for Future Planning was awarded a national grant to engage caregivers over the age of 65 who are providing direct support to an adult son or daughter with I/DD in the future planning process. Nearly 60 human services

professionals were trained in Tennessee and North Carolina to conduct outreach to aging caregivers and their families. As Gerri Smith at The Arc of North Carolina stated, "we are excited to be part of this national effort to support these families to plan for the future. The training provided professionals with the tools they need to accomplish this important outreach."

The Center will work closely with chapters of The Arc in these states as well as with national organizations including the Association of Jewish Family and Children's Agencies, Lutheran Services in America, and the National Council on Aging to support these families in creating these roadmaps for the future. Working with these national organizations and The Arc's network of state and local chapters around the country, the Center will broadly disseminate information about the importance of future planning and project results.

Learn more at [futureplanning.thearc.org](http://futureplanning.thearc.org). ●

### ALCOHOL DURING PREGNANCY—IT'S NOT WORTH THE RISK



Did you know that Fetal Alcohol Spectrum Disorders (FASDs) are the single most common cause of I/DD that is **100% preventable**? Each year on September 9, we observe International FASD Awareness Day—the ninth day of the ninth month of the year—to remind the world that during nine months of pregnancy a woman should not drink alcohol. It's estimated that 10% of pregnant women drink alcohol and 40,000 babies are born each year with FASDs.

The Arc's FASD Prevention Project exists to reinforce and spread the message that no amount of alcohol is safe during pregnancy. The project offers various free resources for healthcare professionals including CEU online courses, in-person forums across the country, videos, fact sheets, screening and assessment tools, and more.

Anyone can help prevent FASDs! Share these resources with healthcare professionals in your communities, and educate yourself to be an informed advocate for fetal health. By understanding the facts and how to discuss the issue, we can create a healthier future for the next generation.

Learn more at [thearc.org/FASD-Prevention-Project](http://thearc.org/FASD-Prevention-Project).

*This project was made possible by Grant No. U1HMC26371 from the U.S. Department of Health and Human Services (HHS). Health Resources and Services Administration (HRSA). The contents of this article are solely the responsibility of The Arc and do not necessarily represent the official views of HHS or its components. ●*



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The BBB Wise Giving Alliance National Charity Seal carries a lot of meaning for both donors and charities. After undergoing a rigorous evaluation by the BBB Wise Giving Alliance, The Arc is proud to have received their seal for meeting the Standards for Charity Accountability!



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