



2018 Annual Report

Disability and Abuse Project

Mission

The mission of the Disability and Abuse Project is identify ways to reduce the risk of abuse, to promote healing for victims, and to seek justice for those who have been victimized by abuse or exploitation. The project focuses on physical, sexual, and emotional abuse of people with intellectual and developmental disabilities. The mission is accomplished through research, education, public policy, law enforcement, professional consulting, and increasing public awareness. The activities of the project are done primarily on a volunteer basis.

2018 Activities

Website. The project operates a website at: www.disabilityandabuse.org. The “what’s new” page keeps website visitors aware of the activities of both the Disability and Abuse Project and the Disability and Guardianship Project. Activities are listed chronologically and have postings going back to September 2011. In addition to data, research, reports, resources, and books on disability and abuse, the website also has an archive of activities and materials from 2000 to 2005.

Newsfeed. The project produces a weekly newsfeed which surveys news articles throughout the United States and internationally on topics related to disability and abuse. The newsfeed has been operating since 2011. The articles are collected by Debra (D.J.) Stemmler, reviewed and commented on by Dr. Nora J. Baladerian, and uploaded to the website and distributed to the Listserv by Tom Coleman. The newsfeed is found at: <http://www.disabilityandabuse.org/newsfeed/contents.htm>

Listserv. The project maintains an email service for professionals throughout the United States and internationally who are involved in issues related to disability and abuse. It currently has more than 660 users. Users can submit information to share with others, ask questions, or provide advice in response to requests by others. Examples include: identifying a technology expert on disability access for a grant proposal; identifying a forensic interviewer skilled in interviewing children with disabilities.

Publications. The project initiates its own publications on topics related to disability and abuse, as well as alerting users of the Listserv and visitors to the website of noteworthy reports, articles, and books published by others on this topic.

Advice & Referrals. Dr. Nora J. Baladerian, director of the Disability and Abuse Project, receives requests for advice or resources on a regular basis by email and phone. To the extent that time permits, she offers generic advice relevant to the inquiry and refers people to publications and organizations that may assist them.

Public Speaking. In addition to presentations done through her private practice, Dr. Baladerian also does some speaking engagements through the project on a pro bono basis on topics pertaining to disability and abuse, including risk reduction and effective response to suspected abuse. In October 2018, she was an invited speaker at the World Congress on Adult Guardianship in Seoul, Korea. Earlier in the year, she spoke with a delegation of disability and abuse advocates from South Korea who were visiting the United States through a program of the U.S. State Department.

Case intervention. Due to financial and time limitations, the project generally does not intervene in individual cases. However, exceptions are sometimes made when the need is urgent and when intervention will assist a larger class of individuals in addition to the specific person in question. For example, interventions occurred in 2018 in two cases involving individuals with autism, a young man with an intellectual disability, and a senior who was entangled in an unnecessary conservatorship proceeding. In all of these cases, the interventions were likely to help the larger class of people to which the specific individual was a part.

Media Consultations. The project was contacted by broadcast and print journalists throughout the year seeking background information and quotes on issues and cases involving disability and abuse. Dr. Baladerian was quoted in a [story](#) in the New York Times about children who were held captive and abused for years by their parents. She was also quoted in a [series](#) broadcast by National Public Radio on sexual abuse of people with intellectual and developmental disabilities.

Awards. Dr. Baladerian received the *Distinguished Contributions Award* from the APA Committee on Disability Issues in Psychology. The award recognizes an APA member who has made a significant contribution to people with disabilities through promoting inclusion, advancing knowledge and research, participating in advocacy, and fostering empowerment of people with disabilities in society.

Disability and Guardianship Project

Mission

The mission of the Disability and Guardianship Project is to promote access to justice for adults with cognitive and communication disabilities who are involved in guardianship proceedings and to promote viable alternatives to guardianship. The project focuses on adult guardianships involving people with intellectual and developmental disabilities and other adults with cognitive disabilities due to aging, illnesses or injuries. The mission is accomplished through research, education, public policy advocacy, networking, and increasing public awareness.

2018 Activities

Website. The project operates a website through which visitors can access information on its activities and read or download reports, letters, complaints, and resource materials produced by the project or other sources. The website can be accessed at: <http://spectruminstitute.org/guardianship/>

Digital Law Library. Thomas F. Coleman, legal director of Spectrum Institute, has written hundreds of documents for the project, including letters, complaints, commentaries, and policy reports. These materials are contained in a Digital Law Library on Guardianship and Disability Rights. The library catalogue was originally published in 2016 was updated in 2018 to include more recent materials. It can be accessed at: <http://spectruminstitute.org/library/>

Policy Reports. A policy report on judicial ethics was submitted to the California Supreme Court this year. The report is titled “The Domino Effect: Judicial Control of Legal Services.” It asks the court to modify the Code of Judicial Ethics to clarify that it is unethical for judges to manage or control legal services of attorneys representing respondents in probate conservatorship proceedings when those attorneys appear before the judges in specific cases. The court referred the report to its Advisory Committee on the Code of Judicial Ethics for consideration. The report is found at: <http://spectruminstitute.org/ethics/>

Complaints. An ADA complaint was filed with the Supreme Court of Texas, alleging that the court was failing to exercise its administrative authority to ensure that local practices of courts conform to the mandates of the Americans with Disabilities Act. The complaint is found at: <http://spectruminstitute.org/Texas/> An ADA complaint was filed with the Sacramento County Superior Court alleging that the failure of the court to appoint an attorney for a significant number of seniors and people with disabilities in probate conservatorship proceedings violates federal law. The complaint is found at: <http://spectruminstitute.org/Sacramento/> When the court

denied the complaint, a complaint was filed with the Department of Fair Employment and Housing asking for an investigation into the ADA violations by the Sacramento superior court. <http://spectruminstitute.org/Sacramento/dfeh-appeal.pdf> A communication was sent to the Supreme Court of Washington about an ADA complaint Spectrum Institute had filed with the supreme court the previous year. <http://disabilityandabuse.org/washington-chief-justice-letter.pdf> A letter was received from the Missouri Supreme Court acknowledging that an ADA complaint filed there was under review. <http://disabilityandabuse.org/missouri-response.pdf>

Legal Education. Thomas F. Coleman wrote several op-ed articles that were published by the Daily Journal, the main legal newspaper in California. The project published “Disability & the Law: A Compendium of Commentaries” which compiled these and similar op-ed articles published in the Daily Journal over the past few years. It is found at: <http://disabilityandabuse.org/daily-journal-compendium.pdf> Another aspect of legal education involved our outreach to Disability Rights California, a nonprofit agency that receives millions of dollars in state and federal funds to advocate for the rights of people with disabilities. We urged them to become involved in advocacy for conservatees and proposed conservatees whose rights are being systematically violated. Unfortunately, our outreach efforts were unsuccessful. DRC indicated that rights violations in conservatorship proceedings are not on its agenda. Information on this is at: <http://disabilityandabuse.org/drc-optimism.pdf>

Judicial Branch Outreach. The project communicated this year with the Chief Judge of the Maryland Court of Appeals to commend the court for adopting performance standards for court-appointed attorneys in adult guardianship proceedings. A copy is found at: <http://disabilityandabuse.org/maryland-chief-justice-letter.pdf> In 2014, the project asked the California Judicial Council to adopt new rules imposing mandatory training requirements for court-appointed attorneys in probate conservatorship proceedings. Proposed new requirements were released this year for public input. We submitted comments, commending the advisory committee for its work but asking for further modifications. Our comments and requests are found at: <http://disabilityandabuse.org/op-ed-on-rules.pdf> Further modifications are being made and the new rules are expected to be approved and go into effect on September 1, 2019. The project also submitted a request to the Chief Justice of California asking her to implement several proposals to improve probate conservatorship proceedings in the state. This set of proposals is found at: <http://spectruminstitute.org/steps/>

Legislative Branch Outreach. Spectrum Institute sent an email to Ms. Nora Lynn, a policy analyst for California Senator Hannah-Beth Jackson. It focused on the need for legislative oversight of the conservatorship system and legislative actions to ensure the system provides access to justice to seniors and people with disabilities. The communication is found at: <http://disabilityandabuse.org/policy-analyst-email.pdf>

Executive Branch Outreach. The project sent a request to the California Fair Employment and Housing Council. It asks this civil rights agency to conduct public hearings into systematic civil rights abuses occurring in conservatorship proceedings in California. The letter is found at: <http://disabilityandabuse.org/fehc-letter.pdf> The project reached out to the Secretary of the California Health and Human Services Agency asking her to prod the Department of Developmental Services to address the serious issues we raised in a report submitted to DDS and HHS in 2017. Although we were told by HHS that the matter was under review by DDS and we would receive a response to our report, we never have. A copy of our letter to the Secretary is found at: <http://disabilityandabuse.org/dooley-letter-2.pdf> The project reached out to the two major candidates for California Attorney General. We asked them, if elected, to convene a civil rights summit on probate conservatorships. The Arc of California, TASH, and the California Siblings Network submitted letters in support of our request. Our letter is found at: <http://disabilityandabuse.org/becerra-letter-2.pdf>

Public Speaking. The main public speaking event this year was at the World Congress on Adult Guardianship in South Korea. Both Thomas F. Coleman and Nora J. Baladerian were invited to make presentations. Nora spoke at two breakout sessions. Tom spoke at a [plenary session](#) and a breakout session. Both submitted written materials to the nearly 500 attendees who came from all parts of the globe.

Media Consultations. The project was contacted by broadcast and print journalists throughout the year seeking background information and quotes on issues pertaining to seniors and people with disabilities involved in guardianship and conservatorship proceedings. To listen to a radio broadcast or read the accompanying article about guardianship abuses in the case of Jeanne Southall in Washington State, [click here](#).

Documentary film. A documentary film by Greg Byers, *Pursuit of Justice*, was released in March 2018. The film focuses on the advocacy work of the Disability and Guardianship Project. It was filmed on locations in San Diego, Los Angeles, Lancaster, Sacramento, San Francisco, Seattle, Olympia, Baltimore, and Washington, D.C. The film was shown at Autfest, an autism film festival in Beverly Hills, California. It was shown at the World Congress on Adult Guardianship in South Korea and the Colorado International Activism Film Festival. It received an award at the Docs without Borders Film Festival. Information about the film, and access to view the film, is found at: <http://pursuitofjusticefilm.com/>

Advice and Referrals. The project received emails and phone calls from individuals and family members who felt victimized by guardianship and conservatorship proceedings. They sought advice and referrals. Due to lack of staffing and resources, we were only able to respond to a fraction of the requests we received.

Case Interventions. We were able to take direct action in a few conservatorship cases

in 2018. We helped two young adults with autism in Santa Barbara, a young man with intellectual disabilities in Riverside, and an elderly woman in Orange County. We provided advice to the public defender in two of the cases, wrote to the judges in two of the cases, and were consulted by private attorneys in one of the cases.

Board of Advisors. Theresa Anderson, public policy director of The Arc of California, became an advisor to the project this year.

Corporate Structure

The Disability and Abuse Project is a function of Spectrum Institute – a private foundation incorporated in California in 1987. The foundation has state and federal tax exempt status. It is governed by a four-member board of directors. Dr. Nora J. Baladerian serves as president. Thomas F. Coleman is the corporation’s secretary. Michael A. Vasquez is treasurer. Diane Coleman Rogers is a board member. The corporate office is located at 555 S. Sunrise Way, Suite 205, Palm Springs, CA 92264. The phone and fax number is (818) 230-5156. Email address: tomcoleman@spectruminstitute.org Website: <http://spectruminstitute.org/>



Coleman



Baladerian



Vasquez



Rogers

2018 Finances

From time to time, the foundation receives small donations from individuals who value the work the organization is doing. The donations are primarily used to pay for basic operating costs, such as website functions, copying, postage, and office supplies. The foundation received less than \$5,000 in donations in 2018 and had a net worth of approximately \$5,000 at the end of the fiscal year. Spectrum Institute and its two projects are clearly a labor of love for its principals, advisors, and supporters.

Prepared by:
Thomas F. Coleman, Secretary
Spectrum Institute

January 20, 2019