

CONNECTICUT LEGAL RIGHTS PROJECT
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TESTIMONY BEFORE THE APPROPRIATIONS COMMITTEE, REGULATION
AND PROTECTION SUBCOMMITTEE on *H.B. 5044, AN ACT MAKING
ADJUSTMENTS TO STATE EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE
30, 2017*

February 9, 2016

Kathleen M. Flaherty, Executive Director

Co-chairs, Ranking Members, and Members of the Appropriations Committee:

Good afternoon. I am here to testify about my concerns with regard to the proposed cut of \$200,000 to the budget of the State of Connecticut Office of Protection and Advocacy for Persons with Disabilities. I speak to you today not only in my professional capacity as the Executive Director of the Connecticut Legal Rights Project, but also in my personal capacity as a former client of P&A.

These are challenging fiscal times for the state of Connecticut and arriving at a final budget will be a long and difficult process. However, as you review proposed cuts I would ask that you consider that P&A is an independent State agency created to safeguard and advance the civil and human rights of people with disabilities in Connecticut. This agency is not, and has not been, operating at its full capacity for some time. People with disabilities continue to encounter discrimination and violations of their civil rights. As a result of other proposed budget cuts, people with disabilities will be losing services; as a result of this cut, P&A will not be able to advocate for their human and civil rights.

Protection and Advocacy is a watchdog. Without them, people with disabilities who don't have a voice may get lost in the system. P&A's unique function includes fighting abuse and neglect of some of Connecticut's most vulnerable residents.

P&A fought for me when my admission to the Connecticut bar was delayed, and ultimately granted only on a conditional basis, as a result of my answering "yes" to questions about treatment received for a mental health condition. They recognized that the process was wrong, and ultimately the conditions on my admission were removed. The U.S. Department of Justice now recognizes that intrusive questions about mental health treatment are discriminatory. Both the questions, and the process, have evolved.

I will give you one more example of the importance of P&A advocates. I briefly worked with the office after I graduated from law school but before I found full-time employment. We were already assisting someone who was hospitalized for a mental health condition, and the facility pursued a probate court process to medicate that individual against his will. The attorney who was appointed by the court to represent him was not the greatest - in fact, he asked me why the facility just couldn't strap him down

and give him a shot. I explained to the lawyer that doing so would be contrary to Connecticut law, and that HIS job was to explain to the court why the client objected and to question the facility's presentation to determine whether it met the legal standard for medicating someone against his will. He did not know that was his job. If someone from P&A were not already working with that client, the lawyer would certainly have been less zealous in his representation of the client at that hearing. That is why we all need Protection and Advocacy – to make sure that all of us, in all systems that work with and for people with disabilities, do our jobs the way we are supposed to. They make us all better.