

# Disability and Abuse Newsfeed

Week of January 11 to January 17, 2020

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Articles are listed in alphabetical order by state within each category, so you can easily scan through the articles for those within your state or other states in which you have an interest. *International* articles are near the end. The categories are: *Abuse and Neglect, Guardianship, Laws & Legislation, Studies & Statistics, Improved Supports, International, and Miscellaneous.*

Check the categories below for a guide to types of abuse. The categories are indicated by type, and the number of the article.

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**DONATIONS:** We welcome (and depend upon) your donations to the Disability and Abuse Project of Spectrum Institute that support this work.

## **Type of abuse:**

### **Abuse and Neglect:**

Sexual Assault: 2, 3, 4, 6, 8, 10, 11, 13, 17, 18, 33, 62

Physical Abuse: 14, 20 22, 24, 28, 29, 30

Emotional/Verbal Abuse: 7, 14

Education: Neglect: 15; Seclusion and Restraint: 16, 21, 23

Financial Abuse: 26

Kidnapping: 24

Murder: 9, 31, 58      Attempted Murder: 27

Related to special education: 15, 21, 23, 25, 30

Social media abuse: 3

***WINNER of most egregious award:*** 5: Patient dumping includes people with disabilities by nursing home staff; 21: seclusion at school all day

**WINNER of “good job” award:** Massachusetts AG recovers funds fraudulently billed

### **WHO DUN IT (listed by article number):**

Family: 9, 22, 27, 29

Caregiver: 4, 5, 12, 13, 26

Friend of Family: 13

Stranger: 18, 33, 62

Special education Co-student: 6

Caregiver: 4, 5, 12, 13, 26

Nursing home co-resident: 30

Residential School: 17

### **LOCATION:**

Nursing Home: 4, 14, 31

Group Home: 10

State Hospital: 12

Acute Care Hospital: 20

## ROLE OF PERPETRATOR:

Apartment Maintenance Man: 2

Chiropractor: 8

Nurse: 28

Teacher: 30

Men: 2, 3, 4, 6, 7, 8, 10, 11, 12, 13, 14, 17, 18, 20, 22, 24, 26, 29, 30, 33

Women: 3, 9, 12, 24, 28, 30

Teams: 3, 9, 12, 24, 58, 62

**Good News:** 40: Massachusetts passes law to create registry of abusive caregivers SHOUT OUT to Leo Sarkissian, Director of Arc of MA who was named as a leader to get this passed! 45: Center recommends autism screening at two years of age; 48: Blending deaf and hearing students prepares both for life after school; 50: University receives grant of over \$1M to address shortage of certified special education teachers;52. New APP for the Deaf allows instant interpreters by video; 59: Sign language to be recognized as a language.

**Bad News:** 1: World report 2020 finds high rate of abuse of individuals with disabilities; 5: Nursing homes are illegally evicting elders and individuals with disabilities who cannot pay for their care/housing; 63: non-profit exploits disabled workers; 65: Proposed changes to social security disability cuts off people with disabilities.

## **ABUSE & NEGLECT**

1. “The Year in Disability Rights” - Despite Progress in 2019, People with Disabilities Are Too Often Marginalized, Abused – People with [disabilities](#) around the world face serious obstacles to realizing their rights on an equal basis with others. Human Rights Watch’s [World Report 2020](#) documents abuses such as violence, discrimination, segregation, and unlawful detention of people with disabilities in 32 countries including [Australia](#), [Tanzania](#), [Kazakhstan](#), [Mexico](#), and the [United States](#). This is a Global Summary – Human Rights Watch – January 15, 2020 – (Global) - <https://is.gd/HyzSdj>
2. “Maintenance Man Charged in Rape of 72-Year-Old Woman with Dementia” - Kip David Ferrell, 52, is charged with first-degree rape. He was arrested Jan. 9 and remains in the Blount County Jail on \$60,000 bond, according to court records made public Thursday. Oneonta police on Dec. 22, 2019 were dispatched to the victim’s apartment. She told officers that she heard a knock at the door and allowed the maintenance man into her apartment. She said the two watched television and then he took her by the hand, led her to the bedroom and laid her down on the bed. – AL.COM – January 16, 2020 – (Alabama) -<https://is.gd/ZAprnZ>
3. “Marshall County Sheriff Charges 2 with Sodomy, Bestiality, More in Recorded Assault of Disabled Man” -53-year-old Van Havis from Guntersville is charged with sodomy, drug possession, force compulsion, bestiality, probation violation and some additional charges. He's being held in the Marshall County Jail. The sheriff's office also arrested Holly Debord from Albertville. She's charged with sodomy, force compulsion, and bestiality. She could be charged with more in the future. Investigators identified the suspects and victims. The victim involved in the video has a mental disability. – WAAY 31 – January 17, 2020 – (Alabama) - <https://is.gd/XONR95>
4. “Nursing Home Worker Charged with Raping a Disabled Patient in San Diego” - A former assistant at a nursing home in San Diego is accused of

raping a disabled patient. In a story first reported by ABC15's sister station, KGTV, Team 10 investigative reporter Jennifer Kastner discovered the patient was a stroke victim who uses a wheelchair. This week, San Diego Police confirmed that detectives referred the case to the District Attorney's office, which is charging 26-year-old Ariel Chavarin-Camargo with forcible rape and a "lewd act upon a dependent adult by a caretaker." He is now sitting in a South Bay jail. – ABC 15 – January 15, 2020 – (California) - <https://is.gd/Ya3XwR>

5. “Some Nursing Homes are Illegally Evicting Elderly and Disabled Residents Who Can't Afford to Pay” - You’re just a piece of garbage,” one evicted nursing home resident said. “They’ll kick you right out on the curb.” Nationally, long-term care ombudsmen, who advocate for elderly and disabled residents of nursing homes and assisted living facilities, received 10,610 complaints about discharges and transfers in 2017, up from 9,192 in 2015. In [some](#) instances, she and other experts said, nursing homes drop residents off at a low-cost motel and pay for a night or two. “We’ve seen cases with residents who have dementia put into a van and dropped downtown onto the streets, without the ability to care for themselves,” she said. – NBC News – November 26, 2019 – (California) - <https://is.gd/fgoRYM>

6. “LAUSD Sued Over Male Adult Student’s Alleged Abuse by Other Pupil” – A lawsuit was filed against Los Angeles Unified on behalf of a 22-year-old developmentally disabled man who alleges he was sexually molested in 2018 by a fellow student in a vocational training school restroom, then blamed by the school’s director for what had happened. The Los Angeles Superior Court lawsuit was brought Thursday on the plaintiff’s behalf by his guardian. The suit alleges assault, sexual battery, battery, negligent supervision and dependent adult abuse and both intentional and negligent infliction of emotional distress. The plaintiff seeks unspecified damages. The student who allegedly assaulted the plaintiff is also a defendant, but he is identified only as “Doe 1.” – My News LA – January 17, 2020 – (California) - <https://is.gd/gRotMY>

7. “Daughters Claim Ailing Widow of Henry Ford II is Abused by Longtime Companion” - In a court fight, Ford’s daughters claim their mother’s longtime companion abuses the 79-year-old widow of automobile tycoon Henry Ford II. Having survived a double lung transplant only to be stricken by spinal ailments that left her incontinent and in a wheelchair, the once feisty former model is powerless to combat the physical and emotional cruelty heaped on her by attorney Frank Chopin, her daughters claim in the lawsuit raging in Palm Beach County Circuit Court. – USA Today – January 13, 2020 – (Florida) - <https://is.gd/dHz9yz>
  
8. “Altamonte Springs Chiropractor Accused of Sexually Assaulting Woman with Dementia” - Kent Klonel, a chiropractor in Altamonte Springs, is accused of trying to sexually assault a woman in her 80s. Investigators said the victim can’t speak or move on her own. In court, the state attorney’s office asked the judge to put Klonel on GPS monitoring. According to court documents, in November, Klonel was visiting the patient at the nursing home in Sanford. An employee tried to open the door but found there was a chair pushed up against the door. She pushed her way into the room and was stunned, telling investigators she saw Klonel with no pants, no underwear and his outer shirt unbuttoned. WESH – January 14, 2020 – (Florida) - <https://is.gd/bEXi1T>
  
9. “Augusta Woman Sentenced in Son’s Death” - An Augusta woman whose severely disabled son died in a cockroach-infested home two days before Christmas 2017 was sentenced Wednesday to five years on probation. Calissa Malone, 42, entered an Alford plea in Richmond County Superior to neglect of a disabled adult. An Alford plea means the accused does not admit guilt but acknowledges there is enough evidence for conviction. Malone and her ex-husband, Roger Malone, were arrested Dec. 23, 2017, the day 19-year-old Johnny McFadden died in her Lumpkin Road home. McFadden was completely dependent on others for his care since birth. – The Augusta Chronicle – January 15, 2020 – (Georgia) - <https://is.gd/3eGrAI>

10. “Former Group Home Employee Confessed to Molesting Disabled Residents in Boise” - A former employee of a group home in Boise has confessed to sexual misconduct against two of the disabled people who lived in the home, according to prosecutors. [The Idaho Press reports](https://www.idahopress.com/news/boise/former-group-home-employee-confessed-to-molesting-disabled-residents-in-boise/) Christopher Bleily, 24, of Meridian is scheduled to appear in court Thursday for arraignment. He is charged with rape and attempted rape, both felonies. “He described molesting, raping, two different disabled individuals that lived there,” Dinger said. The first person Bleily said he molested was a non-verbal woman; the second was also non-verbal, Dinger said. – KTVB – 7 – January 16, 2020 – (Idaho) - <https://is.gd/KMFvEn>
  
11. “Bloomington Man Arrested after Sexual Abuse and Assault Investigation” - 34-year-old Shaun A. Kink was arrested in Bloomington for aggravated criminal sexual assault / physical disability, aggravated criminal sexual abuse / physical disability, criminal sexual assault / force or threat of force and criminal sexual abuse / force or threat of force. Didn’t identify victims. – Week.com – January 15, 2020 – (Illinois) - <https://is.gd/z3gCEv>
  
12. “Three Indicted in Abuse Probe at Southern Illinois Center for Developmentally Disabled” - Three former employees of [Choate Mental Health and Development Center](https://www.sicdd.org/) in Anna have been indicted in connection a patient abuse investigation at the center for the developmentally disabled. The Illinois State Police Division of Internal Investigation agents arrested Sheri L. Fish, 49, of Sherman, and Cody A. Barger, 25, of Grantsburg, both former workers at the center. The pair, along with Johnathan C. Lingle, 29, Goreville, were indicted after an investigation into the abuse of mental health patients was launched in March of 2018 [that resulted in charges of official misconduct and obstruction of justice](https://www.bellevillenews.com/news/2018/03/2018-03-20-choate-mental-health-center-employees-indicted/). – Belleville News – Democrat – January 17, 2020 – (Illinois) - <https://is.gd/c7WPhh>
  
13. “Trial Begins for Man Charged with Abusing Girl with Disabilities” - Adan Rodriguez-Ocampo faces a minimum of 51 additional years in prison if convicted of all counts of predatory criminal sexual assault, aggravated criminal sexual assault and aggravated criminal sexual abuse, according to

DuPage County Assistant State's Attorney Jennifer Lindt. Rodriguez-Ocampo knew the victim, who is now 20. Lindt said the girl has spina bifida that caused permanent physical problems, including incontinence and issues with her legs and feet; she wears braces to help her walk. She also has a speech impairment and an intellectual disability as a result of damage done by the spina bifida and is in special education classes to learn skills to live independently. – Daily Herald – January 14, 2020 – (Illinois) - <https://is.gd/6mQLTV>

14. “Ex-nursing home worker get probation in Iowa abuse case” - A former nursing home worker has been given two to five years' probation for abusing a nursing home resident. The Courier reports that 61-year-old Michael Ritchie Kane, of Westgate, pleaded guilty earlier this month to dependent adult abuse with injury. In exchange for his plea, Kane was granted a deferred judgment, meaning the offense will come off his record if he successfully completes probation. Kane had worked at Ravenood Specialty Care in Waterloo, and investigators say that in June 2018, he pinched and punched a resident there, attempted to suffocate the patient and threatened to shoot him. – KAAL TV – January 11, 2020 – (Iowa) - <https://is.gd/JdJpqG>

15. “Bricolage Parents Join Chorus of Those Concerned about Special-Education Services in New Orleans” - Among the Bricolage parents' claims: that their special-education children aren't getting required "individualized education plans" on time, that they haven't been allowed access to recommended technology and that they have been inappropriately disciplined. Citing state data, the parents group said in an open letter that it was "troubling" that the majority of Bricolage's special-education students were receiving D or F grades, and that they were being suspended at nearly twice the rate for other students. – NOLA.COM – January 12, 2020- (Louisiana) - <https://is.gd/0ZZLQK>

16. “De-Escalation Room and Student Seclusion Logs and Document from Bangor Area School District” - A [map document](#) from BASD confirm that

a “de-escalation room” exists at Five Points Elementary School and possibly three more BASD schools like the Washington Elementary, Bangor Area Middle School and the Senior High per the invoices. The Board directs that the district’s behavior support programs shall be based on positive rather than negative behavior techniques to ensure that students shall be free from demeaning treatment and unreasonable use of restraints or other aversive techniques. The use of restraints shall be considered a measure of last resort and shall only be used after other less restrictive measures, including de-escalation techniques. Behavior support programs and plans shall be based on a functional assessment of behavior and shall include a variety of research-based techniques to develop and maintain skills that will enhance students’ opportunity for learning and self-fulfillment. – The Nolan Chart – January 11, 2020 – (Maine) - <https://is.gd/8WeWmz>

17. “Former Middleboro School Staffer Indicted for Rape of Disabled Student” - Phillip Houtman, 28, has been indicted by a Plymouth County grand jury on charges of rape, assault with intent to rape, four counts of indecent assault and battery on a person with an intellectual disability and open and gross lewdness. The indictment stems from Houtman’s arrest on Oct. 11, when he turned himself in at Wareham District Court on a warrant. On Sept. 30, [the Middleboro Police Department received an allegation about Houtman](#), who was accused of sexually assaulting a 19-year-old student at the Chamberlain International School. The indictment moves the case from Wareham District Court to Plymouth County Superior Court in Brockton, where more serious crimes are prosecuted, and penalties are more severe if defendants are convicted. – The Enterprise – January 16, 2020 – (Massachusetts) - <https://is.gd/rgqP80>

18. “Attleboro Man Accused of Kidnapping, Raping Disabled Woman” - An Attleboro man kidnapped and raped a disabled woman at an MBTA parking lot Friday morning, according to police. A woman who was walking her dog called police at about 6 a.m. and reported that she saw a man force the woman into his van in the downtown area. The caller told police the van quickly drove to the parking lot at 100 Riverfront Drive. Attleboro Police

responded and found the man “engaged in a sexual act on the unwilling victim.” The suspect, identified as 63-year-old David Rogers, has been charged with kidnapping, aggravated rape, assault and battery, and indecent assault and battery on a disabled person. – CBS Boston – January 10, 2020 – (Massachusetts) - <https://is.gd/4fVTCJ>

19. “Mass Attorney General’s Office Medicaid Fraud Division Recovers More than \$46 Million For MassHealth” - Massachusetts Attorney General Maura Healey announced today, January 15. that her Medicaid Fraud Division recovered more than \$46 million for the state’s Medicaid program (MassHealth) in 2019. The AG’s Medicaid Fraud Division investigates and prosecutes those who defraud the MassHealth program. The Division is also responsible for reviewing complaints of abuse, neglect, mistreatment, and financial exploitation of patients in long-term care facilities. The Division recovered more than 10 dollars for every dollar appropriated in 2019 for its work. In 2019, the Division secured 30 civil settlements with various entities, including major pharmacy chains, home health agencies, nursing homes, and individual doctors and practices. Twelve individuals and entities were criminally convicted on charges in connection with Medicaid Fraud schemes, and an additional five providers were criminally charged for defrauding MassHealth. – Framingham Source – January 19, 2020 – (Massachusetts) - <https://is.gd/clUvmo>

20. “DPD Cpl Dewayne Jones who Beat Mentally Ill Woman is Denied from Promotion - Jones was at the center of a firestorm after video of him beating a naked, mentally ill woman at a Detroit hospital surfaced. He was convicted of misdemeanor assault and battery. – Fox 2 Detroit – January 16, 2020 – (Michigan) - <https://www.fox2detroit.com/video/645187>

21. “Thrown in a Box’: Missouri Schools’ Use of Isolation Rooms and Restraints is Inhumane” - Eleven-year-old Ryphath Knopp told state lawmakers at a hearing on school restraints what it was like, being thrown into a small padded room on a regular basis at his public school in Columbia, Missouri: Such “isolation rooms” are “an adapted version of

solitary confinement, which was a form of torture, may I remind you,” said the boy, who told the committee that he has autism, anxiety and depression and was put in “seclusion” as punishment “almost all day every day” until his parents took him out of school and started teaching him at home. – The Kansas City Star – January 15, 2020 – (Missouri) - <https://is.gd/5jpVwW>

22. “Man Charged after Spanking a 5-Year-Old Autistic Child” - Faculty at a Great Falls elementary school contacted a Great Falls Police Detective about hand-shaped bruising on a five-year-old autistic student’s backside. Court documents say the bruising was confirmed and appeared to be in the shape of an adult’s handprint. At the time of the incident, the child’s guardian was his mother’s boyfriend, Robert Stark, because the child’s mother was out of town. The officer affidavit says the detective knew Stark because he had dealt with him numerous times regarding disturbances at the school between him and other people. A warrant was issued by the Cascade County Attorney’s Office for Stark was issued the day of the report on an unrelated case on the charge of assault with a weapon. – ABC Fox Montana – January 17, 2020 – (Montana) - <https://is.gd/AVXs7f>

23. “Family Says a Student was Illegally Restrained and Secluded. Wake County School District Will Pay \$450,000” - The Wake County school system is paying \$450,000 to settle a lawsuit filed by the family of a special-education student who say he was illegally physically restrained and secluded. The family of Shao-Ku Liu, 19, a student at Southeast Raleigh High School, alleges that the Wake County school system violated the federal Individuals with Disabilities Education Act and North Carolina special education statutes. Liu’s family says students with disabilities at Southeast Raleigh High were victims of an abusive teacher who was physically aggressive and improperly isolated the students in a storage room during the 2018-19 school year. – Greensboro News Record – January 13, 2020 – (North Carolina) - <https://is.gd/1BcHkh>

24. “Two Suspects Arrested in Miamisburg Man Abduction, Assault Case” - Two suspects have been arrested in relation to the kidnapping and assault of

an 85-year-old man. Tonight 35-year-old Billy Joe Farra and 42-year-old Jessica Rose Broomershine remain behind bars at the Montgomery County Jail facing multiple felony charges. Police said the man was then taken against his will, thrown into the trunk of his car, where they took him to an ATM. Afterwards, Farra dropped Broomershine back off at the casino and drove around for hours until deciding to dump the injured man and ditch his car inside this Rumpke facility. – Dayton 247 Now – January 17, 2020- (Ohio) - <https://is.gd/oapoie>

25. “Mother Claims School Asked Her to Keep Her Autistic Daughter Home Due to Her Disability” - A Columbus mother called Scoring Our Schools to say her daughter's elementary school is singling her out due to her disability. Azaria Handy, 8, is a nonverbal, autistic and attends Fairwood Alternative Elementary School. Her mother, Bryandria Duff, said she received a disturbing call from the school principal last Tuesday. She said he asked if she could keep Azaria home for the day due to a lack of staff and aides. Azaria is in the Columbus City Schools special education program and requires more resources and supervision due to her IEP or individual education plan. -ABC 6 On Your Side – January 14, 2020 – (Ohio) - <https://is.gd/dnngsT>

26. “Caregiver Accused of Defrauding Woman with Dementia” - A Central Point man who worked as an in-home caregiver is accused of taking more than \$1,000 from a Trail woman with dementia, and Jackson County sheriff’s deputies believe other victims may be out there. Tyson Chad Lee Sledge, 31, was arrested last week on a string of fraud charges accusing him of withdrawing money from a wheelchair-bound elderly woman’s bank cards while he was working as her caregiver between October and November of last year, according to a press release issued Thursday by the Jackson County Sheriff’s Office and documents filed in Jackson County Circuit Court. – Mail Tribune – January 16, 2020 – (Oregon) - <https://is.gd/nZW65e>

27. “Mom Charged with Endangering Disabled Daughter During Suicide Attempt by Carbon Monoxide Poisoning” - A Coopersburg woman who allegedly endangered her disabled daughter while attempting suicide by carbon monoxide poisoning will be referred to a Lehigh County pretrial program for defendants struggling with mental health issues, District Attorney Jim Martin said Wednesday. Sara Rhoads, 37, of Carriage Drive is charged with felony neglect of a care-dependent person and recklessly endangering another person, a misdemeanor. – The Morning Call – January 15, 2020 – (Pennsylvania) - <https://is.gd/dktRTf>
28. “Nurse Charged with Aggravated Child Abuse, Neglect” - Melissa Winer, 44, a licensed practical nurse, was charged after a coordinated effort between Clarksville Police, Oak Grove Police and the Robertson County Sheriff’s Office. Originally the Department of Children Services screened the referral for severe abuse and there did not appear to be anything criminal in nature, according to the news release from Clarksville Police. Since the referral was screened, Clarksville Police did not assign it for investigation. Winer is seen on video arriving to provide nursing care for the 12-year-old on Aug. 23. She can be seen on video providing abusive and negligent care to the victim. She lets the victim fall to the floor on several occasions and one time it appeared she hit her head. Winer is seen on the video pulling the victim’s hair numerous times, and on one occasion appeared to lift her by the hair. On another occasion, the victim was in a sitting position and it appeared Winer was pulling the victim up from the floor, causing a scrape to her back. – WSMV – January 13, 2020 – (Tennessee) - <https://is.gd/9AgLj4>
29. “Deputies: Crossville Man Arrested after Attacking Intellectually Disabled Brother” - A Crossville man is facing charges after reportedly attacking his brother who has an intellectual disability. Cumberland County deputies say 34-year-old Dustin Lynn Bryant went to a home on Howard Lane and tried to choke his brother. A family member told deputies Bryant appeared to be “high on drugs” and became mad over a phone charger. Bryant reportedly busted a flashlight then started to beat his brother. Officers noted in the

report injuries to the victim consistent of being struck several times. – 1057 News - January 13, 2020 – (Tennessee) - <https://is.gd/WmqSFz>

30. “Video Shows Texas Teacher Mistreating Boy with Special Needs, Family Says” - The family of a Texas high school boy with special needs who was mistreated by his teacher has released videos of the incident in hopes that it doesn't happen to another child. The incident dates to December 2018, when a teacher at George Ranch High School in Richmond, about 30 miles southwest of Houston, is seen knocking over a desk, grabbing the boy by the arm and making him pick up the desk. The teacher, identified by Wesley as ReGina Thurston, tells the boy that he's going to clean up the entire room and then proceeds to throw stuff on the floor and make the teenager pick it up. – NBC News – January 14, 2020 – (Texas) - <https://is.gd/rzz20D>

31. “Richmond Nursing Home Patient, 86, Killed by Roommate, 65, Police Say” - Lynwood L. Main, 65, is accused of killing Robert Willoughby, 86, who was his roommate at the nursing home and rehab center. Police said they responded Wednesday to the facility in the 1700 block of Bellevue Avenue about 10:42 p.m. for a report of a person down. Upon arrival, officers found Willoughby suffering from obvious signs of trauma. He was pronounced dead at the scene. – Fredericksburg – January 16, 2020 – (Virginia) - <https://is.gd/DD4ASo>

32. “York County School Division Found in ‘Noncompliance’ of this Student’s Education” - The Virginia Department of Education found the York County School Division non-compliant in implementing extended school year services, after a mother filed complaints regarding her son’s education. Larisa Turkatte filed multiple complaints with VDOE after she said she found her son Brandon’s special education teacher, Gina Rondinelli, did not provide the education hours promised by the school division. – Williamsburg Yorktown Daily - January 14, 2020 – (Virginia) - <https://is.gd/73FFb7>

33. “Madison Man Arrested for Alleged Sexual Assault of Disabled Woman on Metro Transit Bus” - Madison man was arrested for allegedly sexually assaulting a disabled woman on a Metro Transit bus on Thursday, Madison police reported. The Madison Police Department’s Special Victims Unit arrested Tremaine R. Williams, 35, on a tentative charge of second-degree sexual assault of a disabled adult, police spokesman Joel DeSpain said in a statement. – Wisconsin State Journal – January 14, 2019 – (Wisconsin) - <https://is.gd/vil1RX>

## **GUARDIANSHIP**

34. “Etowah County Council on Aging Introduces New Guardianship Program” - A major fear within the elderly population is the possibility of being abused or exploited, particularly at the hands of caregivers. One local non-profit has created a program to help educate guardians on what to look for when being responsible for an elderly person. The Council on Aging in Etowah County has partnered with RSVP to create the Guardianship Monitoring and Assistance Program. – WEAC 24 TV – January 16, 2020 – (Alabama) - <https://is.gd/n6ybyz>
35. “What Should be Done? Mental Health Conservatorship in California” - In extreme cases of mental illness, an individual may be entered into a court-appointed “conservatorship,” in which someone manages the person’s living situation, medical decisions and mental health treatment. Yuba County’s office of conservatorship handles cases of temporary conservatorship, which are only good for 30 days prior to court reevaluation, and permanent conservatorship, which must be reevaluated annually in court. – Appeal – Democrat – January 11, 2020 – (California) - <https://is.gd/yTe4sO>
36. “Guardianship Agency Gets New Director after Prior Leader’s Ouster Amid Rebecca Fierle Scandal” - Six months after its previous leader was ousted, the Florida agency charged with oversight of professional guardians has a new director, officials announced Wednesday. Chanté Jones, a former corporate marketing analyst for Verizon Communications, was appointed

by state Secretary of Elder Affairs Richard Prudom to run the Office of Public and Professional Guardians. Prudom said he is confident the office "will earn back the trust of Florida families." – Orlando Sentinel – January 15, 2020 – (Florida) - <https://is.gd/DSN8ab>

37. "Lawmakers Continue to Approve Amendments to Guardianship Laws" - Committees in both the Florida Senate and House of Representatives approved bills Wednesday to amend the state's guardianship statutes in light of last year's accounts of guardians engaging in financial exploitation. The Senate Committee on Children, Families and Elder Affairs voted favorably on SB 994. Then, the accompanying HB 706 also received a favorable vote from that chamber's Justice Appropriations subcommittee. This House bill received a favorable hearing in the Children, Families and Seniors subcommittee in December. In addition to increasing the scrutiny under which guardians are appointed and requiring court approval for guardians to declare "Do Not Resuscitate" (DNR) for their wards, the bill also seeks to eliminate conflicts of interest in a guardian's care of their assigned wards. This is achieved by explicitly prohibiting the acceptance of any benefits "directly or indirectly, overtly or covertly, or in cash or in kind." – The Famuan – January 16, 2020 – (Florida) - <https://is.gd/dYPUY1>

38. "The Law Q&A | For Some Guardians, Training's Necessary" - Under Illinois law, guardians are persons appointed by a judge to act for the care and benefit of people or their property and financial affairs. Usually there are two circumstances for guardians — for people under 18 (minors), or people who are found by the court to be a disabled adult. Guardians appointed to take personal care of disabled adults are the ones required to complete training. Guardians appointed for minors, or guardians appointed to oversee the property and financial affairs of the disabled adult, are not required to do the training. Only guardians appointed to oversee the personal care of such disabled adult is the training requirement possibly applicable. – The News Gazette – January 12, 2020 – (Multiple States Cited) - <https://is.gd/n1awuY>

39. “What It Takes to be a Guardian” - In an earlier issue of the Oklahoma Bar Journal there were several articles that addressed various aspects of guardianship. Each article addressed issues which are frequently of concern to clients. With due credit to the authors we will review those topics which are a common concern. Paul’s Valley Democrat – January 16, 2010 – (Oklahoma) - <https://is.gd/4zzAkj>

## **LAWS & LEGISLATION**

40. “Massachusetts House Passes Bill to Create Registry of Caregivers Who Abuse People with Disabilities” - The Massachusetts House unanimously passed a bill that would create a registry of caretakers who are accused of abusing a person with a disability, joining 26 states that have similar registries. “Families and people with disabilities are waiting for this and really appreciate the vote today,” said Leo Sarkissian, executive director of The Arc of Massachusetts, an advocacy group for people with disabilities. The Senate [unanimously passed](#) its version of the bill in October. Now the House and Senate must agree to a consensus bill before it goes to Gov. Charlie Baker’s desk. – Mass Live – January 15, 2019 – (Massachusetts) - <https://is.gd/r8cU5X>

41. “New State Law Establishes Protections from Financial Exploitation for Vulnerable Adults” - “Unfortunately, it’s not uncommon for senior citizens to be taken advantage of by people seeking to take their money, property, assets or identities,” said John McKeon (D-Essex, Morris). “These crimes often go unreported and untracked. The good news is financial exploitation can be prevented with the right protections in place.” The law (formerly bill A-5091) provides that when a qualified individual believes the financial exploitation of an eligible adult has occurred or been attempted, they must notify the Bureau of Securities in the Division of Consumer Affairs in the Department of Law and Public Safety and the applicable county adult protective services provider. A “qualified individual” is defined under the law as any agent, investment adviser representative or other person who serves in a supervisory, compliance, or legal capacity for a broker-dealer or

investment adviser. – Tap Into – January 14, 2020 – (New Jersey) - <https://is.gd/fZMJDI>

42. “Lawmakers Fight Gov. Wolf’s Plan to Close 2 Institutions for Disabled” - The state House of Representatives voted 139-55 for legislation to prevent a governor from closing any of Pennsylvania's four remaining state centers for at least five years, and then only with approval from an independent task force. Still, the bill faces an uphill climb to get Democratic lawmakers to go along with an override of a veto, and Senate Minority Leader Jay Costa, D-Allegheny, said most Democrats would not help form the two-thirds majority necessary to override a veto. Wolf has not had a veto overridden since he took office in 2015. – The Morning Call – January 15, 2020 – (Pennsylvania) - <https://is.gd/9tzTF6>

43. “Bill from Washington Rep. Geared Toward Allowing Educators to Restrain Threatening Students” - Washington Rep. Brad Klippert is sponsoring a controversial bill geared toward students with serious behavior health problems. House Bill 2436 relates to "permitting the reasonable and moderate restraint of students for their own protection." Klippert said the bill will "clarify when school staff may reasonably and moderately restrain students for their own protection and without fear of reprisal." He said that right now, the law makes it too difficult for educators to restrain students, even if they are in danger. According to the bill, educators, like teachers and principals, would be able to use physical force and restraint devices to control student who pose a threat to themselves or others. – KHQ – January 15, 2020 – (Washington) - <https://is.gd/bJehBN>

## **STUDIES & STATISTICS**

44. What Is the Most Common Type of Elder Abuse? - Abuse can have a severe effect on our lives, be it emotional or physical; abuse is never okay. In today’s world, no one is safe from abuse, be it a child, an adult or an older person. But what saddens me the most is the abuse faced by older

people. What hurts me the most is how we treat them, how society treats them. Elders are facing abuse, and it's time it should stop. To stop the abuse, we should educate ourselves. We should know [what is the most common type of elder abuse?](#) The National Institute of Elder Abuse had identified seven types of elder abuse, but the most common three types of abuse are: Physical, Financial and Neglect. – South Florida Reporter – January 16, 2020 – (Florida) - <https://is.gd/VZqWVx>

45. “Local Center Assisting in Detecting Autism at Very Young Age” - A new [report published by the American Academy of Pediatrics is detailing the importance of early detection for children with autism.](#) Currently, the average age of a child being diagnosed with autism is 4 years old, but doctors are hoping to detect it well before the child turns 2. “They pick everything up a lot quicker if the people that are in their lives are also working on the same things that we’re working on in therapy,” said Tatiana Francis, board-certified behavior analyst at the Paso Del Norte Children’s Development Center. – CBS 4 News – January 16, 2020 – (Texas) - <https://is.gd/YgwMov>

## **IMPROVED SUPPORTS**

46. “Students Become Eyes, Ears for Vulnerable Adults” - “The students really have a heart for helping people. These are amazing students,” said PJ Fair, Guardianship Review Coordinator for the [Guardian Review Program](#), which began partnering with GCU and 10 students in 2019 and continues to grow. The nationally recognized program has trained volunteers to conduct in-person visits in an effort to reduce the potential for neglect and abuse of vulnerable wards. – Grand Canyon University – January 16, 2020 – (Arizona) - <https://is.gd/coEg5B>

47. “The Soledad Children” - How a group of families in the Salinas Valley improved the educational system for all Mexican Americans in California and beyond. Beginning with the famed Brown v. Board of Education (which decreed in 1954 that separate educational facilities were inherently unequal) until the recently filed Ella T. v. State of California (in which

plaintiffs argue California is violating children’s constitutional right to literacy by failing to provide adequate instruction to all students), most educational gains for low-income, handicapped and minority students have been achieved through the courts. – Somewhat historical but good piece. Voices of Monterey Bay – January 16, 2020 – (California) - <https://is.gd/cu1jPf>

48. “Inclusion Movement at Colson Elementary in Seffner Lets Deaf and Hearing Students Learn Together” - That is why teacher Olivia Williams fought for a big change. “I wanted the deaf students to be able to function not only in a deaf world but a hearing world as well,” Williams says. “And this gives them the best of both.” The school now blends deaf and hearing students in and out of classrooms. Teachers and interpreters work side by side. The results have been overwhelmingly positive, both academically and socially. – ABC Action News – January 16, 2020 – (Florida) - <https://is.gd/GNz1iR>

49. The Friendship Cafe to open in Florida offering adults with special needs restaurant skills as entry to employment - The Friendship Circle, a Fort Lauderdale-based nonprofit that services adults and children with autism, down syndrome and other special needs, is set to open its first restaurant on Jan. 15, dubbed The Friendship Cafe. The fast-casual concept is helmed by Israeli head chef Yoram Getter and will serve falafel platters, falafel pitas, vegetable shawarma and pastries. All of the food is kosher, as well. Occupying two former restaurant spaces, the 700-square-foot restaurant has five full-time employees and six rotating workers with special needs from The Friendship Circle. Officials say they hope to employ more special needs adults as the restaurant becomes self-sustaining. The goal: To offer job training. – Restaurant – Hospitality – January 14, 2020 – (Florida) - <https://is.gd/sB7R8W>

50. “WKU Awarded \$1.1 Million Federal Grant for Special Education” - Western Kentucky University received a large grant from the U.S. Department of Education. The Office of Special Education awarded the

school \$1.1 million to address the shortage of certified special education teachers. WKU created project "Preparing Rural Educators and Professionals for Students with High-Intensity Needs" (PREP). It aims to prepare special education teachers and speech language pathologists to help students with disabilities. The grant will help support recruitment, tuition scholarships and graduation of students in the school's special education programs. – WDRB – January 16, 2020 – (Kentucky) - <https://is.gd/zSIJtx>

51. "Lifestyle Brand Makes a Difference One Thumbs Up at a Time" - A Lexington lifestyle brand is making a difference one "thumbs up" at a time. Inspired by the owner's special needs brother, No Worries aims to promote happiness while raising awareness about the special needs' community. Bradley Mosley lives at the Stewart Home School in Frankfort. He is hearing impaired and mentally challenged, but to her he is so much more. So, Rachel Mosley decided to dedicate her life to spreading what she calls Bradley's "no worries" lifestyle. – Lex 18 – January 17, 2020 – (Kentucky) - <https://is.gd/al25cm>

52. "This App Gives Deaf Users an On-Demand ASL Interpreter" - For someone who is deaf, communicating with a clerk at a retail store or non-ASL-speaking friend over dinner often involves laboriously writing notes. An app called [Jeenie](#) offers an alternative: Push a button, and a live ASL interpreter appears in a video call. – Fast Company – January 15, 2020 – (National) - <https://is.gd/B6809z>

53. "Las Vegas Artist, Athlete Use Art Therapy to Help Autistic Children" - A former basketball player and an artist have taken a new approach to treating mental illness and helping kids with autism. "Someone once told us, 'you guys can't change the world.' We took that as a bet. So, bet's on," said Kenneth Harrison, the co-founder of [Aurtism](#). [Aurtism](#) stands for art and autism. The facility, which is located at 4880 East Bonanza Road, serves the autistic community. – WSPA – 7- January 18, 2020 – (Nevada) - <https://is.gd/bwh3ED>

54. “P’ville Welcomes Nonprofit That Provides Jobs to Autistic Adults” - Spectrum Designs Foundation, a Long Island-based nonprofit organization that has been addressing unemployment and a dearth of programs among the adult special needs population, is expanding to a second location in Pleasantville this year. It provides adults on the autism spectrum vocational training and employment opportunities so they can achieve a measure of independence and lead meaningful lives. – The Examiner News – January 15, 2020 – (New York) - <https://is.gd/dHz9yz>
55. “Deaf Man Sues Pornhub over Lack of Closed Captions” - The lawsuit alleges that Pornhub, RedTube and YouPorn are in violation of the 1990 Americans with Disabilities Act. Part of the ADA's goal is to provide “full and equal enjoyment” of a public accommodation’s goods, services, facilities and privileges, according to the lawsuit. "Websites that prevent accessibility to deaf and hard of hearing individuals is a discriminatory act," the lawsuit reads. – ABC News – January 17, 2020 – (New York) - <https://is.gd/KXVM5n>
56. “Disabled Vet Swindled Out of Scratch-Off Lottery Fortune Slams Accused Con Man in Court” - After hitting it big, John Pickett was allegedly pressured by the head honcho of nonprofit MAG-V to invest his winnings into the agency, which provided homeless vets including Pickett with a place to stay. Program director Michael Erber offered Pickett a permanent job and a post on MAG-V’s board of directors, as well as housing, if he invested \$200,000 — but Pickett testified Monday he got nada in return. Not only did he take away my dream, he took away my money and left me with nothing,” Pickett testified, weeping on the stand in Brooklyn Supreme Court. The \$200,000 that Pickett says he gave to Erber was nearly half of the \$428,000 he took home from his \$1 million lottery win in summer 2015. – Daily News – January 14, 2020 – (New York) - <https://is.gd/Rv2ZIP>
57. “NDAD Launches Program for Autism-Related Service Gaps” - The North Dakota Association for the Disabled has debuted a program to help families cope with service gaps for children and adults with autism spectrum

disorder. Through the Autism Spectrum Assistance Program, assistance is possible with medical travel expenses and respite services when other payment options are not available for families through local, state or federal programs. – Inforum – January 18, 2020 – (North Dakota) - <https://is.gd/yVR2Gi>

## **INTERNATIONAL**

58. “Belgium’s Death Doctors” - Belgium is prosecuting three doctors for illegal [euthanasia](#). A culture’s collective mindset about the meaning and importance of human life becomes distorted when euthanasia is legal. Soon, ending suffering becomes more important than protecting the lives of the vulnerable, making it increasingly difficult to restrict euthanasia and assisted suicide to extreme cases—those for which advocates falsely promise it is to be reserved. The rare prosecutions of clear abuses, most of which are unsuccessful, accelerate this process. There is nothing like praising with faint damnation to give suicidal people moral permission to have their lives ended, while ensuring that death doctors believe they have the law’s approval to accommodate the darkest desires of society’s most despairing people. – First Things – January 17, 2020 – (Belgium) - <https://is.gd/xmhjD1>

59. “18 Million Deaf Indians Demand to Make Sign Language Official” - Instead of forcing deaf people to use speech, there is a need to recognise sign language. 41 countries have also taken a plunge in this regard making it easier for the community to learn in their own language. 20-year Arbaz Momen, now in class 12, struggled in his early schooling years. The school he used to go to preferred speech and lip-reading rather than sign language making it difficult for him to grasp what was being taught. He was in fact discouraged to use sign language. This seems to be the case in most of the 600 odd specially abled schools where students are forced to take special classes where sign language is taught. But now, the demand to make Indian sign language official is getting stronger with each passing day. Currently, there are 18 million deaf people in India. The community has now

petitioned the government seeking recognition of the sign language in India.  
– Times Now News – January 18, 2020 – (India)- <https://is.gd/oTTeUf>

60. “Malka Leifer, Former Melbourne Principal and Accused Child Abuser, Granted Further Delays in Extradition Process” - The alleged victims of an Israeli teacher accused of sexually abusing girls at a Melbourne school said they were distressed and angry about further delays to her extradition case. The Jerusalem District Court has granted lawyers for the former principal of the Adass Israel girls school, Malka Leifer, time to cross-examine members of a psychiatric panel that found the 54-year-old had been faking mental illness to avoid extradition. – The New Daily – January 15, 2020 – (Israel) - <https://is.gd/nstHWx>

61. “Acquiescence of Mentally Retarded Rape Victim not Tantamount to Consent” - Dear Casey, Rape is a crime punishable under Article 266-A of the Revised Penal Code of the Philippines, which states: Sex with a woman suffering from mental impairment is rape under Article 266 (A) (1) (b) or carnal knowledge of a woman when the offended party is deprived of reason or otherwise unconscious. A mentally impaired victim cannot give consent to the sexual conduct. This finds support in the decision of the court titled, People of the Philippines vs Butiong (GR 168932, Oct. 19, 2011), where the Supreme Court through Chief Justice Lucas Bersamin, stated: The Manila Times – January 13, 2020 – (Manila) - <https://is.gd/nLeAjY>

## **MISCELLANEOUS**

62. “Manitobans With Intellectual Disabilities Victims of Theft, Threats, Sexual Assault, Documents Show” - A person living with a disability was tied up and threatened during a home invasion after being placed in an unsafe home by a foster care provider — just one example of nearly 30 abuse and neglect cases involving Manitobans with intellectual disabilities in 2018-19, according to provincial government documents. The [29 substantiated cases of abuse and neglect](#) came to light through a freedom of

information request. CBC News asked the province for documents outlining cases of abuse and neglect involving people with intellectual disabilities reported to the Department of Families during the 2018-19 fiscal year. – CBC -January 15, 2020 – (Canada) - <https://is.gd/rrzJO2>

63. “Scope Accused of ‘Exploitation’ after Seeking Disabled Writer to Work for Free” - A disability charity has been accused of “exploitative” and “disgraceful” behavior after asking disabled journalists to write an article for its website without payment. The charity Scope sent out a message on social media this week seeking a “disability blogger” who could write an article about sex and relationships on a “voluntary” basis for its [online disability forum](#). The request caused anger among a string of disabled writers, who reminded the charity that disabled journalists were often “devalued” and exploited and asked to provide free content. – Disability News Service – January 16, 2020 – (National) - <https://is.gd/pGUiYZ>
  
64. “Memorial Art Gallery Showcases Deaf Culture with De’VIA Exhibit” - It stands for Deaf View/Image Art,” said [Patti Durr, Professor](#) at the [National Technical Institute of the Deaf](#), in Department of Cultural and Creative studies. “It’s art about the Deaf experience.” The exhibit also showcases work by Deaf artists who worked before the movement, including a piece of art made to depict Deaf Jews who were trying to survive the Holocaust: An exhibit at the [Memorial Art Gallery](#) is showcasing Deaf art, and celebrates the 30th anniversary of a Deaf art collective called “[De’VIA.](#)” The exhibit is called “[De’VIA: The Manifesto Comes of Age.](#)” There will be guided tours — both spoken and signed — every Thursday until the exhibit closes. – Rochester First – January 17, 2020 – (New York) - <https://is.gd/sjnpxy>
  
65. “Proposed Social Security Disability Changes Could Cut Off Disabled Recipients” - A proposed change to federal disability assistance would result in millions of more case reviews, likely cutting off many disabled recipients if the changes are enacted. The federal government is accepting public comments on the proposal until the end of January. Under the proposal, millions more reviews would be conducted and hundreds of

thousands of people would have reviews more frequently. “We think the real intent of this is just to be a backdoor cut to the program,” said Jen Burdick, a supervising attorney with Community Legal Services of Philadelphia, who assists people applying for disability benefits. – Union – Bulletin - January 13, 2020 – (Pennsylvania) - <https://is.gd/TYONv9>