



**DISABILITY RIGHTS**

**NEW YORK**

**New York State's  
Protection & Advocacy System  
Client Assistance Program**

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# Introduction

**Disability Rights New York is the statewide Protection and Advocacy System and Client Assistance Program**

DRNY advocates for New Yorkers with disabilities to enable them to:

- Exercise their own life choices
- Fully participate in their communities
- Enforce their civil and legal rights

# Our History



# Our History

**Geraldo Rivera on Willowbrook and the P&A system**

# Creation of P&A System

Original purpose to protect people with developmental disabilities living in institutions from abuse and neglect

The P&A's mandate now covers:

- All people with disabilities
- A broad range of issues
- All settings that assist people with disabilities

# The P&A System

- P&A agencies exist in every state and territory (57 total).
- Mostly non-profits; 7 state agency P&As.
- Largest provider of legally-based advocacy for individuals with disabilities in the country.
- Cross-disability.

# **P&A Access Authority**

Federal law provides P&A's with broad access to monitor and investigate abuse and neglect, including to:

- Visit facility sites;
- Interview facility residents;
- Review individual records;
- Review records of investigations by other agencies.

# **The Client Assistance Program**

Created by the Rehabilitation Act of 1973 (precursor to the ADA).

Provides information and assistance to people receiving vocational rehabilitation (VR) services in order to access employment.



# **Principals of the P&A System and Client Assistance Program**

**CLIENT-DIRECTED**

**LEGALLY BASED**

**INDEPENDENT ADVOCACY**

**CONSUMER-MANAGED**

# The Role of P&A Agencies

The P&A Acts assign to P&A agencies “a whistle blower, ombudsman, watchdog, advocacy and ‘private attorney general’ role.”

*- Indiana Protection and Adv. Serv. V. Indiana Family and Social Serv. Adm., 603 F. 3d 365, 383 (7<sup>th</sup> Cir. 2010) (Posner, Circuit Judge, concurring).*

# The Role of P&A and CAP

- Protect and advocate for the rights of people with disabilities;
- Have access to people with disabilities;
- Have access to the records of people with disabilities to facilitate investigations;
- Investigate incidents of abuse and neglect.

# The Role of the P&A and CAP

- Provide information and referral;
- Pursue legal, administrative, and other appropriate remedies and approaches
- Have authority to educate policy makers
- Establish goals and priorities
- Coordinate with other advocacy agencies

# The P&A and CAP System in New York

- New York's P&A from 1978 – 2013 was the Commission on Quality of Care and Advocacy for People with Disabilities.
  - State agency
  - Contracted with other not-for-profit organizations to represent people with disabilities in New York
- Disability Rights New York designated the new P&A in 2013.
  - Not-for-profit organization that receives federal funding
  - Carry out P&A responsibilities from offices in Albany, Brooklyn, and Rochester, New York

# DRNY's Offices

DRNY has three locations in New York State

**725 Broadway,  
Suite 450  
Albany, New York  
12207**

**25 Chapel Street,  
Suite 1005  
Brooklyn, New York  
11201**

**44 Exchange Blvd,  
Suite 110  
Rochester, New  
York 14614**

# **DRNY and the Justice Center**

## **We are not the same!**

- The NYS Justice Center is a state agency created to investigate and criminally prosecute abuse and neglect of people with disabilities.
- DRNY also investigates abuse and neglect, but that's not our only function. DRNY addresses abuse and neglect through litigation, reports and other forms of advocacy.
- You can report abuse and neglect to both DRNY and the Justice Center.

# What DRNY Does

- Direct legal representation;
- Technical assistance;
- Systemic advocacy;
- Education;
- Outreach;
- Information & Referrals.



# Continuum of Remedies

Information and Referrals

Outreach to Un-served and Underserved Populations

Training, including Self – Advocacy Skills

Legal Counsel and Advice

Negotiation and Mediation

Administrative Proceedings

Individual Litigation

Monitoring

Public Policy and Legislative Advocacy

Public Relations

Systemic Litigation and Advocacy

# **P&A Programs and CAP**

- Individuals with developmental disabilities (PADD)
- Individuals with mental illness (PAIMI)
- Individual rights (PAIR)
- Individuals with traumatic brain injuries (PATBI)
- Voting access (PAVA)
- Assistive technology (PAAT)
- Beneficiaries of Social Security (PABSS)
- Client Assistance Program (CAP)

# What We Don't Do

DRNY does not provide:

- Criminal defense representation;
- Representation in family court matters (Ex.: Divorce and child custody);
- Non-legal services (Ex.: service coordination and job placement).

If you are looking for these services, DRNY staff can refer you to other organizations or attorneys who may be able to help

# If You Need OUR Assistance

Contact our intake staff by phone or email

- Intake staff is available to take your call on M-F 9 a.m.-5 p.m.
- You can also leave a message or send an email at any time

We may need you to send us relevant documents, such as:

- Evaluations
- Individualized Education Program
- Individual Service Plan
- Behavioral Records
- Denial letters
- Investigative findings letter

The services we provide are free of charge and confidential!

# Contact Information

## **DISABILITY RIGHTS NEW YORK**

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