

# Human Rights



## HUMAN RIGHTS

**Human Rights** are the federal, state, and case laws that provide basic protections to all citizens. These basic protections help make sure that all citizens have equal opportunity to pursue, *“life, liberty and the pursuit of happiness as defined in the Declaration of Independence and by the Constitution”*. **People with disabilities have the same human rights as any other American citizen!**

### EXAMPLES OF HUMAN RIGHTS

HUMAN RIGHTS	EXAMPLES
<b>Liberty</b>	<ul style="list-style-type: none"> <li>• The right to make informed choices</li> <li>• The right to take reasonable risks</li> <li>• The right to freedom of movement</li> <li>• Freedom from harm</li> </ul>
<b>Equality</b>	<ul style="list-style-type: none"> <li>• Freedom to live, work, recreate, have accessible transportation, and to have access to a free and appropriate education</li> <li>• Freedom from exploitation</li> <li>• The right to reasonable accommodations</li> <li>• Right to have a job</li> <li>• The right to have one’s cultural and ethnic choices and identity respected</li> </ul>
<b>Freedom of Expression</b>	<ul style="list-style-type: none"> <li>• Freedom of speech and communication, as well as religion, voting privileges, and the right to make choices about personal appearance</li> <li>• Right to refuse treatment</li> <li>• The right to talk on the phone, receive mail unopened and to have visitors when desired</li> </ul>
<b>Freedom of Association</b>	<ul style="list-style-type: none"> <li>• Freedom to have individual relationships, to join associations, clubs or other groups of one’s choice</li> <li>• Right to be safe</li> <li>• Right to give informed consent</li> </ul>
<b>Privacy</b>	<ul style="list-style-type: none"> <li>• Personal dignity and control of one’s body, and confidentiality of personal, financial and medical records</li> <li>• Right to what information you want to share and with whom</li> </ul>
<b>Property Rights</b>	<ul style="list-style-type: none"> <li>• Right to purchase, keep and dispose personal property, money and real estate</li> </ul>

#### RESPECT PRIVACY



## DISABILITY LAWS

Because people with disabilities are not always looked upon as equals in our society, special laws have had to be created to ensure that people with disabilities have access to the same opportunities, and are afforded the same basic protections that other citizens receive. There is no single law that assures people with disabilities full equality. Instead individual federal laws and court decisions express the various rights to which people with disabilities are entitled.

***A variety of laws have been created to make sure that people with disabilities are able to exercise and enjoy the same rights that all people exercise and enjoy.***

### Examples of National Disability Laws

- Rehabilitation Act of 1973
- Voting Accessibility for the Elderly and Handicapped Act of 1985
- Americans with Disabilities Act of 1990 (ADA)
- Assistive Technology Act of 1998
- Individuals with Disabilities Act (IDEA)
- Americans with Disabilities Act of 1990 (ADA)
- National Voter Registration Act of 1993

### Examples of Connecticut Statutes

The Connecticut General Assembly has also established State Statutes that protect the rights of people with disabilities.

- ***“No person placed or treated under the direction of the Commissioner of Mental Retardation in any public or private facility shall be deprived of any personal, property, or civil rights, except in accordance to due process of law.”***
- ***“Each person placed or treated under the direction of the Commissioner of Mental Retardation in any public or private facility shall be protected from harm and receive humane and dignified treatment which is adequate to his needs and for his development to his full potential . . .”***

*There are many additional laws and statutes that have been created to protect the rights of people with disabilities. **It is everyone’s responsibility to know about these laws!***

## GUARDIANSHIP RESPONSIBILITIES

Some people with disabilities are unable to make decisions and manage their life without support from others. In these situations, the probate court may decide to appoint a plenary or limited guardian to assume responsibility for certain decisions regarding a person’s life. It is important to know if an individual is his or her own legal guardian, or if a plenary or limited guardian has been appointed. It is also important to know that a guardian has only the powers contained in the probate order, and not others. A guardian has no more power than the state would have to interfere with a person’s basic human rights.

***This means that people with disabilities should always have a central role in deciding what their lives should be like, and in planning and working to meet their goals, even when they need help from others to do this.***

## RESPONSIBILITIES OF PEOPLE WITH DISABILITIES

All citizens, including people with disabilities, can exercise their rights through personal choice. For example, people may decide not to exercise certain rights, such as voting or free speech. Although citizens can choose whether or not to exercise a right, they cannot choose to not exercise their responsibilities. The degree to which a person is held legally responsible will vary from individual to individual based upon their level of functioning and the determination of their legal competence by a probate judge. **These responsibilities can include the following:**

- Legal responsibility for following the law
- Liability for any violation of the law
- Obligation to respond to court summons, warrant, or subpoena
- Responsibility to respect others
- Responsibility to respect others
- Reporting apparent violations of the rights of others to appropriate authorities

***All citizens, including people with disabilities, are responsible for the choices they make and to respect the rights of others.***

## EMPLOYEE RESPONSIBILITIES

All paid employees hired to support people with disabilities have professional and ethical responsibilities to assist individuals to exercise their rights. **Employee responsibilities include the following:**

- Memorize the special and general rights of people with disabilities
- Teach people with intellectual disabilities to understand and express their legal, civil and basic human rights and the rights of others
- Respect the rights of people with intellectual disabilities and teach them to respect the rights of others
- Assist people to exercise their rights and help remove obstacles that prevent them from doing so
- Advocate for the rights of people and assist self-advocacy efforts
- Protect and defend the rights of people with intellectual disabilities from infringement by others
- Report violations of rights to appropriate authorities

## HUMAN RIGHTS COMMITTEE

Suspected violations of human rights should be reported to an individual's case manager, or to a region's human rights committee. The human rights committee is made up of a group of people who are not employees of DMR. This committee provides monitoring to assure the protection of legal human rights of people with mental retardation.

***Human rights committee can be contacted by calling the following numbers:***

**CT DMR North Region:** Toll Free: 800-558-9527 TD: 860-263-2510

**CT DMR South Region:** Toll Free: 888-263-4445 TD: 203-294-4475

**CT DMR West Region:** Toll Free: 866-274-3888 TD: 203-455-3195

# INDEPENDENT OFFICE OF THE DMR OMBUDSPERSON

The Independent Office of the Ombudsman for Mental Retardation works on behalf of consumers and their families. The office addresses complaints or problems regarding access to services or equity in treatment.

*Contact the office for information regarding rights and methods of dispute resolution concerning consumers and/or their families.*



**Hartford:** (860) 418-6047

**Toll Free:** (866) 737-0331

**TD:** (860) 418-6079

