RESOLUTION

OF THE EAST CENTRAL GEORGIA FAMILY COUNCIL REGARDING THE SETTLEMENT AGREEMENT BETWEEN THE GOVERNOR OF GEORGIA AND THE UNITED STATES DEPARTMENT OF JUSTICE

WHEREAS, the "East Central Georgia Family Council" (hereinafter, "the Family Council") had its original name as the "Gracewood Family Council"; and

WHEREAS, the Family Council was founded in July 1984; and

WHEREAS, the Family Council's mission is quality care and choice for every individual with mental retardation and developmental disabilities (MR/DD), irrespective of race, national origin, creed of family members, or place of residence; and

WHEREAS, the Family Council has been an advocate for quality life and safety of persons with MR/DD who reside at the East Central Georgia Regional Hospital's Gracewood campus; and

WHEREAS, members of the Family Council have been actively engaged in advocacy by (a) meeting Georgia State Legislators and Congressmen about issues impacting their family members who reside in Intermediate Care Facilities for Persons with Mental Retardation (ICFs/MR), (b) joining VOR, a national advocacy organization, and (c) attending VOR's annual legislative thrust in Washington, D.C.; and

WHEREAS, members of the Family Council applied for a position on the Governor's Olmstead Planning Committee which purpose is to develop a plan to transition people from ICFs/MR to smaller settings; and

WHEREAS, the members of the Family Council were never acknowledged as applying for a position on the Olmstead Planning Committee and were not accepted; and

WHEREAS, the United States Supreme Court's *Olmstead* decision mandates individual choice; and

WHEREAS, the Governor of Georgia, the Honorable Sonny Perdue, with the United States Department of Justice, without consultation with families, entered into a legal agreement that, if implemented, will displace ICF/MR residents against their best interests and without regard to choice, contrary to *Olmstead*; and

WHEREAS, the United States Department of Justice has undermined the U.S. Supreme Court's *Olmstead* decision by being forceful and aggressive with regard to community transitions and thereby omitting the element of resident choice, whether that be a community or ICF/MR setting; and

WHEREAS, if everyone is forced to accept community living, then no one has choice; and

WHEREAS, the Olmstead decision does not exclude ICFs/MR as a choice; and

WHEREAS, the ideology of the U.S. Department of Justice and the Georgia Governor should not supersede the needs, services and choices of the most frail, fragile, and vulnerable population of Georgians with MR/DD; and

WHEREAS, the ideology of the professional should not take precedence over the family member; and

WHEREAS, at the annual staffing the interdisciplinary team (IDT) has made a mockery of the abilities of the most vulnerable and fragile population of people with MR/DD. The IDT has reported that people with profound mental retardation who have the cognitive ability of infants and no verbal skills have stated they want community living. The IDT has also suggested these individuals can administer their own medication, learn money management, and other such living skills.

NOW, THEREFORE, BE IT RESOLVED, that the East Council Georgia Family Council will step up to the plate, rise to the occasion, remain advocates, and will reckon with the Governor, and the U.S. Department of Justice, with passion, zeal, zest and steadfastness on behalf of Georgia's most frail population with mental retardation and developmental disabilities; and

BE IT FURTHER RESOLVED, that a copy of this resolution will be sent to the following officials, and others:

The Honorable Sonny Perdue, Governor of Georgia

The Honorable Nathan Deal, Governor-elect of Georgia

Frank E. Shelp, MD, MPH, Commissioner, Georgia Department of Behavioral Health and DD

Thomas Perez, Assistant Attorney General for the Civil Rights Division of the United States Department of Justice

Roosevelt Freeman, Regional Director, Office of Civil Rights, U.S. Department of Health and Human Services

Approved and adopted on the thirtieth (30th) day of November 2010. We, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the Executive Committee of the East Central Georgia Family Council.

/s/ Ann S. Knighton
Ann S. Knighton, President

/s/ Rosalind Hodgson
Rosalind Hodgson, Secretary

Roy Barrios, Immediate Past President
Theresa Senior, Vice President
Komala Balakrishnan, Treasurer
Betty French, Member-at-Large
Robert Bradford, Member-at-Large
Irene Welch, Member-at-Large