



## IDAHO COUNCIL ON DEVELOPMENTAL DISABILITIES

NEWS RELEASE – FOR IMMEDIATE RELEASE

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### **ICDD officials call on Legislative Leaders to put safety controls in place to allow citizens with developmental disabilities to engage in legislative process**

BOISE – (Dec. 15, 2020) – The Idaho Council on Developmental Disabilities, with the backing of 30 supporting groups, sent an 11-page letter on Monday to Gov. Brad Little, House Speaker Scott Bedke, Senate Pro Tem Chuck Winder, and the directors of the Idaho State Police and Department of Administration, expressing deep concern about their ability to participate in the forthcoming Idaho legislative session beginning on Jan. 11, 2021.

Fearing the potential of a hostile and dangerous environment created by unlawful, gun-toting anti-government militia groups, which occurred during the August special session, Idaho Council on Developmental Disabilities officials said participating in the 2021 legislative session could put their lives in jeopardy.

Beyond the fear of uncontrolled angry mobs, Council officials also are deeply concerned about the potential spread of the coronavirus in the Statehouse in view of the fact that most legislators are failing to follow basic COVID-19 protocols set forth by the Central District Health Department such as wearing face masks, social distancing and limiting group sizes to 10 or fewer people.

Council officials and affiliate groups called on Bedke and Winder Monday to explain what measures will be put in place to create a safe and welcoming environment at the Statehouse.

“Anti-mask and anti-social distancing activism in the Capitol Building, including the kind we saw in Idaho during the August 2020 Special Legislative Session, is not a simple political statement or contest for political influence. It is a life-threatening activity for those people with developmental disabilities who need a Covid-19 safe atmosphere to have their voice heard during the public policy decision making process,” said Christine Pisani, executive director of the Idaho Council on Developmental Disabilities.

“People with developmental disabilities are twice as likely to contract Covid-19 and five times more likely to die from it than the overall population,” she said, citing a Syracuse University study.

Some people who have pre-existing medical conditions such as diabetes, cancer, severe respiratory issues, heart disease or asthma do not want to put their lives at risk, she said.

“I’ve got so many questions about how we can participate in our Democratic process at the Idaho Legislature when there doesn’t seem to be any safety plans in place,” said Emily Petersen, ICDD Board Chair from Kimberly. “How will people get information? How can we talk to legislators? How can we testify? How can we do any of those things without putting our lives in danger?”

The ICDD’s concerns come forth as Idaho legislators talk about making deep cuts to state support for Medicaid programs and attempting to repeal Medicaid expansion, Pisani said. Another issue is the mounting need to

address the direct care workforce crisis across all service industries, including for people with developmental disabilities, she said.

“Any decisions related to Medicaid significantly impact people with disabilities and seniors very directly,” she said. “Not assuring their participation is simply anti-democratic.” It also has a “chilling” effect on people’s First Amendment rights, Pisani said.

Adds Petersen, “If we as a whole are not present to assist in educating legislators about the issues important to our survival, the results could be devastating. That could hurt so many Idahoans.”

Ahniah Selene, a Boise man who is a quadriplegic and uses a wheelchair for mobility, said he normally likes to report on issues during the legislative session but right now, “I’m very scared, quite frankly,” he said. “There doesn’t seem to be any covid protocols in place, and if there are, they are not enforcing them.”

Selene has diminished lung capacity and asthma – high-risk factors for entering a building without safety protocols. “I am very concerned to the extreme,” he said.

As of Dec. 14, Idaho had 1,038 new confirmed or probable cases of COVID-19 statewide amid a total of 122,217 cases since the pandemic struck Idaho. So far, 1,194 people have died statewide, according to the [state coronavirus website](#).

There are a number of legal issues related to the current, tense situation, Pisani said. For instance, Idaho State law requires compliance with state protocols in the state Capitol building, according to a recent opinion by the Idaho Attorney General (Opinion No. 20-70562, Aug. 13, 2020).

The Idaho Legislature has authority over its own chambers, offices and meeting rooms, the AG’s opinion said, but the public areas of the Capitol Building are subject to the Covid-19 orders set forth by Central District Health Department.

Failure to comply with the state public health orders in the public areas of the Capitol is a misdemeanor, officials said. Refusing to comply with Covid-19 protocols in public areas also likely violates Idaho’s public nuisance law, officials said. (See page 5 of letter for details)

ICDD officials would like to see legislative leadership tap into the services of the Idaho State Police, Ada County Sheriff’s office, and Boise Police Department to ensure a safe environment at the Statehouse.

ICDD officials are calling on Gov. Little, legislative leadership and the agencies responsible for security and safety in the Statehouse to:

- Ensure that First Amendment rights are protected.
- Pledge that people with disabilities and families will be able to provide testimony in person, free from intimidation.
- Make certain that access for people with disabilities is secured in a safe and respectful way.
- Ensure that public health orders designed to protect all citizens are upheld.

“We have no reason to believe that we won’t see a repeat of the Special Session that took place this summer in the upcoming General session,” Pisani said.

The 30 groups backing the ICDD letter are:

Idaho Association of Community Providers  
Living Independence Network Corporation  
Idaho Coalition Against Sexual & Domestic Violence

Access Concepts & Training, Inc.  
Center for Community and Justice  
United Vision for Idaho  
Idaho State Independent Living Council  
Agnew: Beck  
Center for Independent Living  
Intermountain Fair Housing Council  
Idaho Access Project  
North Idaho Children's Community Mental Health  
Consortium for Idahoans with Disabilities  
Disability Rights Idaho  
Boise City/Ada County Housing Authorities  
NAMI Idaho  
Idaho Caregivers Alliance  
Center on Disabilities and Human Development  
Access Behavioral Health Services, Inc.  
Community Council of Idaho, Inc.  
Power of Translation  
Corpus Christi House  
Disability Action Center- Northwest, Inc.  
Idaho Education Association  
Idaho Voices for Children  
National Association of Social Workers Idaho Chapter  
Idaho Anti-Trafficking Coalition  
Idaho Assistive Technology Project  
Advocates for Inclusion  
Idaho Parents Unlimited

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