



## CANDIDATE FOR GOVERNOR SURVEY

- 1. Counsel:** When making decisions regarding services, programs and laws that could impact people with disabilities, who do you turn to for advice and counsel?

I always say that if you're not at the table, you're on the menu. With that in mind, I always seek to bring as many stakeholders into the conversation as possible, but pay particular attention to those being directly impacted by any decisions being made. As Governor, I would follow that same principle and consult not only staff (including hiring staff with disabilities dedicated to the concerns of people with disabilities), but also disability advocacy organizations, as well as both medical and mental health experts.

- 2. Legacy:** What legacy and/or contribution do you hope the disability community remembers you for?

As Sheriff of Dallas County, I strived to provide better care and outcomes for inmates with disabilities, including ensuring access to mental health services. First, with the help of many stakeholders, we built a medical facility inside the jail. The nearly 140,000 square feet, 282-bed facility included medical and mental health clinics, a full-service pharmacy, a dental office, a radiology unit and two intensive care units, one for men and one for women. All of this was done by consulting and getting a strong "buy-in" from the US Department of Justice, County officials, and medical and mental health experts.

During my last year in office, we implemented the Dallas County Smart Justice Initiative with the goal of reducing incarcerations of individuals with mental illness, evaluating individuals who could benefit from pre-trial release and helping individuals with disabilities obtain services to prevent recidivism. These efforts required coordination with specialty courts, diversion programs, the dispatch of teams of police officers, paramedics and mental health experts trained to de-escalate circumstances and assess if jail was necessary. We initiated mental health and suicide screenings at the jail and referrals for mental health services upon release.

As Governor, I will fight for all Texans, both with or without disabilities, no matter who they are, where they're from, who they love or what disabilities they may have. Disability rights are civil rights and no person should face discrimination based on disability status. Yet for over a decade now, Texas ranks as among the worst states for people with disabilities. I will fight alongside the disability community to eliminate man-made barriers for disabled Texans so that they can enjoy the same access as everyone. I will fight so that Texas climbs in the national rankings, because the Texas I believe in is one where full emancipation and access for all are a reality in the form



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of full community inclusion, equal economic opportunity, accessible transportation, affordable housing, inclusive education, healthcare and long-term services & supports

**3. Emergency Preparedness:** What can the state do to improve emergency management and preparedness for people with disabilities?

Emergency preparedness and response programs need to be accessible to folks with disabilities. Texas must develop a more effective system whereby people with disabilities are identifiable and the relevant data can be accessed by local governments to better deploy resources and rescue teams in emergency scenarios. Government actors should actively consult disability-centered emergency preparation and crisis response groups who have a much more nuanced understanding of the challenges faced by people with disabilities before, during, and after emergencies so as to better prepare, rescue, and recover.

**4. Transportation:** What steps should the State of Texas take to increase access to public transportation for Texans with disabilities who live in rural areas? What about for urban areas?

For many people with disabilities, the biggest obstacle to having equal access and opportunity is the lack of accessible, affordable and reliable transportation options. Texas must work with local authorities to expand on paratransit and taxi vouchers, including vouchers for accessible ride-sharing to provide additional means of transportation. The fast growing ride share industry presents an opportunity to do precisely that and the state should encourage local governments and advocacy groups to work with ride share companies to make their services more accessible via wheelchair accessible vehicles and allowing transport of passengers with service animals. Additionally, given the growing problem of disabled parking abuse, the state should promote strengthening accessible parking enforcement and increase the availability of accessible parking options for people with disabilities.

**5. Community Integration:** In the *Olmstead v. L.C.* decision, the U.S. Supreme Court issued a ruling that requires states to eliminate unnecessary segregation of persons with disabilities and to ensure that persons with disabilities receive services in the most integrated setting appropriate to their needs. What more, if anything, can the State of Texas do to implement this requirement?



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Texas must do more to come into complete compliance with the Olmstead decision. At present, we have an institutional bias in Medicaid funding for long term services and supports that prioritizes funding for 13 state supported living centers and forces approximately 140,000 individuals with intellectual and developmental disabilities to wait as long as 14 years for the lesser cost, non-segregated home and community based services. We must prioritize funding for home and community based services. And as Governor, I will fight for all Texans to have access to the support they need regardless of their disability so they may live, play and work in the community. In terms of employment, the State should be leading by example and be a model employer of persons with disabilities, and must put an end to the shameful practice of paying sub-minimum wage, and instead provide incentives for private employers to hire more people with disabilities.

**6. Families & Caregivers:** What, if anything, do you think the State of Texas should do to assist families and caregivers of Texans with disabilities?

Information about state resources for people with disabilities should be made as accessible as practically possible for families. Texas should work with advocacy groups to help provide the resources and training, so that the best caregiver professionals are attracted to this state and that we are paying direct care attendants and related professionals a living wage, essential to maintaining independence for people with disabilities. Texas must also restore the funding cuts for Early Childhood Intervention (ECI) that enable infants and toddlers with developmental disabilities receive the services they need, at the most critical time, to thrive and grow.

**7. Housing:** What action, if any, would you take to increase access to affordable, accessible, integrated housing for Texans with disabilities? Do you support increased funding for the Housing Trust Fund?

Texas should work to expand and create initiatives that provide fair and affordable, accessible, and integrated housing for people with disabilities, especially those of low-income status, people who are at risk of homelessness and those who are transitioning out of institutions and into communities. As Governor, I will make sure to work with disability advocacy groups, experts and the appropriate authorities to sufficiently meet the housing needs of the disability community.

**8. Voting:** What steps would you take to ensure that Texans with disabilities have the same access to voting (registering and casting a ballot) as Texans without disabilities?



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Voting is at the core of who we are as Americans and as Texans. It is a right that Americans have fought and died for, and it is the most fundamental way to participate in our democracy, yet Texas is amongst the worst states for both voter registration and turnout. We must do more to end the assault on voting rights and expand voting rights for Texas citizens, including people with disabilities. People with disabilities encounter greater barriers to exercising their right when registering to vote, getting to the polls, casting their ballots and filing complaints. In fact, many voters with disabilities are denied the right to vote in person due to the onerous photo ID requirement. As Governor, I will support legislation that expands and protects the rights of Texans citizens with disabilities to fully participate in the voting process. Texas should also work with appropriate government authorities and advocacy groups to ensure that adequate resources are dedicated to ensure people with disabilities have access to voter education and registration services, sufficient accessible transportation options are available to polling locations, all polling locations are ADA accessible and that both guidelines are accessible and support is sufficient for filing complaints.

**9. Special Education:** Texas implemented a limit on the number of children receiving special education services, which lead to tens of thousands of children with disabilities not receiving the services for which they were eligible. Do you support or oppose increased funding to ensure that Texas public schools and teachers have the resources and training necessary to meet the diverse needs of students with disabilities?

I absolutely support increased funding for special education, including funding for additional resources to identify children with disabilities and students who qualify for special education. I also support special education training for all teachers so that they are prepared to teach every child, including students with disabilities, and as an means of including and supporting students with special education needs in general education classrooms. I am where I am today, because despite my humble upbringing in the poorest neighborhood in San Antonio, a Texas public school gave me the opportunity to succeed. Our public schools are the path to opportunity, but for too many Texans, that opportunity is slipping away, particularly for children with disabilities. Texas should work to ensure that students with disabilities receive an appropriate early childhood, secondary, and postsecondary education in the least restrictive environments.

Since 2004, a cap on special education by the Texas Education Agency has deprived hundreds of thousands of children with disabilities from a quality public education. Just in January, the federal government ruled that Texas violated the Individuals With Disabilities Education Act (IDEA), passed in 1975 that requires all students who qualify to receive special education services. The National Center on Learning Disabilities called the special education cap “the



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largest-scale violation” of IDEA. By one estimate as many as 250,000 students who should be getting special education services are not and nearly 30% of Texas’s special education teachers aren’t even certified in the field.

It is the State’s responsibility to ensure all of our children have the opportunity to receive a quality education and right now the state simply isn’t doing its job. Rather than investing in our future, Governor Abbott and his allies have done everything possible to undermine and attack our public schools. That is why fixing our education system will be one of my top priorities as Governor. Texas should work to integrate our classrooms, make sure schools and teachers have the resources and training necessary to serve the needs of children with disabilities, and assist students in receiving transition services to prepare for life after school. If we want to prepare Texas for the future and ensure our kids are prepared to compete in a 21st century global economy, we must prioritize investing in public education. Public schools, unlike vouchers for private schools, are the only place that children with disabilities have a right to IDEA protections which insure a free, appropriate, public education.

**10. Employment First:** As an Employment First state, it is the policy of the state that earning a living wage through competitive employment in the general workforce is the priority and preferred outcome for working-age individuals with disabilities who receive public benefits. What steps can the State take to strengthen the goals of Employment First?

It is a terrible myth that Texans with disabilities cannot work for competitive wages in the community. Texas should fully enact the Texas Employment First Policy to promote existing employment services through outcome-based monitoring, increasing education about Employment First for state agencies, and expand access to information to individuals with disabilities and their family members about work incentive programs.

On average, there exists a significant financial disparity between people with and without disabilities, which is reinforced by lack of access to the same educational and employment opportunities, which results in dependence on public benefits that sometimes do not offer the base income necessary for financial security. Texas must improve transportation options, employment opportunities and serve as a model employer of people with disabilities. Texas can also support entrepreneurs by amending current law to include people with disabilities as “economically disadvantaged”, for the purposes of government contract targeting.



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**11. Engagement:** A key slogan of the disability community is “nothing about us without us.” What do you think the disability community can do to more effectively engage decision makers and participate in the policy decisions that affect their lives?

In my time as Dallas County Sheriff, I was often in the community and actively involved in listening to and interacting with many diverse members of our large county. I listen and learn from those who share their stories with me, and I will take those experiences and feedback to learn how we can better serve all Texans. As Governor, I would encourage all people with disabilities to reach out to me and help us learn what we can do as a State to better serve and represent the interests and individuals from the disability community.

**12. Access to Services:** There are approximately 130,000 unduplicated Texans with disabilities waiting for services in their communities. These people are on waiting lists, which are also referred to as interest lists. Some people will wait as long as a decade or more to receive services. What steps would you take to reduce, at a reasonable pace, the number of people on the waiting lists for home and community services?

The lists are getting longer in part because there were no new diversion slots created in the last session. Therefore, Texas should create several thousand new diversion slots and increase them in every session so that we eliminate the waiting period and permit people with disabilities access to home and community based services when they need them.

**13. SSLCs:** Approximately 3,100 Texans with disabilities reside in the state’s 13 State Supported Living Centers (SSLCs). While SSLC residents account for only 0.2% of Texas’ disability population, nearly 40% of the money used to fund services for people with disabilities goes to SSLCs. Would you support or oppose creating a plan to consolidate or close SSLCs and to use those funds to expand community integration for Texans with disabilities?

Texas should follow the Sunset Commission’s recommendation that stated back in 2014, the need to consolidate the SSLCs and close some, and then appropriate those funds for Medicaid waiver waitlists for home and community based services for people with intellectual and developmental disabilities.



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### 14. Institutions: While

many people wait

years to receive services in their community, there is no wait to enter an institution. This is sometimes referred to as institutional bias. Would you support creating a plan to eliminate the institutional bias in the provision of Long Term Services and Support (LTSS)? If so, how would you do so?

Texas must address the institutional bias of Medicaid funding for long term services and supports. To do so, we must close and consolidate SSLCs as stated above, and fully fund the Medicaid waivers and fund new diversion slots for long term services and supports so that people with disabilities have access to home and community based services when they need them. People with intellectual and developmental disabilities, including children with complex medical needs, live healthier, happier lives in their own home and in the community than in institutions. It costs a lot more for the State to institutionalize individuals in SSLCs than it does to provide home and community based services. So it makes good fiscal policy and supports the civil rights of people with disabilities to fully fund diversion slots and eliminate waitlists for long term services and supports.

**15. Community Attendants:** The Texas Workforce Commission predicts a critical shortage of community attendants to provide services to Texans with disabilities who are living in their homes. What steps would you take to alleviate this shortage? Many people believe that the current base wage of \$8 per hour is a major reason for both the growing shortage of community attendants and the high turnover rate for these workers. What, if anything, would you do to help raise wages and benefits?

To address the increased need for community-based services, we must take steps now to expand the workforce that is essential to providing those services. Community attendants, like other workers in direct care professions, must be paid a living wage. As Governor, I would support an increase in wages for community attendants to expand this vital workforce.

**16. Medicaid:** Do you support or oppose turning Medicaid into a system of block grants? If you support it, how would you implement such a program? If you oppose it, are there improvements you would support?

I would oppose any cuts to Medicaid via caps, cuts, or block grants. I also oppose enacting work-requirements on Medicaid. Because Texas has the highest rate of uninsured in the nation, 1 in 6, we ought to expand Medicaid in Texas using mostly federal dollars which will lower the rate of uninsured and help cover more Texans with disabilities. State Medicaid expansion has



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also been shown to increase the rate of

employment of people with disabilities. We must strive to reduce costs for patients, improve overall healthcare outcomes, and fight any attacks on healthcare for vulnerable members of our communities. A governor's ego should never get in the way of improving people's lives.

**17.Pre-Existing Conditions:** If elected, would you support or oppose legislation prohibiting insurance companies conducting business in Texas from denying coverage to people with pre-existing conditions?

No Texan should ever be denied coverage due to a pre-existing condition. To safeguard against potential further attacks on the ACA, I would support and sign state legislation that bans this type of discrimination from insurance companies.

**18.Technology & Equipment:** What steps should the State take to ensure that Texans with disabilities have access to, and are informed of, new innovations in assistive technology and durable medical equipment?

Texas ought to be the pioneer in innovation and I will seek ways to provide better access to assistive technology and durable medical equipment, and universal design for the benefit of all Texans.

**19.ADA:** If elected, would you support or oppose legislation that would waive sovereign immunity in cases involving violations of the Americans with Disabilities Act?

Our state government and Texas businesses should not be ignoring any part of the ADA. It's offensive that Texans with disabilities would not be treated fairly due to legislative inaction or a governor's refusal to act. If elected, I would support legislation that puts these values into law, and I applaud Senator Hinojosa's efforts to pass similar legislation in the Texas Senate.

**20.Cannabis:** Would you support or oppose expanding the legal use of medical cannabis in Texas to cover more medical conditions?

As governor, I would support and sign legislation that allows Texans to access and use medical cannabis, and decriminalize small amounts of marijuana. While I was Sheriff of Dallas County, we implemented a new "cite-and-release" policy that kept those with certain small, personal amounts of marijuana from going to jail. We must treat Texans seeking medicine as patients, not criminals.