

POSITION STATEMENTS

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RIGHTS SUMMARY

People with intellectual and/or developmental disabilities¹ have the same basic legal, civil, and human rights as other citizens. They may need accommodation, protection, and support to enable them to exercise these rights. Their rights should never be limited or restricted without due process.

ADVOCACY

Advocacy on the individual or systems level is acting with or on behalf of an individual or group to resolve an issue, obtain a needed support or service or promote a change in the practices, policies and/or behaviors of third parties. Advocacy is essential for promoting and protecting the civil and human rights of people with intellectual and/or developmental disabilities and for establishing, maintaining or improving their quality of life.

AUTONOMY, DECISION-MAKING SUPPORTS, AND GUARDIANSHIP

All individuals with intellectual and/or developmental disabilities (IDD) have the right to recognition as persons before the law and to enjoy legal capacity on an equal basis with individuals who do not have disabilities in all aspects of life (United Nations Convention on the Rights of Persons with Disabilities (UN CRPD), 2006). The personal autonomy, liberty, freedom, and dignity of each individual with IDD must be respected and supported. Legally, each individual adult or emancipated minor is presumed competent to make decisions for himself or herself, and each individual with IDD should receive the preparation, opportunities, and decision-making supports to develop as a decision-maker over the course of his or her lifetime.

CRIMINAL JUSTICE SYSTEM

People with intellectual and/or developmental disabilities (IDD) have the right to justice and fair treatment in all areas of the criminal justice system, and must be afforded the supports and accommodations required to make justice and fair treatment a reality.

¹ Intellectual Disability (ID) is a lifelong condition where significant limitations in both intellectual functioning and adaptive behavior emerge during the developmental period (before adulthood).

Developmental Disabilities (DD), first defined in 1975 federal legislation now known as “The DD Act”, are a group of lifelong conditions that emerge during the developmental period and result in some level of functional limitation in learning, language, communication, cognition, behavior, socialization, or mobility. The most common DD conditions are intellectual disability, Down syndrome, autism, cerebral palsy, spina bifida, fetal alcohol syndrome, and fragile X syndrome.

The acronym “IDD” is used to describe a group that includes either people with both ID and another DD or a group that includes people with ID or another DD. The supports that people with IDD need to meet their goals vary in intensity from intermittent to pervasive.

HUMAN AND CIVIL RIGHTS

The human and civil rights of all people with intellectual and/or developmental disabilities must be honored, protected, communicated, enforced and thus be central to all advocacy on their behalf.

INCLUSION

All people with intellectual and/or developmental disabilities benefit when fully included in community life.

PHYSICIAN-ASSISTED SUICIDE

Physician-assisted suicide must be prohibited for people with intellectual disability (ID) due to the inherent risk of undue influence.

PROTECTION FROM MISTREATMENT

People with intellectual and/or developmental disabilities must be free from abuse, neglect, or any kind of mistreatment.

SELF-ADVOCACY AND LEADERSHIP

People with intellectual and/or developmental disabilities (IDD) have the right to advocate and/or be supported to act as self-advocates. Self-advocates exercise their rights as citizens by communicating for and representing themselves and others, with whatever supports they need. Self-advocates must have a meaningful role in decision-making in all areas of their daily lives and in public policy decisions that affect people with IDD.

SELF-DETERMINATION

People with intellectual and/or developmental disabilities (IDD) have the same right to, and responsibilities that accompany, self-determination as everyone else. They are entitled to opportunities, respectful support, and the authority to exert control in their lives, to direct their services, and to act on their own behalf.