Voting and Other Legal Rights, Including Self Determination

Pursuant to AutCom’s founding principles of social justice and advancing human rights, we focus in this issue on the theme of voting and other legal rights, including self determination. We are very pleased to present insightful articles and poems about hope, dreams, freedom, individual rights, the law, advocacy, respect, personal power, equity, understanding, and autistic pride, achievement, and celebration. We received so many important articles and poems on these topics that some must go into the next issue which will be published in the Fall. We invite you to read, consider, and share this issue and its rich content far and wide, helping to spread the vision and the reality of full citizenship and participation for all.

**Ask Rob**

**“Who should vote and why?”**

I think we should all be proud to vote. In some countries we are second class citizens and they don’t want us to vote. They are in charge of money and our vote will tell them how to spend the money the government gives them for us. We should have a say and through voting we can let our legislators know that we are watching them.

As I have said before, with the right supports we can be good citizens in this world. We may need people to help us vote. We may need a ride to the polls, or we may need someone to explain what voting is all about. If we are not told or supported, we can’t vote. Then our rights are truly denied. We cannot and should not be left out of decisions that affect us. If we need information and support, I do not think that is too much to ask.

Remember to get out and vote! Rob Cutler

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My name is Ben Breaux. I am 18 years old, and I am a non-speaking autistic. I began expressing myself through RPM about 4 years ago. It has been a life changing journey. I take great pleasure in writing about my experiences, as well as sharing my thoughts and insights on a variety of topics.

“Start by doing what’s necessary; then do what’s possible; and suddenly you are doing the impossible.” - Francis of Assisi

Today, in the United States, people with autism and other disabilities do indeed have the right to vote. This is a blessing. It has not always been this way. Thanks to the hard work of many disability rights advocates throughout our country’s history, we now have this affirmative right. People with disabilities not only have the right to simply vote, but they also have the right to any necessary assistance in voting, from a person of their choice.

Yes, this means people who rely on the assistance of another person in order to communicate effectively can vote with the assistance of whomever they choose. RPM-ers can vote! Letter-boarders can vote! Typers can vote! Facilitated communicators can vote! And the list goes on.

Unfortunately, there are still obstacles that get in the way for people like me. I was never given the chance to register to vote while in school like many general education students are. Some state guardianship laws make registering to vote more difficult, since I am not as independent as most neurotypicals are. But thanks to my mom, I plan on voting in many upcoming elections at the local, state, and national level.

Having the right to vote is a privilege that should be taken seriously. I believe that every person eligible should take advantage of the great opportunity of taking part in our democracy. Unfortunately, far too many people in the United States fail to get registered to vote and therefore lose the opportunity of having a say in who leads our governing bodies. In addition, a significant amount of the people who register to vote do not end up voting at all.

I want to encourage everyone to exercise their rights: parents, caregivers, therapists, communication partners, educators, etc. I encourage you to talk to the people with autism in your life about voting and the voter registration process. Please do whatever you can to make sure the autistics in your life are able to exercise their right to vote. It is important that we have a voice in our society.
Self-determination is really an inalienable right that all have, with or without disabilities, to control how they spend their life. In 2013, I was a Michigan Partner for Freedom local leader and member of the statewide steering committee. I was contracted to monitor and engage our listserve. I thought I would challenge members to finish this statement with just five words: “Self-Determination is....”

Here’s mine: Self-determination is ... my life on my terms. These are the responses other Partners for Freedom gave from across Michigan as their 5-word definitions:

“A life of one’s choosing”
“Life, liberty, pursuit of happiness”
“The first step to self-advocacy”
“The freedom to be me”
“A life like anyone else”

Self-determination is not just about rights, though. Self-determination is a balance of rights and responsibilities. Self-determination to me is about a right to a life based on my goals, my interests, my strengths and my schedule. Self-determination also leaves me with a responsibility to take the steps needed to keep my end of the deal. Locally, Michigan Partners for Freedom champions self-determination. I am trained by them and am proud to call myself a local leader. Local leaders teach about the five principles of self-determination. The principles of self-determination are these:

1. **FREEDOM.** The way that this core value of freedom shines in my life reflects how I do what I want, when I want, with whomever I choose. Those things include parties, work, church, volunteering, community band and family. I have been a paid staff at Frontier Distributing since 2007. I use the North Oakland Transportation Authority (NOTA) to get to and from work most days. This has helped me increase my work hours because it is not based on my mom’s availability. Plus, they are never late (sorry mom). I am contracted by Macomb Oakland Regional Center to provide training for new employees on self-determination. Universities and community groups hire me to present on neurodiversity and inclusion through my business The Self Determinator.

2. **AUTHORITY.** The core value of authority has me in charge of my life and gives me the financial backing to correctly run my person centered plan. My plan funds goals I chose that help me become more independent in both work and social dealings.

3. **SUPPORT.** In my mind this is about people that help me carry out my goals and help

(Continued on next page)
make my transition towards independence an accountable reality. I have hired Andi, Aaron and Emily to help me with building my speaking business, cooking, laundry, shopping, haircuts, going to the library or whatever else I need to take care of. This past year I have worked on skills to make me able to actually do a task we have practiced even when staff are not there. We have put written step-by-step directions in my IPAD so I can do laundry, chores, and cook even when I don’t have staff right there. I am an Employer of Record. This means that I am the boss, and I hold the interviews and I hire and I fire staff.

4. RESPONSIBILITY. This core value respects individuals with disabilities as having the responsibility, as well as the capacity, to make contributions to the communities where they live. This is currently evident in my contributing at my church and with animal shelters.

5. CONFIRMATION. The core belief of confirmation relies on me and other Partners for Freedom finding ways to educate on inclusion and self-determination for everyone. I do this through peer mentoring and training through Michigan Developmental Disabilities Institute.

Talking to people about self-determination is about much more than just letting me talk about me. To have a truly self-determined focus is to infuse passion for “living my life on my terms” into all those that society marginalizes.

Alex Kimmel aka “The Self Determinator”
www.alexkimmel.com

Hope’s Ingredients
by Sarah Stup

To have hope is to be rich, since people can use hope when they need help going through life’s stop signs. We people with bodies that work differently, but who are real inside, vote to have our dreams and wishes move.

To do work toward our dreams, we and the people who help us need to identify the two equal ingredients of hope, and then aim high. The determination to get what we want is hope’s first ingredient, and finding pathways to these goals is the second ingredient.

If the path is blocked, take other routes. I have used hope ingredients in my life to reach for the moon.

My Loud Typing Voice
Typing makes me real and true. Without my loud typing voice, I can’t breathe. Stars and my crown of glory point the way. I know who I am. I know where I’m going. I am a writer. I serve my Lord. I am.

Casting my vote
To vote is great. I’ve received my ballot and chosen my favorite candidates.

Mom and I watch “This Week” with George Stephanopoulos to learn more about politics and government so that we can select the best candidate.

With voting I am a contributing member of society. When I cast my vote I am a real person with power. Real power!

Sarah Stup is a critically acclaimed author and blogger with autism who types to speak. She discovered the power of the written word when she was eight, but because she could not speak before then, few appreciated just how bright she was
Freedom Feeds Self-Determination
by Anthony Brown

Without an ability to choose how we are governed, we lose an essential part of ourselves. Voting rights gives people the power to regulate principles of democracy, they find most conducive to their values.

My personal feelings are based on the principle of shared resources and community of souls striving to create a garden of Eden for all God’s creation.

Governmental representatives who share my values would be my self-determined choice.

Dare to remember, dreams teach us unparalleled truth about our innate ability to change outcomes based on our personal and collective beliefs.

Voting is one way of shifting outcomes which should not be taken for granted. If you want change, do something to create the type of world that respects the values of all striving for a kinder gentler world. If you understand democracy, you will vote your conscience not your pocketbook.

My advice to all is stand in your own truth, and let your voice be heard.

Remember to note during election times that you surrender your voice when you fail to cast your ballot.

I am a citizen. That should give me the right to live on my own. You might not understand, but I prefer not to live on my own. I need people to give me lots of help. I need to have the right to choose who those people are. Understand that I made the choice to earn my college degree. I have the right to an education. It uses all my time and energy. I need lots of support, but I have good people helping me.

My everyday rights as a citizen in LaCrosse mean that I can have a voice. I just love going to vote if there is an election. I always pay attention. I know perhaps more than you think about the issues.

I need for people to know that my right to communicate is the most important. You need to know that I have no spoken language, with only facilitated communication as my means of communication. I might have been lost forever in my silent prison. Understand, for much of my life, that is how I lived. Understand that I could not live if this is taken away.

Daniel has been typing to communicate since 2007, when he was 23 years old. He completed his GED in December 2013 and is now working on a college degree. He wants to be a writer and advocate for others like himself.

Themes for Future Issues

Fall 2018: Equality and Self-Determination. Deadline: August 20, 2018

Please note that we accept submissions for issues year-round, and topics are not limited to announced themes.
Power Shift
by Anthony Brown

Democracy? Theocracy?
Stakes are high
Greatest time to be alive

Mountains moving
Attitudes shifting
Accelerated pace
Barriers breaking
Dreams becoming real
No more judgments

Based on fear
Open eyes
Coming near
People shifting, all around,
Questions asked
Demanding change
Voters ready, to upset the game.
Change of power, from I to we
Changing outcomes, for all to see

Pioneer: Anne McDonald
by Rosemary Crossley, Anne McDonald Centre

Anne McDonald was admitted to a state institution for children with IQs <30 in Melbourne Australia in 1964, aged 3. She had severe athetoid CP and could not walk, talk or use her hands. She received no therapy or education—not even a wheelchair—so lay on the floor till I started playgroups at the hospital in 1974. In 1977 Anne, aged 16, weighed 16 kg, and Chris and I started taking her home at weekends to see if we could cheer her up.

Her response to the world she’d been isolated from for 12 years was amazing, and I started to develop a simple communication system for her. She couldn’t lift her arm to point without upper arm support. By the end of 1977 Anne had learnt to read and spell. Her first sentence was I hate fat Rosie!

In 1979, aged 18, Anne won a Writ of Habeas Corpus in the state Supreme Court and came to live with us. After leaving the institution she grew 45 cms physically and attended school and university, graduating in History and Philosophy of Science.

Anne and I wrote a book ‘Annie’s Coming Out’ (Penguin, 1980) which was made into an award-winning movie of the same name (Test of Love in the US) in 1984. The institution was closed in 1985, starting de-institutionalisation in Australia.

Anne loved travelling and presented at conferences around the world. In 2006 she received the National Disability Award for personal achievement at Parliament House in Canberra. She lived with us until her premature death from a heart attack in 2010.

Anne’s favourite activities included going to galleries, the opera and the pub, movies, reading (she finished Proust’s Remembrance of Things Past shortly before her death), partying and bungee jumping.
No Longer Silent
by Kris Medina

Hello, my name is Kristofer Medina. I graduated from Spaulding High School with honors and was a member of the National Honor Society. I was awarded several scholarships to attend college. In May of 2011, I graduated with honors from the University of Vermont with a Bachelor’s degree in English and a minor in Special Education. I am active in my community and I am a member of the Communication Alliance of Washington County mental health services and Green Mountain Self-Advocates. I am an advocate for myself and other individuals with disabilities in the areas of equal education opportunities, quality instruction, appropriate supports, and meaningful collaboration. I have been told by others that I accept challenges willingly and I never give up. I believe that each day is a new day and I approach it with the same level of commitment.

The Right to Communicate
by Anne McDonald

Reprinted from “The Right to Communicate”
No Time for Silence Conference
Syracuse University, May 3 - 5, 1998

For people without speech, talking is often dependent on the generosity of others, either in providing interpretation or facilitation or in giving up time to listen. While this is inevitable, there needs to be an irreducible right to make one’s opinions known on issues concerning future well-being. At the moment, social conversation and medical consent are equal in the sight of the law, both depending on the accidental availability of communication partners with the necessary skills and commitment.

There is no right to be heard. There is no right to an interpreter. There is no obligation to listen.

While social interactions are always dependent on the politeness and tolerance of individuals, it should be possible to legislate for a right to communicate in formal situations such as courts, hospitals, and schools. Without such legally enforceable rights, people without speech will be at the mercy of decision-makers who arbitrarily decide to disallow communication.

Communication falls into the same category as food, drink, and shelter—it is essential for life, and without it life becomes worthless.

Reprinted with permission. Go to AnneMcDonaldCentre.org.au for more of Anne McDonald’s writing.

Equal Rights
Luke Burke, Age 9
Written Using a Letter Board

Autistics should have equal rights to be able to vote and share their thoughts on all matters. I want the world to understand we are also human beings, and our opinions should also count. All I am saying is that we want to be respected and treated as equals. I want this message to create change, and to help people understand we are a strong force to be reckoned with. We are needing to have our voices heard. Be the change and listen please. I promise you autistics are wise. Please give us the same opportunity as everyone else.

No Longer Silent
by Kris Medina
Thoughts About My Life
by Kris Medina

Feeling lonely...feeling trapped...fragile...separated from the world that exists around me...inside a fishbowl...why can't I talk...where is my voice...I hear...I understand...but can't respond...anxious...feeling lonely...feeling trapped...

Autism knows no racial, ethnic, or social boundaries

My voice is in my head...its in my throat...its on my lips...but the words I want to say won't come...only nonsense...jibber jabber...only echoes of someone else's words...feeling lonely...feeling trapped...autism knows no family income, intelligence, or educational levels

A new day has dawned...feeling hope...feeling free...but oh, so scared...who am I...where have I been...my voice in bits of print...my words...finally my words...coming from my head...through my fingers...onto the keyboard...onto the screen...feeling hope...feeling free...autism is growing at an alarming rate and now effects 1 in every 59 children

How can this be...this power of touch...this flow of movement...energy...electrical energy...human energy...our bodies intertwined...I feel it...I do...an emotional connection...our strange new language...feeling hope...feeling free...autism can affect any family and any child

Communication is now a possibility...communication is now a reality...a coupon redeemable for life...a life with meaning...a life with purpose...inside the world...outside the fishbowl...relationships...intelligence released...sharing feelings...feeling hope...feeling free...feeling love...the moment my voice was born...autism is not a sentence, it is a gift...it is who I am.

Knowledge Is Power
People with Disabilities and the Right to Vote
by Kelly Israel, Policy Analyst, Autistic Self Advocacy Network

The right to vote in the United States is one of the most fundamental components of citizenship. Citizens of our country have the constitutional right to decide who will represent them. By voting, U.S. citizens help ensure that their representatives enact policies that they approve of and that their civil rights are protected. Despite this, people with disabilities — including autistic people and other people with intellectual and developmental disabilities — frequently face legal, societal, and institutional barriers that prevent us from voting.

This article provides a primer on the laws that govern voting and how citizens with disabilities can defend our own right to vote.

Federal Laws That Govern Voting
The Equal Protection Clause of the Fourteenth Amendment states that “no state shall...deny to any person within its jurisdiction the equal protection of the laws.” This law means that people with disabilities cannot be unfairly deprived of the right to vote, or of any other right possessed by people without disabilities. Under the Due Process Clause of the Fourteenth Amendment a person must be given notice if one of their rights has been taken away and they must be given the opportunity to appeal. Depriving all persons living in nursing homes or institutions of the right to vote, for example, would violate the Fourteenth Amendment.

The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1974, two of the most important federal disability rights laws, also prevent the states from unduly restricting the rights of voters with disabilities. Title II of the ADA prohibits public entities, like national, state, and local governments, from discriminating against
people with disabilities during the voting process. Section 504 contains the same prohibitions, but specifically applies to private entities who receive funds from the federal government, like providers of supports and services for people with disabilities that receive Medicaid funds.

The Help America Vote Act (HAVA) allows voters to cast a provisional ballot if their ability to vote is in question. A provisional ballot states who the person who has been denied the right to vote wants to vote for. It becomes a regular ballot if the person’s right to vote is later restored. HAVA also requires that voting and all polling places be accessible to people with disabilities, including people with intellectual or developmental disabilities. The Voting Rights Act contains provisions that prohibit a state from requiring people with disabilities to complete any test or meet any requirements for voting not required for all voters.

Barriers to Voting
Even though all American citizens are protected by these laws, there are some state laws that prevent people with disabilities from voting. For example, some states have laws that specifically bar people under guardianship from voting. People with disabilities often face additional institutional or societal barriers to voting. Prejudice against people with disabilities can lead others involved in the voting process, such as election officials, to assume that people with disabilities do not have the capacity to vote. In one case, New Jersey election officials refused to count ballots submitted by residents of a psychiatric hospital unless they could prove they could vote, which New Jersey courts found was unconstitutional. There are also countless examples of support staff at nursing homes, group homes, and institutions deciding, without justification and in violation of the law, that their residents cannot vote.

Some states require voters to present a state ID in order to vote. Although these laws do not by themselves preclude people with disabilities from voting, they often disenfranchise low-income people and people with mobility-related disabilities and developmental disabilities. We may be more likely to lack the time or resources needed to acquire a state ID card.

How to Defend Your Right to Vote
These barriers can make it difficult for people with disabilities to exercise our constitutional right to vote! However, people with disabilities who are aware of their rights will be better able to defend them when others insist, based on ableist prejudices and mistaken beliefs, that we cannot vote. When advocating for the right to vote, be aware:

- Only a court or a judge can deprive any U.S. citizen of the right to vote. Election officials or service providers who prohibit a person with a disability from voting solely on the basis of that person’s disability (rather than because that person failed to register or lacks some other requirement of voting in that state) are violating the U.S. Constitution and federal law, unless there is a court order saying that the person cannot vote.
- Any person who is barred from voting can file a provisional ballot, which says who they want to vote for. If a court later determines the person can vote, their ballot will be considered a regular ballot.
- All citizens have the right to challenge in court any denial of their right to vote. It might be best to check with a local state Protection & Advocacy organization for advice on how to do so.
- Any person with a disability, under federal voting laws, has the right to receive help when they need it in order to vote. Anyone who helps a person vote must respect that person’s agency, privacy, and choice of who to vote for.
- If your state has a voter competency law, such as a law that prohibits people with guardians or people with mental disabilities from voting, make people aware of the unfairness of this law and advocate for changes to the law.

Above all, voters with disabilities should remember that we too have voting rights. Our right to enact political change through voting deserves to be protected.

For more information, ASAN recommends the guide, “Vote. It’s Your Right: A Guide to the Voting Rights of People with Mental Disabilities,” created by ASAN, the Bazelon Center for Mental Health

(Continued on next page)
New and Exciting!

*Deej*, a documentary directed by Robert Rooy, with words by DJ Savarese and produced by Robert Rooy and DJ Savarese, was awarded a 2018 Peabody Award.

*My Voice: One Man's Journey to Overcome The Silence of Autism*, featuring Matt Hayes, won an Emmy for Best Direction.

*Outspoken*, a documentary by Emma Zurcher-Long, was screened at the Cannes Film Festival this year.

Matt Hayes, autistic poet, will present “Avoiding Misperceptions of Autism and Resulting Inclusion of a Man with Autism in a Local Poetry Group” at the AAIDD (American Association on Intellectual and Developmental Disability) Annual Meeting in St. Louis in June. His co-presenter is Elbert Williams, III, Director of Graduate Support for Loyola Academy of St. Louis, and fellow member of the poetry group. Sandra McClennen will introduce their presentation.

Alyssa Hillary and Sam Harvey, two autistic people who communicate using both AAC and speech, have co-authored a chapter in *International Perspectives on Teaching with Disability: Overcoming Obstacles and Enriching Lives*. Their chapter, “Teaching with Augmenative and Alternative Communication,” reflects on the experiences of teachers who use AAC ... but only sometimes. The two authors discuss issues regarding AAC in general, as well as specific issues related to their choice of AAC strategies in the classroom. The entire book is relevant to disability issues in the classroom, and their chapter is of interest to those who care about educators with disabilities, AAC, and autism in adulthood.

The book can be ordered from the publisher at https://www.routledge.com/p/book/9781138296572 with discount code FLR40 giving 20% off. If you have questions about the chapter, you can reach Alyssa Hillary at alyhillary@gmail.com

**Thumbs Up**

**Thumbs Up** to ADAPT for its tireless work to end the use of contingent shock, protesting on site at the Judge Rotenberg Center and in Washington, DC, and pushing for legislation and release of FDA regulations to prohibit its use. 4 Things You Should Know About the Judge Rotenberg Center (JRC) http://adapt.org/jrc/ ADAPT Pushes Legislative Answer to Contingent Shock Torture – http://adapt.org/press-release-adapt-pushes-legislative-answer-to-contingent-shock-torture/


**Thumbs Up** to Nancy Weiss and The Alliance for Citizen Directed Supports for offering AutCom members a 30% discount on Alliance memberships. An article on The Alliance will be in the next edition.

**Thumbs Down**

**Thumbs Down** to the Massachusetts Court which again finds for the use of contingent electric shock torture at Judge Rottenberg Center. The Court cites there is no professional consensus that JRC does not conform to accepted standards of practice. Along with no professional consensus it appears there is also no 14th amendment protections for those people who must endure these professional abuses at JRC.

(Knowledge Is Power ,, continued)

Law, the National Disability Rights Network, and Schulte, Roth, and Zabel LLP. You can find the guide and a plain language version at: http://www.bazelon.org/our-work/voting/. Also see The Americans with Disabilities Act and Other Federal Laws Protecting the Rights of Voters with Disabilities (Sept. 2014), at https://www.ada.gov/ada_voting/ada_voting_ta.pdf

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Principles of the Autism National Committee

As a member of the Autism National Committee I endorse for all people with autism, pervasive developmental disorders, and related disabilities the development of high-quality community services, including education, residences, jobs/job training programs, and of individualized support services in all locations for both individuals and their family members; of state-of-the-art communication options for all individuals with unique communicative and social needs; of adequate supports to every family to assist them in maintaining their family member with a disability in their home at least throughout the childhood and adolescent years; and the dissemination of available knowledge of those aspects of the disability requiring special support and understanding; the promotion of research to provide parents and professionals with greater insight into the unique needs of individuals with autism and related disabilities; and the use, development, and promotion of positive, respectful approaches for teaching every aspect of life.

Moreover, I oppose the use of institutions to separate people from their communities, and deprive them of dignity, freedom and the level of independence they can achieve in supportive community living; the use of procedures involving pain, humiliation, deprivation, and dangerous drugs as a means to alter and control individual’s behavior; the increasing use of bizarre technology to control self-injurious and aggressive behavior; the widespread ignorance of the basic social and communicative needs of people with autism; and the widespread disregard for the individual’s unique, basic and human needs. I object to programs which disregard the skills, preferences and basic human needs of the people they serve, and I believe that there is no longer need or any justification for using painful and abusive procedures.

AutCom Membership Form

Name: ____________________________________________

Street Address: ________________________________________________________________

City: __________________________ State: _____________ Zip Code: ________________

Telephone and/or fax (optional) __________________________________________________

Email: ________________________________________________________________

I want to: ______ Renew my membership ______ Become a member

I am a: ______ Person on the autism spectrum ______ Parent ______ Friend

________ Student ______ Professional (field) ____________________________

Enclosed is my membership fee of: __________ $10.00 (Person on the autism spectrum)

____ $30.00 (Regular membership fee) ______ $10.00 (Student membership)

____ $75.00 (Facilitating membership) ______ $500.00 (Lifetime membership)

I am enclosing an additional $__________ to speed up the good work!

Send the above information and a check in the appropriate amount to
Anne Bakeman, AutCom Treasurer
3 Bedford Green, South Burlington, VT 05403
Time to Renew or Join Today!
Annual membership begins in January
Membership form on page 19, and envelope included.

Remember to Get Out and Vote!

THE COMMUNICATOR is a publication of the Autism National Committee, Inc., a 501 (c) (3) charitable organization founded in 1990 to protect and advance the civil rights of people with Autism/Pervasive Developmental Disorder and related disorders of communication and behavior. Contributions of articles, information and letters are welcomed. The Communicator does not carry advertising or fund raising announcements, and we reserve the right to edit all submissions. Your comments are actively sought. Send them to communicator@autcom.org

Attention AutCom Members
Consider requesting extra copies of this newsletter in print to share with your legislator, DD Council, local Arc chapter, families who might want to join AutCom, your child’s teacher, and others. Email Barbara Cutler, bccutler@aol.com, to request additional copies. Be sure to include your mailing address.

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