

Doogri Inc.
San Diego, California

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Re: Opposition to AB-2002

Letter of Opposition

We the undersigned on behalf of Doogri Inc, vehemently oppose [AB-2002: Vehicles: public safety: Blue Envelope Program](#), a proposed program for people with disabilities, due to lack of stakeholder input and unsupported data. The potential mandatory development of disability identification for drivers and the use of special envelopes for police interactions with individuals on the autism spectrum is expensive, dangerous, and does not represent constituent requests for programming. Disability identification is problematic due to privacy and civil rights concerns.

This proposed program lacks stakeholder input, reliable data, and presents significant concerns regarding privacy, civil rights, and effectiveness. The current pilot program in San Diego does not align with constituent requests and appears to have been developed without genuine consultation with the affected community. Claims regarding the protection of disability identification for drivers lack substantive evidence and raise serious privacy issues.

Falsified Data Claims

Claims of support from organizations such as NAMI California and the Autism Societies are unsubstantiated, as evidenced by the lack of policy positions on their websites. Additionally, the cited "RIPA Report" does not address developmental disabilities and racial profiling, making its use in justifying this program dubious.

San Diego Sheriffs' Blue Envelope Program

Contrary to assertions, the San Diego Sheriff's Department program lacks genuine stakeholder input, with leading organizations denying involvement. The program's purported aims do not reflect the concerns or needs of the Autistic and Deaf communities.

RIPA Advisory Board

Efforts to link the RIPA report to the needs of autistic individuals are unfounded, with the report lacking relevant data. The report's flaws and lack of scientific rigor undermine its credibility as a basis for legislative action. The Autism Society's opposition highlights the need for community-driven, voluntary programs with robust protections for data privacy.

Recommendation to Kill the Bill

Given the lack of substantive support and potential fiscal implications, we urge the voluntary withdrawal of AB-2002 from the Assembly. Signatories include experts in autism research, taxpayers, and parents of autistic children.

Expensive and Dangerous

AB-2002 risks significant financial costs without evidence of effectiveness, potentially diverting resources from more pressing needs. Moreover, the program's implementation lacks necessary standards and safeguards, posing risks to individuals with disabilities.

Replication of BPC Standards

Concerns regarding the program's potential to replicate the scope of speech therapy and its impact on law enforcement standards underscore the need for comprehensive, evidence-based approaches to communication support.

Dangerously Diluted Standards

The bill's lack of minimum standards and historical parallels to harmful practices necessitate its rejection. High standards in law enforcement are essential to protect individuals with developmental and intellectual disabilities from abuse and iatrogenic effects.

In conclusion, AB-2002 poses significant risks and lacks the necessary evidence and stakeholder input to justify its implementation. We urge policymakers to prioritize evidence-based, community-driven solutions that uphold the rights and safety of individuals with disabilities.

Research and Analysis

The current pilot program in San Diego does not reflect what constituents have asked for. It may reflect what your stakeholders decided in a meeting about us, without us. We have experience with opposing legislation for programs that promote using autism as an excuse for illegal behavior. [We killed bills in New York](#) and other states.

1. There is no substantive data to indicate a need for DD/ID drivers to request special accommodation while operating a motor vehicle.
2. There is no public data that corroborates with the San Diego Sherrifs' pilot initiative to match constituent demands for a necessity.

Falsified Data Claims

We asked Matt Julian, Legislative Assistant to Assemblywoman Kate Sanchez, to provide substantive data to support the initiative. He claimed that the initiative was spurred by the "[RIPA Report](#)". Upon scrutiny of his cited materials, we found that the [RIPA report](#) was a summary of findings on fatalities and abusive encounters because of ***racial profiling***. Race and Developmental Disabilities are not compatible focus groups for legislative programming; as such, the bill is suspicious in its intention to misrepresent a need or a request to establish this mandate.

The reports do not have segmented data about developmentally disabled people, or disabled people at all. Archival meeting minutes record a [June 14, 2016 letter from ACLU of California](#), Disability Rights of California, NAMI California, The Arc California, National Black Disability Coalition, Independent Living Resource Center San Francisco, and a community advocate, asking that the Board provide specific information on the nature of the disability for the 1.2% of the drivers who were profiled, but the Board accurately concluded that officers cannot log disability data, being unqualified to make these assessments.

- Consequently, RIPA has not reported segmented data on the nature of the disability of the 1.2% of drivers who were profiled.
- The word "autism" or "deaf" does not appear in any of the reports.

Mr. Matt Julian, legislative staffer claims they have the support of NAMI California, however their website does not yield any search results on their policy position. Mr. Matt Julian claimed the Autism Societies have initiated this local program. Mr. Matt

Julian confirmed that the Sherrif program is not developed yet, and therefore their spot bill is generic to “keep it wide open” for any program with their skeleton would satisfy the mandate.

San Diego Sheriffs' Blue Envelope Program

I spoke with the San Diego Sheriff's Department about the Blue Envelope program: Lieutenants David LaDieu, and Nate Rowley of the San Diego Sheriff's Department who is “ the program lead for the Blue Envelope Program in San Diego and one of the people who helped craft the legislation.” Rowley said that although he is a parent of an autistic child, the program was developed with stakeholder input and not his personal lived experience.

I discussed their [original Blue Envelope program](#) with them in great detail. They initially claimed that it was heavily pushed by the Autism Society and “the deaf people, lots of deaf people”. As I am steeped in both Autistic and Deaf culture, I reached out to the leading organizations in San Diego.

1. The Autism Society sent written correspondence indicating that (1) they were not a part of the San Diego program development, and (2) listed their concerns and opposition to the program, reflecting the opinion of the members they serve.
2. I also surveyed the Deaf community, and the only knowledge of this program among Deaf people is that it was developed to help people who have been harmed by an officer because of their deafness, be allowed to pursue a civil claim on the basis of a hate crime. No Deaf person confirmed any support for the program, nor indicated that they were a part of the program initiative.

RIPA Advisory Board

We reached out to every member of the RIPA Advisory Board to corroborate the claims made by the legislative staffer, to see if anyone could explain to me how a report on racial profiling has anything to do with autistic people presenting a blue envelope. The stretch is too far.

Based on the Advisory Board member bios, very few scientists are in the group. Whereas the board is tasked with “Conducting and consulting evidence-based research,” the 2024 report only declared 1% of profiled drivers who were assaulted as also classified as disabled, a generic incidental finding. The staffer, Mr. Matt Julian, has cited fake news, and not science.

The report is highly flawed. The data was not collected in the scientific method, nor was it compiled by surveying human participants. The sample size was 1.2% of reports of police departments on 'when' they stopped a driver *and* brute force was used, then how many of those were disabled people (1.2%). This is not enough to claim that the program is data-driven.

The program in San Diego is wasteful. We, the autistics, have not asked for it. The argument is that an officer who is handed a blue envelope would utilize 'more effective' communication to prevent escalation. We all know that there is no federal standard yet for decreasing police profiling and violence through a data-driven curriculum for training. We know that police officers are not prosecuted on fatalities or injuries, as they are protected with the argument that they have not been provided the training. This initiative is suspected of demanding taxpayers to fund the further training of officers, but a national standard for such training has not been federally solicited.

Recommendation to Kill the Bill

As my opposition has been submitted, I strongly encourage the voluntary withdrawal of this bill from the Assembly. There is no substantive language to support the initiative, and there is no need to impinge on fiscal implications for programs that are driven by reports that do not employ the scientific method of surveying the population at large.

Joining us in opposition are:

1. The California Speech and Hearing Association (CSHA), who are concerned that police officers attempting a communication modification would be replicated the scope of practice of a speech therapist, and out of context with traffic safety laws.
2. We the autistic scientists who are the truest subject matter experts have signed this opposition at the end of the letter.

We believe that a more comprehensive and evidence-based approach is necessary to ensure the highest quality of care for all individuals with behavioral health needs. Regardless,

Autism Society Complaint

As a non-profit, the Autism Society cannot be a cosponsor of any legislation, nor be cited for their involvement with any program that leads to legislative initiative. In their

complaint to the Sheriff's allegations that they were included or involved, is the following list of their opposition:

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We are also strongly concerned about the standard Blue Envelope Program and advocate for a modified program based on a few factors.

1. Modified programs need to be done at the community level with stakeholders, including individuals with lived experience who may or may not participate in this program.
2. This is a voluntary program.
3. Open to any individual with communication challenges (including individuals with mental health, TBI, diabetes, etc).
4. Understand that a large portion of our community will want to enroll in a program like this; therefore, First Responders still need training.
5. It needs to be clear this is not a registry, and any data would be protected.

Many states are asking advocacy organizations about how to have First Responders know quickly and effectively if someone has an invisible disability. They are looking at different voluntary models, such as identifying symbols on driver's licenses and ID cards, or community-safety programs, such as the Blue Envelope type programs.

I hope this answers the questions you had. Again, we do not have any knowledge about the process in San Diego County. You would need to speak to the stakeholders in their process.

[end of correspondence]

This Bill is Expensive

An average curriculum costs \$18 million from the budget to be developed. A standardized training module must be scientifically accurate to be meritorious of funded mandatory training to police officers. Police officers are required to profile in emergency situations. Changing the standard of law enforcement would require billions of dollars, and we are still in the dark ages of due process for people who are racially profiled. As this initiative is directed towards disabled drivers, the curriculum would have to include training on all disabilities, not just those with a communication impairment component.

A driver who has a neuromuscular impairment with spontaneous tics or tremors or just should benefit from police training that an arm suddenly punching is not a threat to the officer. For this reason, we also have opposition from physical therapists who have no faith in the training that would be legislated, and not through pedagogy scientists. The

Commission on Peace Officer Standards and Training (POST) has received over \$10 million from the budget, without specific outcomes to indicate concrete changes to residents.

We need more proof that police departments who are trained in accordance with national standards, effectively recognize all disabilities in a driver, and how it may affect social communication in a highly restrictive encounter where a person is pulled over for any reason. Escalations and fatalities are the fault of the officer, not the disabled. We should have due process on these civil grievances, but the police department does not have a mechanism beyond its internal review; default judgments are dismissed on the account of uninformed accidents, excused on lack of funding for training. Is this program going to cost \$20 million each year to help police officers learn when to shoot a vulnerable person?

Replication of BPC Standards

In NY, we introduced a “Communication Support” initiative and with wild success. In a recent [report commissioned by Assemblywoman Wendy Carrillo](#), we indicated the tremendous increase in employment rates for autistic adults when they received communication support from credentialed providers. By design of the initiative, Speech therapists (SLPs) got jobs for being the trigger on-call when an encounter occurs. For this reason, the California Speech and Hearing Association (CSHA), is concerned that police officers attempting a communication modification would replicate the scope of practice of a speech therapist, and out of context with traffic safety laws.

Here in California, we are still being brutalized and our driving privileges suspended without traffic violations, as autism is not yet understood by police officers. When police officers or PERT clinicians who conduct welfare checks learn that an individual is on the autism spectrum, 100% of the time, the encounter results with a referral to driver safety, where the individual must prove that driving “under the influence of autism” does not interfere with driver capacity. As long as the DMV does not publish a guideline for autistic drivers, we must continue to award driving privileges to all who can meet the regulations for testing; being profiled without a moving violations is the greatest injury to people who are profiled in their homes, minding their own business and not endangering others on the road.

Dangerously Diluted Standards

This bill recommends that police officers modify communication with drivers who present a Blue Envelope, without sufficient minimum standards. We firmly believe that maintaining high standards for law enforcement is crucial to ensure the safety and well-being of DD/ID people. The lack of standardization in this regard can lead to a deterioration in the quality of services and increased risks for abuse. Iatrogenic effects are a direct result of substandard practitioners who are not trained in mental health service delivery.

While the Association for Regional Centers (ARCA) claims to co-sponsor this bill, their lead lobbyist Dan Savino could not explain why this bill is in protection of regional center consumers. We discussed fears of self-identification, based on holocaust-survivor upbringing and historic voluntary markings leading to extermination. Savino's retort was that since the program was voluntary, we wouldn't be at risk.

Nazi Germany also told Jewish people that voluntarily wearing a yellow armband would exempt them from the hunt for Jews in the city, but were in fact the first wave of transport to death camps. We must pay attention to historical facts to prevent accidental harm to our youth. At the beginning of World War II, individuals with mental or physical disabilities were targeted for murder in what the Nazis called the "T-4," or "euthanasia," program. We the 1-million autistics are in danger in California. Until corrective measures are implemented, we remain at a tenfold increased risk for traumatizing and fatal encounters with first responders, let alone profiling.

Autism is not an excuse for moving violations

Regional Centers are non-profit organizations that cannot participate in legislative initiatives. They are exempt from government ordinances to report on segmented data. As such, there is a paucity of prevalence of autistic people who are licensed drivers, and those who have asked for a need to be further protected on the basis of their disability. Autism is not a mental condition, and autism does not interfere with driver capacity. We believe this is for the family members and caregivers who are pulled over, to excuse their erratic driving. We know of many mothers who use their cars to keep their children in restraints and soothe them with driving around their favorite locations.

We also don't think there are a large number of regional center consumers who are drivers, and this program is only for drivers, not for emergency responders. ARCA, the lobbyists for the Regional Centers, could not produce the data on how many of their consumers are drivers, and reporting that would infringe on the privacy rights of their consumers. If an autistic person is endangering the driver, then the driver should utilize

personal assistance to care for the autistic passenger so the driver does not need to be affected by unexpected behaviors; this is a funded service from the Regional Centers for the safety of the consumer and their drivers.

A mother-driver does not need to hand over a Blue Envelope when stopped-- it represents nothing that they need differently for their communication with the officer. While the Sheriff's department said that it would be helpful if "they lower their radio volume and stop the flashing lights", all of those suggestions actually inhibit the officer's job from completing their role in law enforcement, endangering the officer who is pulled over in a shoulder without emergency lights or access to base communication.

Deaf people are also entitled to earn their driving privileges. If people voluntarily identify themselves as needed for an adaptation, they may choose to design their own "I am Deaf" sticker for their driver side window. Autistic people may choose to place a "neurodiversity" sticker on their driver side window. Asking people with a communication disability to reach and grab for a Blue Envelope to hand to an officer is a direct danger to accidental shootings; safety rules are taught to keep your hands where they can be seen-- and certainly not in a compromised situation where a person reaches for a Blue Envelope.

We cannot put people at risk on the basis of a misguided and unsubstantiated program that is still not fully developed by the San Diego Sheriff's department. Above all, meaningful legislation requires the active participation of the people it is intended to protect, and there is no evidence that this inclusion has occurred at any stage of development. This bill prematurely cites a program that is not rolled out yet, and forces the Department of Motor Vehicles to stock these envelopes and hand them to drivers who request it voluntarily. There is no safeguard for these drivers to know whether a mark will be placed on their record as a result of obtaining a Blue Envelope under the direction of this mandate.

Support of Opposition, Signatures of Subject Matter Experts
Opposition is from the individuals listed on behalf of the organization

- (1) Henny Kupferstein, Ph.D., San Diego
Autistic Autism Researcher, Doogri Inc.
California State Assembly #77, Candidate
- (2) Kyle J Grant, California Resident
Veteran, United States Air Force
- (3) Heather-Lynn O'Mara

Parent of Autistic Child

- (4) Dr. Jennifer Santamaria PT, DPT
Pelvic floor physical therapist
- (5) Lisa Jeanne Graf
2023 Massachusetts LEND Fellow
- (6) Laoise Donnelly aka Sandra Hoyt
Marketing & Sales Consultant & Teacher
- (7) Jennifer Cole, LMSW
Autistic parent of Autistic child
- (8) Phyllis Chick Hecker
Parent Advocate
- (9) Dr. Givona Sandiford, CCC-SLP, CAS, ATACP
*Speech Language Pathologist, Certified Autism Specialist,
Assistive Technology Applications Certified Professional*