

# 2013-2014 #107 – Final

Proposed initiative measure 2013-2014: **#107**, concerning use of \$10 million from the state's 10 percent sales tax on retail marijuana sales tax revenue annually to establish permanent housing for people disabled by brain injuries, traumatic or acquired, and other intellectual disabilities such as autism. Proposal submitted by Paula Rhoads Hook, Craig Hall and Brian Nemeth. *We dropped the #2 element that would require "leftover" moneys to revert to the Colorado Brain Injury Program as we do not believe the money will ever be "leftover" because there is a substantial need.*

Proposal revised following comment April 2 from Legislative Council Staff and Office of Legislative Legal Services. (Other appropriate spots for this proposed initiative could also be: (a) Section 32 of Article II; or (b) add Section 6 to Article VIII of State Institutions; or (c) add Section 22 to Article X Revenue; or (d) add Section 16 to Article XVIII Miscellaneous; or (e) add to Section 3 of ARTICLE II.)

**"In the Constitution of the state of Colorado, add ARTICLE XXX: "PERMANENT HOUSING FOR PEOPLE DISABLED BY BRAIN INJURIES" as follows: "Be it Enacted by the People of the State of Colorado:**

**SECTION 1.** THAT \$10 MILLION FROM THE STATE'S 10 PERCENT SALES TAX ON RETAIL MARIJUANA BE USED ANNUALLY FOR CREATION AND OPERATION OF PERMANENT HOUSING FOR COLORADO CITIZENS DISABLED BY BRAIN INJURIES.

**SECTION 2.** THAT COLORADO CITIZENS DISABLED BY BRAIN INJURIES SHALL INCLUDE BY TRAUMATIC BRAIN INJURIES AND ACQUIRED BRAIN INJURIES, BUT MAY INCLUDE CITIZENS WITH INTELLECTUAL DISABILITIES INCLUDING AUTISM, CEREBRAL PALSY, EPILEPSY OR OTHER BRAIN DISORDERS.

**SECTION 3.** THAT FROM THIS REVENUE, THE COLORADO BRAIN INJURY PROGRAM SHALL AWARD GRANTS TO NONPROFIT OR PRIVATE ENTITIES OF COLORADO WHICH ARE QUALIFIED TO CREATE AND OPERATE SUCH HOUSING, WITH PREFERENCES FIRST FOR THOSE ALREADY PROVIDING HOUSING FOR PEOPLE DISABLED BY BRAIN INJURIES, SECOND, THOSE ALREADY OPERATING SHELTERS OR TRANSITIONAL HOUSING FOR THE HOMELESS, AND THIRD, THOSE ALREADY OPERATING HOUSING FOR PEOPLE DISABLED BY OTHER INTELLECTUAL DISABILITIES.

**SECTION 4.** THAT A BOARD OF SEVEN PEOPLE SELECTED BY INDIVIDUALS OF THE BRAIN INJURY "COMMUNITY" OF AFFILIATES AND INDIVIDUALS SHALL OVERSEE USE OF THE GRANT MONEY, WITH POWER TO AUDIT AND REQUIRE CORRECTIONS.

**SECTION 5.** THAT THE BOARD HAS POWER TO PROPOSE FURTHER MODIFICATION TO THIS ARTICLE XXX TO PRESERVE, PROTECT AND FURTHER THIS USE OF REVENUES FOR THESE BENEFICIENT PURPOSES.

**SECTION 6.** THAT ALL SUCH HOUSING FOR PEOPLE DISABLED BY BRAIN INJURIES SHALL BE STAFFED BY INDIVIDUALS CERTIFIED IN BRAIN INJURY CARE THROUGH PROGRAMS OF THE BRAIN INJURY ALLIANCE OF COLORADO OR THE BRAIN INJURY PROFESSIONAL NETWORK OR ENTITY APPROVED BY BIAC.

**SECTION 7.** THAT GRANTS SHALL CREATE PERMANENT HOUSING FOR LOW INCOME DISABLED PEOPLE IN FORMATS INCLUDING HOUSING COOPERATIVES, THERAPEUTIC PROTECTIVE HOUSING, ASSISTED LIVING OR INDEPENDENT LIVING.

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S. WARD

4:20 P.M.

**This text is not part of the amendment of the Constitution, but is only for explanation.**

**PURPOSE:** People disabled by brain injuries are often excluded, abused or incarcerated for symptoms commonly misunderstood as offensive, including behavior disorders, which can cause extreme stress that is counter to the health of all involved. People with brain injuries commonly experience difficulty with neighbors. Caregivers without brain injury certification can respond inappropriately. Some American veterans suffered baro trauma brain injuries from blasts, which may be the same veterans remaining homeless now. Some people who are homeless are actually disabled by brain injuries and are unlikely to “bootstrap” out of homelessness without assistance and proper care. Removing this group from the homeless in shelters could assist operators to focus on other homeless who can bootstrap by other methods. Some people disabled by brain injuries are targets for being taken advantage of. Others have severe fatigue that prevents them from being otherwise occupied. Existing state institutions or other housing for people disabled by brain injuries has been targeted for those with more severe disabilities. Often programs fail to provide benefits for individuals who don’t “look disabled” to individuals without medical credentials, education or anything but prejudice guiding them.

We seek to promote creation of low income permanent housing that is permanent, protective and therapeutic, with certified brain injury caregivers. We seek to create housing cooperatives designed for the special needs of this group and others who are compatible. We seek to reduce conflict, predation and stress on these disabled people. We believe this will reduce the number of homeless people in Colorado, and make it possible for these disabled people to use remaining skills in the cooperatives to reduce their costs of living, operate with others in a group to accomplish projects, develop sheltered workshops or enjoy self determination. We believe people disabled by brain injuries may be more comfortable surrounded by others with similar symptoms and needs.

The housing cooperative we pattern our concept after is The Sunflower House of Lawrence, Kansas, which is a “rent reduction coop” in existence more than 50 years.

**ALSO:** Two of the proponents are people disabled by brain injuries and autism. The third is employed as a caregiver of a person disabled by a brain injury. We seek to create housing for ourselves and friends.

We are not attempting to create a hospital, lockup psych ward, or nursing home. Our primary goal is to address the needs of people disabled by brain injuries by providing permanent housing targeting people with benefits between \$1000 and \$1500 a month. We anticipate this grant money will be entirely used on acquisition and rehabilitation of buildings, except for staff needs of the Colorado Brain Injury Program, which is already issuing grants for other programs. We do not anticipate instituting loans or indebtedness. Further operational expenses of these facilities is to be born by the membership. We do plan to develop housing in various locations around the state, possibly by acquiring vacant school buildings or other public buildings, particularly if there is land we could convert to gardens or chicken ranching. The variety of permanent housing may also include very basic Spartan offerings to house those without benefits while they work to get them. We hope to also develop sheltered workshops. Some

coops may target veterans, or only women. Others might provide for disabled adults with children. We hope all coops will be tied together in an association to benefit all.

Though homeless programs now ask individuals about trauma, there is no established estimate of what percent of the homeless population is homeless as a result of a brain injury. Some individuals incarcerated in Colorado are disabled by brain injuries, and may be wrongfully incarcerated if their symptoms have been misinterpreted.

We believe the Colorado workers' compensation system purposely and aggressively entraps individuals disabled by brain injuries by mischaracterizing their symptoms as criminal charges, then flushes them into prison on false allegations they have no ability to defend against, for the benefit of employers and insurance carriers, who dominate entirely the boards of the division. This does not serve the public's best interests, is hideously inhumane and despicable, and costs \$30,000 per person per year without rendering any measurable benefit or rehabilitation.

We believe our program can humanely beat \$30,000 per person per year and also provide meaningful contributions to society without destroying families and causing the gross destruction of the current methods.

We are American citizens with the RIGHT to abolish or modify our government.

Housing for disabled people has perennially been a problem in Colorado because there is little or no method by which to finance it. The marijuana revenues offer a unique opportunity in this moment to resolve this issue. We also believe that the entire society will benefit when there are no skinny old men wrapping themselves in thin blankets trying to sleep in dumpsters in our alleyways. We do not believe the marijuana revenues should be used to enlarge the police departments of this state or others. We are sick of the current police state oppressing us and making us more poverty stricken than before.