

COMMUNITY LETTER REGARDING BILL 37-26

Broad Community Template • Editable by Parents, Caregivers, Residents, Advocates, Providers, and Organizations

Montgomery County Bill 37-26

Disruptive Behavior – Public Facilities – Amendments

Prepared as a community-use template

This document is designed as one broad letter that different community groups and individuals can adapt. Users may keep, remove, or rewrite any section that does not apply to them. The goal is to provide a common factual framework while allowing each sender to speak in their own voice and from their own role or experience.

Important editing guidance

Do not sign or send the letter as though you personally experienced something that you did not experience. Organizations should identify an authorized representative. Individuals may add personal observations in the optional section. The template is intentionally broad so that each sender can decide which concerns accurately reflect their own position.

MASTER COMMUNITY LETTER

Subject: Community Review and Recommended Protections for Montgomery County Bill 37-26

To: Montgomery County Council

To: County Executive Marc Elrich

Dear County Executive and Members of the Montgomery County Council:

My name is _____, and I am writing as a:

- | | | |
|---|---|--|
| ☐ Parent | ☐ Caregiver | ☐ Person with a disability |
| ☐ Disability advocate | ☐ Housing advocate | ☐ Shelter resident or former resident |
| ☐ Community service provider | ☐ Healthcare or behavioral-health professional | ☐ Community organization |
| ☐ Montgomery County resident | ☐ Other: _____ | |

I am writing regarding Montgomery County Bill 37-26, Disruptive Behavior – Public Facilities – Amendments.

I am asking the County Council and County Executive to carefully consider additional safeguards before adopting changes that could result in extended restrictions from public facilities.

I support the County's responsibility to maintain safe and accessible public facilities. At the same time, enforcement mechanisms should be sufficiently clear to distinguish actual disruptive conduct from disability-related communication, behavior, self-advocacy, and other lawful activity.

1. Disability-Related Communication and Behavior

Residents with intellectual and developmental disabilities, autism, and other disabilities may communicate, move, process information, or respond to sensory environments differently. I ask that the legislation clearly provide that a person should not be classified as engaging in prohibited disruptive conduct solely because of:

- Disability-related communication;
- Disability-related movement or vocalization;
- Sensory responses;
- Processing delays;
- Requests for reasonable accommodations;
- Requests for assistance or clarification; or
- Other disability-related conduct that does not independently satisfy the applicable legal standard for disruptive behavior.

Additional comment I would like to add:

2. Emergency Shelter and Essential Services

Emergency shelter is different from an ordinary public facility. For a person experiencing homelessness, exclusion from an emergency shelter can mean losing access to a place to sleep and essential services. I therefore ask that Bill 37-26 clearly address emergency shelters and prevent a Disruptive Behavior Order from unnecessarily terminating or denying access to emergency shelter or essential residential services. This protection should preserve the ability of shelter operators to respond to documented and immediate safety threats in accordance with applicable law.

Additional comment I would like to add:

3. Good-Faith Complaints and Self-Advocacy

Residents should be able to report safety concerns, request records, request reasonable accommodations, file grievances, and report suspected misconduct without those lawful activities automatically becoming grounds for a facility restriction. I ask that the legislation include an express protection against retaliation for good-faith participation in these processes.

Additional comment I would like to add:

4. Independent Review of Extended Restrictions

A restriction lasting more than 90 days can significantly affect a person's ability to access public services. I ask that extended restrictions receive independent administrative review. The affected person should receive:

1. Written notice of the alleged conduct;
2. The factual basis for the restriction;
3. An opportunity to respond;
4. Information concerning available review or appeal procedures; and
5. A written decision explaining the outcome. The person or office conducting the review should not be the same person or office responsible for the original decision.

Additional comment I would like to add:

5. Transparency and Privacy

The County should maintain sufficient aggregate information to allow the public and policymakers to understand how Disruptive Behavior Orders are being used. Public reporting could include the number of warnings, number of DBOs, duration of restrictions, facility category, review and appeal outcomes, and aggregate demographic information necessary to identify potential disparities. At the same time, personally identifiable information and confidential disability, medical, and housing information should remain protected.

Additional comment I would like to add:

MY REQUEST

I respectfully ask the County Council and County Executive to consider these protections as Bill 37-26 moves through the legislative process.

My concern is not with legitimate public-safety measures. My concern is making sure that the enforcement system is clear, proportionate, reviewable, and capable of protecting residents whose disabilities, housing circumstances, or participation in legitimate complaint processes could otherwise create unintended consequences.

I ask that the County consider the perspectives of people with I/DD and other disabilities; parents and caregivers; people experiencing homelessness; emergency shelter residents; housing providers; disability-service organizations; community-based organizations; front-line service providers; and other residents directly affected by the legislation.

Thank you for your consideration.

Name: _____

Organization: _____

Role/Relationship to Community: _____

Email: _____

Telephone: _____

Date: _____

Signature: _____

OPTIONAL ORGANIZATION ENDORSEMENT

Organizations may use, modify, or remove this section. It is intended for an authorized representative rather than an individual who is not authorized to speak for the organization.

Our organization has reviewed the proposed concerns regarding Bill 37-26 and supports continued consideration of clear disability protections, emergency-shelter safeguards, independent review, and appropriate public accountability.

We encourage policymakers to consult directly with affected residents and community stakeholders before final action.

Organization: _____

Authorized Representative: _____

Title: _____

Date: _____

OPTIONAL PERSONAL STATEMENT

Individuals may add their own experience here. This section is intentionally open so that each person can describe their circumstances in their own words. Only include statements that accurately describe your own experience or observations.

My experience or concern:

HOW EACH GROUP CAN USE THIS LETTER

This broad template can be used by multiple groups without requiring everyone to make the same statement. Each sender should edit the document so it accurately reflects their role, knowledge, and concerns.

Parents and Caregivers

Keep the disability-related communication section if it reflects concerns about a family member. Add a short explanation of why clear accommodation language matters. Remove sections that do not apply.

People With I/DD or Other Disabilities

Use the personal-statement section to describe your own experience, communication needs, accommodation concerns, or concerns about access to public services. You do not need to disclose a diagnosis or private medical information.

Disability-Service Organizations

Organizations may focus on disability-related communication, reasonable accommodations, procedural safeguards, and independent review. Use the organizational endorsement section only if the organization has authorized the statement.

Housing and Homelessness Organizations

Organizations may emphasize the distinction between ordinary public facilities and emergency shelter, the consequences of shelter exclusion, and the need for safeguards that prevent unnecessary loss of essential residential services.

Shelter Residents and Former Residents

Individuals may describe their own experiences with shelter access, complaints, grievances, safety concerns, or administrative restrictions. Avoid identifying another resident or staff member unless disclosure is necessary and legally appropriate.

Community-Based Organizations and Service Providers

Organizations can use the master letter as a neutral policy-comment template and add specific operational concerns based on their direct work with residents.

General Montgomery County Residents

Residents may use the broad request section and select only the concerns they personally understand or support. The letter does not require the sender to claim personal experience with disability or homelessness.

Recommended editing rule

Keep the language factual and specific. Remove any statement that does not accurately reflect your own position or experience. Do not use the letter to accuse an individual of misconduct unless you are prepared to identify the factual basis for that statement. Where you are describing another person's experience, identify it as that person's experience rather than your own.

Community Distribution Note

This document is intended as a shared community template. Individual senders and organizations remain responsible for reviewing and editing the document before signing or submitting it.