

**News Release**  
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### **Disability Rights Community Announces Opposition to Proposition 12**

(Austin, TX) Disability Rights Advocates across Texas today announced their opposition to Proposition 12, the constitutional amendment that will appear on the September 13 ballot. ADAPT, The Arc of Texas, Coalition of Texans with Disabilities, Texas Federation of Families for Children's Mental Health, Texas Mental Health Consumers, Texas Advocates and the Lone Star Association for Persons in Supported Employment, characterized Proposition 12 as a step backward for disability rights and protections. The groups characterized Proposition 12, which changes the Constitution by allowing the legislature, backed by insurance company lobbyists, rather than judges and juries, to arbitrarily limit penalties for non-economic damages in all future civil lawsuits, as "an unwise and unnecessary change to the Texas constitution."

"Low income groups such as people with disabilities must rely on non-economic damages for a fair settlement of injury due to negligence, said Dennis Borel, executive director of the Coalition of Texans with Disabilities. "Proposition 12 would authorize the Legislature to restrict non-economic damages without hearing the details of a single case. That is flat-out wrong."

Capping non-economic damages limits compensation for the pain and suffering that accompany loss of normal functions (e.g. blindness, paralysis, sexual function, lost bowel and bladder control), disfigurement, loss of fertility, and inability to engage in daily activities.

"Under Proposition 12, an individual's worth will be measured only by the wage that individuals earns," said Mike Bright, executive director of The Arc of Texas. "A passion for life, their good name and the love of their family are all virtually meaningless. Such limitations will disproportionately impact individuals with disabilities."

Even more alarming, the groups contend, is Proposition 12's trampling of the state's separation of powers by substituting politicians and special interests for local juries in all civil matters—not just medical malpractice cases.

"Proposition 12 foolishly messes with the Texas Constitution," said Bright. "It strips away cherished and long held rights. Messing with the balance of powers in Texas puts Texans with disabilities at great risk!"

The groups contend that the consequences of Proposition 12 far outweigh any potential benefits. Each organization expressed concern that Proposition 12 will first and foremost take away historic constitutional rights that have been used to keep the insurance industry, HMO's, and the pharmaceutical industry in line.

"Proposition 12 disrupts the balance of powers and has unintended consequences – it puts individuals with disabilities in harms way," said Dennis Borel. "Individuals with disabilities need all the rights the framers of the Texas Constitution intended every citizen to have."

These organizations are joining a long list of Texas citizen groups that oppose Proposition 12. Those organizations, which include senior citizen advocates, crime victim groups, consumer groups, environmental organizations and many others, say that Proposition 12 alters the Texas Constitution to help HMOs, the insurance industry, hospitals, drug makers, and polluters protect their profits at the expense of patients and consumers.

For more information on Prop. 12 and to view the list of organizations that oppose Proposition 12, visit: [www.texansagainstprop12.com](http://www.texansagainstprop12.com)

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