

Speech by Robert Morgan, Attorney General
To North Carolina Building Code Council
Delivered in Raleigh, N. C. by Ann Reed
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THE RIGHTS OF HANDICAPPED PEOPLE TO
INGRESS, EGRESS, AND FREE MOVEMENT WITHIN
PUBLICLY-OWNED AND PRIVATELY-OWNED PUBLIC-USE FACILITIES

Chairman Gardner and members of the Building Code Council,
Chairman Twiggs and members of the Governor's Study Committee on
Architectural Barriers, and our many handicapped visitors and
friends of the handicapped here today; it has been my privilege
to work with many handicapped persons and their friends, as well
as with associations and agencies which support the handicapped
both in my capacity as a public official and in my personal life.

Through my work with the North Carolina Rehabilitation
Association, the North Carolina Rehabilitation Counseling
Association, the Easter Seal Society, the North Carolina Division
of Vocational Rehabilitation, the Commission for the Blind; and
through my many conversations with handicapped persons--one of
whom I especially note today, Mr. Bill Kiser, editor of the
TARHEELIA NEWS, published by United Cerebral Palsy of North
Carolina--I have come to realize that a large group of North
Carolinians have been severely hampered in their efforts to
become active members of our society.

This group includes the physically handicapped, the elderly, and many other temporarily disabled persons. Included among the temporarily disabled are those of us who consider ourselves to be "able-bodied" who may happen to break a leg, requiring crutches or artificial devices for mobility, or those of us who suffer from a serious illness that temporarily limits our capacity to climb steps. For this large group of persons, the prerogatives and privileges you and I take for granted are simply not available.

The American Standards of Accessibility, adopted and somewhat modified by this Council in 1967 and 1969, were helpful in alleviating some of these problems of accessibility in new buildings.

However, it is clear to me that the ambiguity of the language, and the lack of enough enforceable comprehensive specifications in the Code have meant that most buildings in North Carolina continue to be built and maintained with substantial barriers to full use by handicapped persons.

It is equally clear that architectural barriers in publicly-owned and privately-owned public-use facilities in North Carolina have resulted in discrimination against handicapped persons -- discrimination which can no longer be tolerated in this state. The inability of many of our citizens to enter and exit, and use facilities within our buildings, in the so-called normal "pedestrian"

manner should not result in the loss of rights and privileges inherent to every individual. Just as black, white, or red pigment in our skin, a "pug nose", and other physical characteristics similar to these cannot be used for discriminatory purposes in our society, physical characteristics, such as the loss of function of a limb, paralysis, blindness, deafness, or serious illnesses, such as heart and pulmonary conditions which limit a person's physical tolerance but do not make him "bed-bound" should not result in discrimination.

Let me illustrate briefly some of the major obstacles facing handicapped persons in North Carolina:

*A handicapped person who wishes to travel from Manteo to Murphy in North Carolina would most likely be unable to stop at a service station and utilize restroom facilities, eat at most of our restaurants, or sleep in most of our motels and places of lodging.

*Throughout North Carolina, only a handful of industries, retail stores, and other places of employment in the private sector are accessible to handicapped persons -- with the result that these handicapped persons are not able to accept employment in almost all job categories in this state. Our state buildings are equally inaccessible.

*Almost all of our residential complexes -- and here I am referring to apartments -- are inaccessible to handicapped persons and therefore, severely limit their opportunities to maintain a family and live a semblance of a normal life in this state.

*Academically qualified students find it almost impossible to obtain an education in this state, since all of our state institutions of higher learning are still largely inaccessible. Even some of our institutions of higher learning, given the opportunity to assist handicapped persons in obtaining an education, have been reluctant to include them in their student population, because of a lack of concern and understanding, as well as the prevalence of architectural barriers. Our elementary and secondary schools, and technical institutes are still largely inaccessible.

In summary, I would request, and urge members of this Building Code Council to take positive action today, and adopt the provisions recommended for the Handicapped Section by the Governor's Study Committee on Architectural Barriers, so that in the future building contractors, architects, and others planning facilities in this state will have comprehensive guidelines and requirements to follow that will greatly assist in alleviating the previously mentioned discriminations.

I would hasten to add, that these revisions in no way handicap the able-bodied in their mobility. Indeed, those few recommendations that might have posed a problem for the able-bodied have been modified and in many ways will assist them in their mobility. All North Carolinians are paying a heavy price because our handicapped citizens are unable to fully participate in our society. I have reviewed these recommendations thoroughly, and believe they are reasonable and just -- and in the best interests of all of our citizens, our economy and our state as a whole.

The adoption and enforcement of these revisions would be a significant and positive step toward enabling handicapped persons to participate fully in our society.

Thank you.