

SPEECH BY:

ROBERT MORGAN
ATTORNEY GENERAL OF NORTH CAROLINA

SOUTHEAST REHABILITATION ASSOCIATION
BENTON CONVENTION CENTER
WINSTON-SALEM, N. C.

MAY 14, 1973

LAW AND THE HANDICAPPED

IT'S A PLEASURE FOR ME TO BE WITH YOU HERE TODAY. AS THOSE OF YOU FROM NORTH CAROLINA KNOW, MY OFFICE HAS A VERY SPECIAL INTEREST IN THE PROBLEMS OF HANDICAPPED NORTH CAROLINIANS, AND YOU ARE THE PEOPLE WHO WORK DIRECTLY WITH THE HANDICAPPED AND CAN WORK ON A DAY TO DAY BASIS TO SEE THAT THE NEEDED CHANGES ARE AFFECTED.

IT IS OBVIOUS TO YOU, AS REHABILITATION COUNSELORS, THAT THE MINORITY MOST DISCRIMINATED AGAINST IN OUR NATION, STATE AND CITY TODAY ARE CITIZENS WHOSE DISADVANTAGE CUTS ACROSS ALL RACIAL OR RELIGIOUS OR ECONOMIC LINES. THAT IS, THE PHYSICALLY, MENTALLY AND BEHAVIORALLY HANDICAPPED. MOST OF MY REMARKS TODAY WILL BE DIRECTED AT PHYSICAL HANDICAPS BUT THIS IS BECAUSE THIS IS THE AREA IN WHICH WE HAVE MADE THE GREATEST PROGRESS RECENTLY IN THIS STATE, AND I ESPECIALLY WANT TO SHARE OUR EXPERIENCES WITH THOSE OF YOU FROM OTHER STATES.

THINK ABOUT DISCRIMINATION IN TERMS OF WHAT YOU KNOW ABOUT PHYSICAL DISABILITIES. THESE PEOPLE ARE NOT JUST RELEGATED TO THE REAR OF A BUS - THEY ARE, IN EFFECT, EXCLUDED FROM USING OUR PUBLIC TRANSPORTATION SYSTEMS. SO MANY OF OUR PUBLIC BUILDINGS, ESPECIALLY THE OLDER ONES, HAVE IMPRESSIVE ENTRANCES WHICH ARE FRONTED BY LONG FLIGHTS OF GRANITE STEPS. THE ABLE-BODIED AMONG US TAKE THESE STEPS FOR GRANTED BUT -OR THE PHYSICALLY HANDICAPPED, THEY ARE FRIGHTENING.

NOW, DISCRIMINATION IS A WORD WE'RE ALL FAMILIAR WITH THESE DAYS AND DISCRIMINATION AGAINST A GROUP OF PEOPLE ON AN IRRATIONAL AND UNJUST BASIS IS AN AFFRONT TO US ALL. OUR CONSTITUTION GUARANTEES THAT NEITHER THE FEDERAL GOVERNMENT NOR ANY OF THE STATES WILL DISCRIMINATE AGAINST ANY GROUP OF PEOPLE. BUT WHEN WE CONSTRUCT PUBLIC BUILDINGS, OR WHEN WE ALLOW BUILDINGS USED BY THE PUBLIC TO BE CONSTRUCTED WITHOUT GROUND LEVEL ENTRANCES OR ADEQUATE TOILET FACILITIES OR NARROW HALLS AND DOORWAYS, WE ARE DISCRIMINATING AGAINST A GROUP OF PEOPLE, WHETHER THIS DISCRIMINATION IS WILFUL OR NOT.

I GUESS IT WOULD BE EASIER IF WE COULD JUST PASS A LAW THAT WOULD MAKE US ALL ABLE-BODIED SO THAT WE WOULD ALL HAVE EQUAL ACCESS WITHIN OUR PHYSICAL ENVIRONMENT. OBVIOUSLY

WE CAN'T DO THAT. WHAT WE CAN DO, THOUGH, IS TRY TO INSURE THROUGH OUR LAWS, THAT THE HANDICAPPED, AS FAR AS POSSIBLE, WILL BE ABLE TO EXERCISE THE SAME RIGHTS AND PRIVILEGES AS CITIZENS OF THEIR STATES WHICH THE ABLE-BODIED SO OFTEN TAKE FOR GRANTED. THESE PRIVILEGES ENCOMPASS SOMETHING AS SEEMINGLY INSIGNIFICANT AS THE USE OF A SPECIAL PARKING SPACE, TO SOMETHING AS ESSENTIAL AS THE RIGHT OF A CHILD TO BE EDUCATED IN SPITE OF HIS HANDICAPS, OR THE RIGHT OF AN INDIVIDUAL TO ENTER A PUBLIC BUILDING AND USE ITS FACILITIES EVEN THOUGH HE IS CONFINED TO A WHEEL CHAIR.

WE ARE CONCERNED THAT THE HANDICAPPED BE ABLE TO ENJOY FULL CITIZENSHIP AND TODAY I WANT TO TELL YOU ABOUT SOME OF THE THINGS WE ARE ATTEMPTING TO DO THROUGH THE LAWS OF NORTH CAROLINA FOR OUR HANDICAPPED CITIZENS. I'M PROUD OF THE BEGINNING WE HAVE MADE AND I AM PARTICULARLY GLAD TO SHARE IT WITH THIS GROUP SO OUR OUT-OF-STATE GUESTS CAN RELATE OUR EXPERIENCES IN THEIR STATES AND SO THAT THOSE OF YOU IN THIS STATE CAN BEGIN IMPLEMENTING THESE CHANGES IN YOUR OWN COMMUNITIES.

LET ME BEGIN BY COMMENTING ON THE RIGHTS OF HANDICAPPED CHILDREN IN THIS STATE.

THE NORTH CAROLINA CONSTITUTION PROVIDES FOR A SYSTEM OF FREE PUBLIC SCHOOLS FOR ALL CHILDREN BETWEEN THE AGES OF 6 AND 21. IT GIVES THE STATE THE DUTY OF GUARDING AND MAINTAINING THAT RIGHT. THIS PROVISION HAS BEEN INTERPRETED TO MEAN THAT MENTALLY RETARDED OR OTHER HANDICAPPED CHILDREN ARE NOT TO BE DISCRIMINATED AGAINST BECAUSE OF THEIR HANDICAPS. THEY HAVE THE SAME CONSTITUTIONAL RIGHT TO THE EDUCATIONAL FACILITIES OF THIS STATE AS NORMAL CHILDREN.

WE HAVE A LAW WHICH STATES THAT CHILDREN WITH HANDICAPS SO SEVERE THAT THEY WOULD BE DISRUPTIVE TO THE OTHER STUDENTS WILL NOT BE EDUCATED IN OUR PUBLIC SCHOOLS. HOWEVER, THIS LAW CANNOT BE USED TO TAKE AWAY THE RIGHTS OF ANY CHILD WHO IS CAPABLE OF BEING EDUCATED.

EDUCATION IS ESSENTIAL TO INSURE FOR THE HANDICAPPED ACTIVE AND PRODUCTIVE LIVES. BUT THIS ISN'T ENOUGH. THE HANDICAPPED SOMETIMES NEED JUST A LITTLE EXTRA HELP WHEN THEY BEGIN TO LOOK FOR JOBS. FOR THIS REASON, NORTH CAROLINA HAS A SPECIAL AGENCY, THE GOVERNOR'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED, WHICH HAS THE DUTY OF EDUCATING THE PUBLIC ABOUT WHAT THE HANDICAPPED CAN DO IN VARIOUS JOBS AND POSITIONS. WE ALSO HAVE THE COMMISSION FOR THE BLIND AND THE OFFICE OF VOCATIONAL REHABILITATION WHICH SPONSOR VARIOUS PROGRAMS AND TRAIN AND COUNSEL THE HANDICAPPED AND HELP TO PLACE THEM IN SUITABLE JOBS. A FINE EXAMPLE OF

WHAT WE ARE DOING ON THE COMMUNITY LEVEL IS OUR SHELTERED WORKSHOP PROGRAM. THROUGH THIS PROGRAM SOME 1,200 CLIENTS SPONSORED BY VOCATIONAL REHABILITATION ARE SERVED IN THEIR OWN COMMUNITIES AND ENABLED TO ACQUIRE NEW TRAINING AND SKILLS.

OUR STATE PERSONNEL SYSTEM OPERATES UNDER A LAW WHICH PROHIBITS DISCRIMINATION BASED ON HANDICAPS IN HIRING FOR STATE JOBS. AS LONG AS THE APPLICANT IS CAPABLE OF DOING THE JOB HE IS SEEKING, HE WILL HAVE THE OPPORTUNITY OF SEEKING EMPLOYMENT WITH THE STATE.

WE HAVE OTHER LAWS WHICH GUARANTEE ADDITIONAL PRIVILEGES. SOME OF THESE ARE SPECIAL PRIVILEGES. A HANDICAPPED PERSON WHO IS UNABLE TO WALK WITHOUT SOME SORT OF MECHANICAL DEVICE CAN PARK FOR AN UNLIMITED TIME IN ANY TIME-RESTRICTED PARKING SPACE. HANDICAPPED PERSONS ALSO HAVE SPECIAL FLAGS WHICH THEY CAN USE AS DISTRESS FLAGS WHEN THEY HAVE TROUBLE GETTING IN OR OUT OF THEIR CARS. AGED AND PHYSICALLY DISABLED PEOPLE ALSO HAVE THE PRIVILEGE OF VOTING IN THEIR CARS, OR SOMEWHERE NEAR THEIR POLLING PLACE IF THEIR AGE OR DISABILITY AND PHYSICAL BARRIERS PREVENT THEM FROM ENTERING THE VOTING PLACE.

THIS BRINGS UP SOMETHING RELATIVELY NEW IN OUR STATE AND SOMETHING WE HOPE WILL PROVE ESPECIALLY IMPORTANT TO THE HANDICAPPED AND THAT IS OUR NEW LAWS WHICH ATTEMPT TO GUARANTEE MOBILITY AND EQUAL ACCESS TO THE PHYSICALLY HANDICAPPED.

ALMOST EVERY ONE OF US AT SOME TIME WILL HAVE SOME SORT OF PHYSICAL IMPAIRMENT. AS A RESULT OF THIS PHYSICAL IMPAIRMENT, WE WILL ENCOUNTER ENVIRONMENTAL OBSTACLES THAT WILL PREVENT US FROM DOING THE THINGS THAT WE WANT TO DO AND THAT WE NORMALLY DO.

EVEN THOSE OF US WHO ARE FORTUNATE ENOUGH TO ESCAPE A PERMANENT DISABILITY MAY AT SOME TIME SUFFER A TEMPORARY DISABILITY - SUCH AS A BROKEN ARM OR LEG, OR A DISEASE WHICH IMPAIRS OUR ABILITY TO FUNCTION OR TO USE OUR EYES AND EARS. AUTOMOBILE ACCIDENTS ALONE ACCOUNT FOR OVER ONE MILLION TEMPORARY DISABILITIES EVERY YEAR AND, WHILE WE DO NOT USUALLY THINK OF IT AS A DISABILITY, PREGNANCY PREVENTS MILLIONS OF WOMEN FROM CLIMBING STEPS OR MASTERING OTHER OBSTACLES WHICH THESE WOMEN NORMALLY MANAGE WITHOUT EVEN THINKING ABOUT THEM.

BUT EVEN IF WE NEVER EXPERIENCE ANY OF THESE DISABILITIES, MOST OF US WILL ULTIMATELY REALIZE THE HAZARDS AND INCONVENIENCES OF OUR ENVIRONMENT WHICH FACE THE HANDICAPPED EVERY DAY, WHEN OLD AGE OVERTAKES US. EVERY DAY OVER ONE THOUSAND MEN AND WOMEN PASS THEIR SIXTY-FIFTH BIRTHDAY, ENTERING INTO THE PERIOD WHEN ARTHRITIS, HEART DISEASE, DEAFNESS, BLINDNESS AND OTHER IMPAIRMENTS BECOME MOST PREVALENT.

IF WE CONSIDER ALL OF THESE PEOPLE AS A GROUP, COMPOSED OF THE PERMANENTLY AND THE TEMPORARILY DISABLED,

WE FIND THAT AT ANY GIVEN TIME, APPROXIMATELY THIRTY MILLION AMERICANS HAVE CONDITIONS WHICH WOULD BE LESS HANDICAPPING TO THEM IF ENVIRONMENTAL BARRIERS WERE ELIMINATED. ALL OF THESE MILLIONS OF PEOPLE ARE AFFECTED BY OBSTACLES TO THEIR MOBILITY WHICH COULD BE ELIMINATED BY CAREFUL PLANNING AND FORESIGHT. MANY OF OUR HANDICAPPED COULD BE BUSY AND HAPPY IF IT WERE NOT FOR THESE UNNECESSARY BARRIERS.

THINK OF YOUR OWN COMMUNITY. ARE THERE OBSTACLES SUCH AS STEPS GOING INTO A CHURCH? THESE STEPS CAN PREVENT AN ARTHRITIC OLD LADY FROM RECEIVING THE SPIRITUAL AND SOCIAL SATISFACTION SHE RECEIVED WHEN SHE WAS ABLE-BODIED. A THOUGHLESSLY DESIGNED SCHOOL AND PLAYGROUND MAY MAKE IT NECESSARY FOR A CHILD WITH BRACES ON HIS LEGS TO BE EDUCATED SEPARATELY AND LOSE CONTACT WITH HIS NEIGHBORHOOD PLAYMATES. PROBLEMS OF TRANSPORTATION AND WORKING CONDITIONS MEAN THAT FOUR-FIFTHS OF OUR SERIOUSLY DISABLED ADULTS ARE UNABLE TO EARN A LIVING, EVEN THOUGH THEY HAVE BEEN ADJUDGED EMPLOYABLE BY THEIR PHYSICIANS.

IN ADDITION TO THESE ACTIVITIES, WHICH OUR ENVIRONMENT BARS THE HANDICAPPED TO SOME EXTENT FROM PARTICIPATING IN, THE DISABLED ARE CONSTANTLY FRUSTRATED BY MANY OTHER INCONVENIENCES, SUCH AS TELEPHONES AND WATER FOUNTAINS THAT ARE OUT OF THEIR REACH, OR DOORS THAT ARE HARD TO OPEN, OR NARROW AISLES IN THEATRES, STADIUMS, RESTAURANTS, AND OTHER PUBLIC GATHERING PLACES.

NOT LONG AGO I VOLUNTEERED TO ASSUME A TEMPORARY DISABILITY AND USE A WHEELCHAIR DURING A TOUR OF SOME OF OUR STATE BUILDINGS, INCLUDING OUR STATE LEGISLATIVE BUILDING. I LEARNED A LOT FROM THIS EXPERIENCE AND I BELIEVE THAT I CAN UNDERSTAND HOW SOME OF OUR HANDICAPPED CITIZENS FEEL WHEN THEY ATTEMPT TO EXERCISE THEIR RIGHTS AND PRIVILEGES AS CITIZENS OF THIS STATE.

I WAS UNABLE TO USE MOST OF THE RESTROOMS IN THE BUILDINGS I ATTEMPTED TO ENTER. THE FEW BUILDINGS I WAS ABLE TO ENTER, I ENTERED LARGELY WITH THE ASSISTANCE OF ABLE-BODIED PEOPLE WHO CARRIED ME UP THE STEPS. WATER FOUNTAINS WERE OUT OF MY REACH FROM A WHEELCHAIR. WHEN I ATTEMPTED TO USE SOME OF THE TABLES IN OUR ARCHIVES AND HISTORY BUILDING, I HAD DIFFICULTY GETTING MY LEGS UNDER THE TABLE AND WAS UNABLE TO REACH MOST OF THE BOOKS.

WHEN I TRANSLATE THIS BRIEF EXPERIENCE INTO WHAT WOULD HAPPEN IF I ATTEMPTED TO TRAVEL AND USE FACILITIES IN NORTH CAROLINA FROM MANTEO TO MURPHY, I AM NOT TOO PROUD OF HOW WE, THE SO-CALLED ABLE-BODIED OF NORTH CAROLINA, HAVE TREATED OUR HANDICAPPED CITIZENS. SO FEW FACILITIES IN NORTH CAROLINA EVEN HAVE AN ENTRANCE WHICH IS ACCESSIBLE, MUCH LESS AN ACCESSIBLE TOILET ROOM OR OTHER INDOOR FACILITY. THIS IS A SITUATION WHICH I FEEL WE CAN NO LONGER TOLERATE IN NORTH CAROLINA.

THE CIVIL RIGHTS ACT OF 1964 AND 1968 PROVIDE FOR PUBLIC ACCOMMODATION LAWS WHICH ARE DESIGNED TO ENFORCE THE FOURTEENTH AMENDMENT, PROHIBITION AGAINST DISCRIMINATION. IN MY OPINION, THERE IS ONLY A MINIMAL DIFFERENCE BETWEEN THE WORD "ACCOMMODATION" AND THE WORD "ACCESS". FOR THIS REASON I FEEL THAT ANYTHING LESS THAN EQUAL ACCESS TO A PUBLIC BUILDING VIOLATES THE SPIRIT, IF NOT THE LETTER, OF OUR CONSTITUTION. BUT EVEN IF THE LAW DOESN'T REQUIRE IT, IT SEEMS TO ME THAT BASIC PRINCIPLES OF DECENCY, JUSTICE, AND EQUALITY AS WELL AS FAIRNESS AND LOGIC, THE FOUNDATIONS OF OUR LAWS, WOULD REQUIRE NOTHING LESS THAN EQUAL ACCESS.

WITH EQUAL ACCESS AS OUR GOAL, OUR STATE HAS RECENTLY UNDERTAKEN THE REVISION OF THE STATE BUILDING CODE WHICH CONTAINS THE SPECIFICATIONS FOR BUILDING CONSTRUCTION WITHIN THIS STATE, BOTH PUBLIC AND PRIVATE. THESE REVISIONS WERE DESIGNED TO INCLUDE MORE SPECIFIC PROVISIONS FOR VARIOUS BARRIER-FREE ARCHITECTURAL DESIGNS IN NORTH CAROLINA. MY OFFICE WORKED CLOSELY WITH THE GOVERNOR'S STUDY COMMITTEE ON ARCHITECTURAL BARRIERS IN DEVISING THESE NEW STANDARDS FOR VARIOUS BARRIER-FREE DESIGNS. THEY ARE SOMETHING I THINK WE CAN ALL BE PROUD OF AND SOMETHING WHICH WILL PUT NORTH CAROLINA FAR AHEAD OF MOST OTHER STATES IN OUR TREATMENT OF THE HANDICAPPED.

IN SUCH A SHORT TIME I CAN'T GO INTO ALL THE DETAILS OF WHAT THIS NEW HANDICAPPED SECTION PROVIDES, BUT I WOULD LIKE TO STRESS FOR YOU SOME OF THE MAJOR POINTS OF INTEREST. WHEREAS THE OLD HANDICAPPED SECTION APPLIED ONLY TO BUILDINGS WHICH WERE USED BY THE PUBLIC, THIS NEW BUILDING CODE SECTION APPLIES TO ALL BUILDINGS IN NORTH CAROLINA, THE ONLY EXCEPTION BEING SINGLE FAMILY RESIDENCES AND CONDOMINIUMS.

FOR THE FIRST TIME, OUR BUILDING CODE GOES BEYOND THE REGULATION OF BUILDING CONSTRUCTION ALONE AND PROVIDES THAT WHERE A BUILDING HAS A PARKING LOT ADJACENT TO IT, THERE WILL BE ACCESS TO THE BUILDING FROM THE PARKING LOT. THIS MEANS THAT WHERE A PARKING LOT IS SURROUNDED BY CURBS, THESE CURBS WILL BE CUT TO PROVIDE ACCESS TO AN INDIVIDUAL IN A WHEELCHAIR. SO MANY TIMES PEOPLE HAVE FOUND THAT ALTHOUGH A BUILDING ITSELF IS ACCESSIBLE, IT IS IMPOSSIBLE TO GET FROM A CAR AND INTO THAT BUILDING FROM THE PARKING LOT.

ALONG THIS SAME LINE, THE NEW CODE PROVIDES THAT ALL POINTS OF MAJOR PEDESTRIAN FLOW - THAT IS, ALL MAJOR ENTRANCES TO BUILDINGS - WILL BE RAMPED, SO THAT THEY WILL BE ACCESSIBLE TO PEOPLE IN WHEELCHAIRS, OR TO PEOPLE WHO CANNOT USE STEPS. WATER FOUNTAINS AND TELEPHONES WHICH ARE USABLE BY THE PHYSICALLY HANDICAPPED WILL BE PLACED

ONE PER FLOOR IN ANY BUILDING WHERE THESE FACILITIES ARE PROVIDED. FINALLY, ALL BUILDINGS OF OVER THREE FLOORS WILL HAVE ELEVATORS AND ANY BUILDINGS WITH OVER TWO STORIES AND SPACE FOR ONE HUNDRED PEOPLE, EITHER ABOVE OR BELOW GROUND LEVEL, WILL HAVE ELEVATORS. BEYOND THIS YOU, AS CHILD ADVOCATES, WILL BE INTERESTED IN THE PROVISION FOR SCHOOL ELEVATORS. PUBLIC SCHOOL BUILDINGS WHICH HAVE MORE THAN ONE LEVEL WILL NOW HAVE ELEVATORS AND PRIVATE SCHOOL BUILDINGS WITH OVER THREE LEVELS WILL HAVE ELEVATORS. THESE ARE IMPORTANT NEW PROVISIONS. IT IS OUR HOPE THAT THE RESULT OF THESE PROVISIONS WILL BE AT LEAST GOUND FLOOR ACCESS TO ALL BUILDINGS IN NORTH CAROLINA FOR HANDICAPPED PEOPLE.

BUT THIS IS NOT ALL THE NEW BUILDING CODE DOES. ONE OF THE MAJOR PROBLEMS WHICH HANDICAPPED CITIZENS HAVE ALWAYS FACED IS THE PROBLEM OF FINDING ADEQUATE HOUSING. OF COURSE, THIS PROBLEM DOESN'T APPLY TO HANDICAPPED PEOPLE WHO ARE WEALTHY - THESE PEOPLE CAN AFFORD TO BUY A HOME AND HAVE IT MADE USABLE FOR THEM. BUT THE MAJORITY OF OUR HANDICAPPED CITIZENS ARE NOT WEALTHY AND MUST MANAGE AS BEST THEY CAN TO SECURE ADEQUATE HOUSING.

OUR NEW HANDICAPPED SECTION OF THE BUILDING CODE PROVIDES THAT APARTMENT COMPLEXES WHICH CONTAIN MORE THAN TEN INDIVIDUAL UNITS SHALL HAVE FIVE PERCENT, OR A MINIMUM OF ONE UNIT, CONSTRUCTED ACCORDING TO CERTAIN SPECIFICATIONS.

THESE SPECIFICATIONS INCLUDE DOORS WHICH ARE THREE FEET WIDE AND A FIVE BY FIVE FOOT CLEAR SPACE IN BOTH THE KITCHEN AND THE BATHROOM. KITCHENS, INCIDENTALLY, WILL HAVE PULL-OUT SHELVES WHICH ARE LOW ENOUGH TO ENABLE AN INDIVIDUAL IN A WHEELCHAIR TO USE THESE SHELVES IN DOING HIS KITCHEN CHORES.

AS YOU CAN SEE, THIS NEW HANDICAPPED SECTION OF THE BUILDING CODE SHOULD PROVIDE NEW OPPORTUNITIES FOR THE HANDICAPPED ALL OVER NORTH CAROLINA. BUT THIS IS ONLY PART OF WHAT NEEDS TO BE DONE. ARCHITECTURAL BARRIERS HAVE EXISTED SINCE THE TIME WE BEGAN CONSTRUCTING BUILDINGS.

FEW PEOPLE ARE AWARE THAT ONE PERSON OUT OF EVERY SEVEN MUST DEAL WITH SOME FORM OF DISABILITY. EVEN FEWER PEOPLE ARE AWARE OF HOW MUCH MORE DIFFICULT ENVIRONMENTAL BARRIERS MAKE IT FOR THESE PEOPLE TO LEAD REWARDING LIVES. IT IS THIS LACK OF PUBLIC AWARENESS AND NOT OPPOSITION TO ELIMINATING THESE BARRIERS WHICH IS THE MAJOR REASON FOR THE CONTINUED EXISTENCE OF ARCHITECTURAL BARRIERS. SPREADING THE WORD IS ONE JOB WHICH MUST BE DONE IN EVERY COMMUNITY. THE FACT IS THAT ARCHITECTURAL BARRIERS CAN BE ELIMINATED FROM BUILDING PLANS WITHOUT IN ANY WAY INCONVENIENCING THE ABLE-BODIED.

IN MOST CASES, THE ELIMINATION OF ARCHITECTURAL BARRIERS MAKES THE BUILDING SAFER FOR THE ABLE-BODIED AS WELL AS THE PHYSICALLY HANDICAPPED. THE COST FACTOR INVOLVED IN ELIMINATING THESE BARRIERS IS ALSO NOT A MAJOR OBSTACLE. IN MANY CASES MONEY CAN ACTUALLY BE SAVED BY ELIMINATING ARCHITECTURAL BARRIERS AND MAKING A FEW ADJUSTMENTS IN A DESIGN SCHEME.

HOWEVER, EVEN WHERE MAKING A DESIGN SCHEME BARRIER-FREE DOES INVOLVE EXTRA EXPENSE, THIS EXTRA EXPENSE HAS BEEN FOUND NOT TO BE GREAT AND CERTAINLY NOT PROHIBITIVE, ESPECIALLY WHEN WE CONSIDER THE VALUE TO NORTH CAROLINA OF INCREASED MOBILITY OF ALL OUR CITIZENS.

WE MUST ALL STRESS THE FACT THAT BARRIER-FREE DESIGNS ARE PRACTICAL. THINK ABOUT OUR MODERN SHOPPING CENTERS. MOST OF THESE HAVE BEEN DESIGNED SO THAT SHOPPERS WILL HAVE FEW STEPS TO CLIMB.

NOW MOST OF THE ARCHITECTS WHO DESIGN THESE SHOPPING CENTERS HAD NEVER EVEN CONSIDERED THE PROBLEM OF ARCHITECTURAL BARRIERS TO THE HANDICAPPED. THE REASON THESE SHOPPING CENTERS WERE DESIGNED WITH SO FEW STEPS WAS TO MAKE THEM AS LEVEL AS POSSIBLE AND THUS PREVENT ACCIDENTS TO THE SHOPPERS.

THINK ABOUT THAT A MINUTE - PICTURE A NORMAL, ABLE-BODIED WOMAN ON A SHOPPING SPREE, THE MORE SHE BUYS, THE MORE BOXES AND PACKAGES SHE MUST CARRY, AND BEING LADENED WITH BAGS AND BOXES, A PERSON WITH HEAVILY LOADED ARMS IS MORE APT TO HAVE AN ACCIDENT, SIMPLY BECAUSE HE CANNOT SEE WHERE HE IS GOING AS WELL AS HE CAN WHEN HIS ARMS ARE FREE, THEREFORE A STEP-FREE DESIGN CAN TEND TO REDUCE THE CIVIL LIABILITY OF MERCHANTS BECAUSE THEIR CUSTOMERS WILL HAVE FEWER ACCIDENTS, ABLE-BODIED AND HANDICAPPED SHOPPERS ALIKE WILL HAVE THE BENEFIT OF A SAFER PLACE TO DO THEIR SHOPPING.

ALONG THESE SAME LINES, THINK OF THE MONEY THAT COULD BE SAVED TO THE PUBLIC AND TO PRIVATE INSURANCE COMPANIES IF BUILDINGS WERE CONSTRUCTED SO THAT THEY WOULD BE ARCHITECTURALLY BARRIER-FREE, NOT ONLY WOULD THE BUILDINGS BE SAFER, BUT PEOPLE WHO WOULD NORMALLY BE OUT OF WORK FOR A LONG TIME BECAUSE THEY COULD NOT FUNCTION IN A BUILDING WITH UNNECESSARY BARRIERS COULD RETURN TO WORK IN A BARRIER-FREE BUILDING AT AN EARLIER DATE.

LET ME GIVE YOU AN ACTUAL EXAMPLE OF THIS, A YOUNG MAN IN ILLINOIS WAS SERIOUSLY INJURED IN AN AUTOMOBILE ACCIDENT AND BECAME A QUADRIPLAGIC, HOWEVER, THE BUILDING IN WHICH HE HAD WORKED BEFORE HIS ACCIDENT WAS CONSTRUCTED SO THAT IT WAS BARRIER-FREE, BECAUSE OF THE DESIGN OF THIS

BUILDING, THE YOUNG MAN WAS ABLE TO RETURN TO WORK AFTER ONLY FOUR MONTHS IN THE HOSPITAL AND AT HOME. THIS SAVED THE INSURANCE COMPANIES OVER ONE HUNDRED THOUSAND DOLLARS IN PAYMENTS WHICH WOULD HAVE HAD TO BE MADE TO THE YOUNG MAN IF HE HAD NOT BEEN ABLE TO RETURN TO WORK.

I AM BRINGING OUT THESE ASPECTS OF BARRIER-FREE DESIGN SIMPLY TO PROVE TO YOU THAT IT IS PRACTICAL FOR ALL OF US, AND NOT SIMPLY A FAR-FETCHED GOAL FOR SENTIMENTALISTS AND DO-GOODERS. BARRIER-FREE DESIGN IS A GOAL WE SHOULD ALL HAVE FOR OUR COMMUNITIES. DURING THE NEXT THREE DECADES, WE'RE GOING TO SEE MORE NEW BUILDINGS BUILT THAN HAVE BEEN BUILT DURING THE LAST FIVE HUNDRED YEARS. EVERY ONE OF THOSE BUILDINGS SHOULD BE BUILT SO THAT IT IS BARRIER-FREE AND EVERY ONE OF THOSE BUILDINGS COULD BE BUILT SO THAT IT IS BARRIER-FREE. WE'VE ALL GOT TO SEE THAT WE CONSTRUCT OUR ENVIRONMENT FOR ALL OF US AND NOT FOR JUST SOME OF US.

OUR LEGISLATURE RECENTLY PASSED A "BILL OF RIGHTS FOR THE HANDICAPPED". LET ME JUST READ TO YOU SOME OF THE THINGS IT PROVIDES:

"THE STATE SHALL ENCOURAGE AND ENABLE HANDICAPPED PERSONS TO PARTICIPATE FULLY IN THE SOCIAL AND ECONOMIC LIFE OF THE STATE AND TO ENGAGE IN REMUNERATIVE EMPLOYMENT. THE DEFINITION OF

'HANDICAPPED PERSONS' SHALL INCLUDE THOSE INDIVIDUALS WITH PHYSICAL, MENTAL AND VISUAL DISABILITIES. FOR THE PURPOSE OF THIS ARTICLE THE DEFINITION OF 'VISUALLY HANDICAPPED' IN G.S. 111-11 SHALL APPLY.

"§168-2. HANDICAPPED PERSONS HAVE THE SAME RIGHT AS THE ABLE-BODIED TO THE FULL AND FREE USE OF THE STREETS, HIGHWAYS, SIDEWALKS, WALKWAYS, PUBLIC BUILDINGS, PUBLIC FACILITIES, AND ALL OTHER BUILDINGS AND FACILITIES, BOTH PUBLICLY AND PRIVATELY OWNED, WHICH SERVE THE PUBLIC.

"§168-3. THE HANDICAPPED AND PHYSICALLY DISABLED ARE ENTITLED TO ACCOMMODATIONS, ADVANTAGES, FACILITIES, AND PRIVILEGES OF ALL COMMON CARRIERS, AIRPLANES, MOTOR VEHICLES, RAILROAD TRAINS, MOTOR BUSES, STREETCARS, BOATS, OR ANY OTHER PUBLIC CONVEYANCES OR MODES OF TRANSPORTATION; HOTELS, LODGING PLACES, PLACES OF PUBLIC ACCOMMODATION, AMUSEMENT OR RESORT TO WHICH THE GENERAL PUBLIC IS INVITED, SUBJECT ONLY TO THE CONDITIONS AND LIMITATIONS ESTABLISHED BY LAW AND APPLICABLE ALIKE TO ALL PERSONS.

"§168-6. HANDICAPPED PERSONS SHALL BE EMPLOYED IN THE STATE SERVICE, THE SERVICE OF THE POLITICAL SUBDIVISIONS OF THE STATE, IN THE PUBLIC SCHOOLS, AND IN ALL OTHER EMPLOYMENT, BOTH PUBLIC AND PRIVATE, ON THE SAME TERMS AND CONDITIONS AS THE ABLE-BODIED, UNLESS IT IS SHOWN THAT THE PARTICULAR DISABILITY IMPAIRS THE PERFORMANCE OF THE WORK INVOLVED.

"§168-8. HANDICAPPED PERSONS SHALL BE ENTITLED TO SUCH HABILITATION AND REHABILITATION SERVICES AS ARE AVAILABLE AND NEEDED FOR THE DEVELOPMENT OR RESTORATION OF THEIR CAPABILITIES TO THE FULLEST EXTENT POSSIBLE. SUCH SERVICES SHALL INCLUDE, BUT NOT BE LIMITED TO, EDUCATION, TRAINING, TREATMENT AND OTHER SERVICES TO PROVIDE FOR ADEQUATE FOOD, CLOTHING, HOUSING AND TRANSPORTATION DURING THE COURSE OF EDUCATION, TRAINING AND TREATMENT. HANDICAPPED PERSONS SHALL BE ENTITLED TO THESE RIGHTS SUBJECT ONLY TO THE CONDITIONS AND LIMITATIONS ESTABLISHED BY LAW AND APPLICABLE ALIKE TO ALL PERSONS."

THIS BILL CAN BE A GREAT BENEFIT TO THE HANDICAPPED BUT WE MUST ALL WORK TO SEE THAT IT BECOMES A REALITY AND NOT JUST A FINE-SOUNDING GOAL. YOU ARE STILL GOING TO ENCOUNTER PROBLEMS IN PLACING THE HANDICAPPED, AND WHEN YOU DO, I WANT YOU TO FIND SOME TIME TO SEE YOUR LEGISLATORS. YOU ARE THE PEOPLE WHO KNOW WHAT REHABILITATION MEANS AND THE HANDICAPPED AND YOU ARE THE PEOPLE WHO CAN COMMUNICATE THIS KNOWLEDGE TO THE PUBLIC AND LET THEM KNOW WHAT SERVICES ARE AVAILABLE AND HOW THEY ARE ESSENTIAL TO THE HANDICAPPED.

I AM PROUD OF WHAT WE ARE TRYING TO DO FOR OUR HANDICAPPED. BUT OUR WORK HAS REALLY JUST BEGUN. WITHIN THE RANKS OF THE HANDICAPPED ARE A GREAT MANY PERSONS OF TALENT AND SKILL, CAPABLE OF CONTRIBUTING A GREAT DEAL IN A GREAT MANY AREAS OF INTEREST, AS WELL AS TO SOCIETY GENERALLY. IF WE ARE TO REALIZE AND MAKE PROPER USE OF THESE CONTRIBUTIONS, WE MUST PROVIDE PROPER FACILITIES FOR THE HANDICAPPED WITHIN OUR ENVIRONMENT. I BELIEVE THAT PUBLIC AWARENESS OF THIS PROBLEM IS THE MAIN OBSTACLE WE MUST FACE TO OVERCOME THE PROBLEM OF PHYSICAL BARRIERS. ONCE THIS PROBLEM IS RECOGNIZED, THE SOLUTION WILL BE IN SIGHT. ONLY THEN, WHEN WE HAVE PROVIDED EQUAL ACCESS FOR ALL OUR CITIZENS, CAN THE HANDICAPPED ENJOY THE EQUALITY AND JUSTICE WHICH ARE THE FOUNDATIONS OF OUR NATION.

AS PROFESSIONALS, THIS GROUP HAS A SPECIAL MANDATE TO PARTICIPATE IN MAKING THE PUBLIC AWARE OF THE PROBLEMS AND POTENTIAL OF OUR HANDICAPPED. WE MUST ALL REMEMBER THAT YOUR JOB IS NOT JUST TO WORK WITH THE HANDICAPPED BUT ALSO TO WORK WITH THE PUBLIC - THOSE OF US IN PUBLIC OFFICE AS WELL AS THE GENERAL PUBLIC - TO BROADEN OUR VISION TO THE POTENTIAL OF OUR HANDICAPPED. WE MUST MAKE AVAILABLE THE BROAD RANGE OF VOCATIONAL REHABILITATION SERVICES TO ALL DISABLED AMERICANS AND NORTH CAROLINIANS, AND, AT THE SAME TIME, WORK FOR PROGRESSIVE LEGISLATION TO INSURE PROPER HOUSING, TRANSPORTATION, BARRIER-FREE BUILDINGS AND THE ENLIGHTENED SOCIAL CLIMATE WHICH THE DISABLED PERSON MUST HAVE IN ORDER TO FUNCTION PROPERLY IN THE COMMUNITY.

THE EFFORTS OF VOCATIONAL REHABILITATION AND OTHER RELATED REHABILITATION PROGRAMS HAVE LONG GONE UNNOTICED. FEW PEOPLE ARE AWARE OF YOUR MAJOR ROLE IN THE VOCATIONAL REHABILITATION OF JUVENILE AND ADULT OFFENDERS, DRUG OFFENDERS, THE MENTALLY ILL, ALCOHOLICS, AND MENTALLY RETARDED IN ADDITION TO YOUR WORK WITH THE BLIND AND DEAF AND THE MORE SEVERELY PHYSICALLY DISABLED.

MOST IMPORTANT, I DO NOT BELIEVE THE PUBLIC UNDERSTANDS YOUR POTENTIAL TO SERVE AS THE PROFESSIONAL ADVOCATE FOR THE DISABLED IN THE COMMUNITY - EVEN IN CITY

HALL - WHEREVER THE NEED ARISES. SO FEW PEOPLE ARE WILLING TO GO BEYOND THE "CALL OF DUTY" IN MAKING CERTAIN THAT OUR DISABLED DO NOT GET LOST IN THE MAZE OF OUR MODERN, PROGRESSIVE SOCIETY.

AS MY GOOD FRIEND BILL KISER - A VICTIM OF CEREBRAL PALSY HIMSELF - HAS SO ABLY STATED, "THE CONSTITUTION MAY NOT SPELL OUT THE RIGHTS OF DISABLED PEOPLE TO REHABILITATION SERVICES, BUT AS HUMAN BEINGS WE FEEL WE HAVE THE RIGHT TO BENEFIT FROM AND CONTRIBUTE TO THE AMERICAN WAY OF LIFE."