

SPEECH BY:

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"REHABILITATION APPRECIATION DAY"  
ROYAL VILLA MOTOR INN  
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## THE LAW, THE HANDICAPPED, AND REHABILITATION

IT IS A PLEASURE FOR ME TO PARTICIPATE IN THIS REHABILITATION APPRECIATION DAY AND TO MEET WITH THE MANY DISABLED CITIZENS WHO HAVE TRAVELED FROM ALL PARTS OF NORTH CAROLINA TO ENABLE US ALL TO BETTER UNDERSTAND WHAT REHABILITATION PROGRAMS HAVE MEANT TO YOU.

I HAVE REFERRED TO "DISABLED CITIZENS". PERHAPS I SHOULD SAY "CITIZENS WHO ARE - INCIDENTALLY - DISABLED".

IN THE CONSTRUCTION OF OUR BUILDINGS AND FACILITIES, OUR DESIGN OF EDUCATIONAL PROGRAMS, THE QUALIFICATIONS WE PROSCRIBE FOR EMPLOYMENT, AND IN MANY OTHER AREAS, <sup>we</sup> TOO OFTEN IGNORE THOSE WHOSE DISABILITIES ARE "INCIDENTAL" TO THEIR BEING CITIZENS - CITIZENS WITH THE SAME RIGHTS, PRIVILEGES AND RESPONSIBILITIES - HUMAN NEEDS, DESIRES AND ASPIRATIONS - THAT MOST OF US POSSESS. WE FORGET THAT THESE DESIRES ARE NOT PECULIAR TO, AND THESE RIGHTS AND PRIVILEGES NOT THE EXCLUSIVE FRANCHISE OF, THOSE WE CHOOSE TO LABEL AS "NORMAL".

I WOULD EMPHASIZE THAT THE WORD "NORMAL", AS I HAVE USED IT HERE, HAS BEEN IN QUOTES. I DO NOT THINK THAT THERE IS, IN THE TRUE SENSE OF THE WORD, "A NORMAL CITIZEN". WE ARE ALL DIFFERENT. SOME SAY MY HEIGHT IS A HANDICAP AS A POLITICIAN AND I ASSURE YOU THAT IF I WERE TO TRY OUT FOR THE NORTH CAROLINA STATE UNIVERSITY BASKETBALL TEAM, I WOULD BE THE MOST SEVERELY HANDICAPPED PERSON IN THIS ROOM.

YOUR GOALS, YOUR AMBITIONS AND ASPIRATIONS, THE DREAMS YOU CHOOSE TO PURSUE SHOULD NOT BE QUASHED BY A SOCIETY WHICH, BY SINS OF COMMISSION OR OMISSION, HAS DICTATED THAT ONLY CERTAIN CLASSES OF CITIZENS WHO LOOK AND MOVE AND ACT IN A CERTAIN WAY SHALL HAVE BASIC RIGHTS.

HOW MANY OF YOU HERE IN THIS ROOM TODAY HAVE EVER SAT IN YOUR CAR AT A RED TRAFFIC LIGHT, FOR A PERIOD OF TIME THAT SEEMED LIKE FOREVER, BUT IN REALITY MAY HAVE BEEN ONLY FIVE MINUTES - AND BECOME EXTREMELY FRUSTRATED AND UPSET?

THINK ABOUT HOW IT WOULD BE TO SIT AT THAT RED TRAFFIC LIGHT FOR THE REST OF YOUR LIFE?

IT'S NOT A PLEASANT THOUGHT, IS IT?

MANY OF YOU IN THIS ROOM, AND THOUSANDS OF OTHER CITIZENS LIKE YOU AROUND THE STATE, HAVE FACED THAT VERY "RED LIGHT" IN THE AREAS OF EMPLOYMENT, EDUCATION, REHABILITATION SERVICES, ACCESS TO BUILDINGS AND FACILITIES, RECREATION, TRAVEL - AND THE LIST GOES ON AND ON.

WHAT EXCUSES ARE GIVEN FOR NOT CHANGING THIS RED LIGHT TO GREEN?

SOME PEOPLE USE NUMBERS.

I SOMETIMES HEAR PEOPLE SAY "WE HAVE TO BE CONCERNED ABOUT THE MANY; WE CAN'T BE CONCERNED ABOUT THE FEW." WELL, I DON'T BELIEVE THAT YOU CAN BE CONCERNED ABOUT THE MANY IF YOU CAN'T BE CONCERNED ABOUT THE FEW - THE INDIVIDUALS.

BESIDES THAT, COURTS HAVE LONG SETTLED THE ISSUE. THE SIZE OF A MINORITY GROUP, OR NUMBERS OF CITIZENS INVOLVED, DOES NOT DETERMINE WHETHER A PERSON HAS HIS RIGHTS AS A CITIZEN.

SOME PEOPLE SAY "HE IS JUST A HANDICAPPED PERSON", "HE IS JUST A BLUE-COLLAR WORKER", "SHE IS JUST A HOUSEWIFE", OR WHAT HAVE YOU. I WISH WE COULD ERADICATE THAT PHRASE "JUST A" FROM OUR VOCABULARY! EVERY CITIZEN OF THIS STATE IS IMPORTANT AS AN INDIVIDUAL. WE DON'T HAVE ANY "JUST A" CITIZENS.

SOME PEOPLE USE COST AS AN EXCUSE. "IT COSTS TOO MUCH MONEY TO RENOVATE A BUILDING", "IT COSTS TOO MUCH MONEY TO SET UP EDUCATIONAL, TREATMENT AND REHABILITATION PROGRAMS FOR THE HANDICAPPED," ETC. LET ME REMIND THEM THAT IT WILL ALWAYS COST MORE IN THE LONG RUN FOR CUSTODIAL CARE RESULTING FROM NOT PROVIDING THESE SERVICES THAN IT WILL TO GO AHEAD

AND PROVIDE REHABILITATION SERVICES AND REMOVE BARRIERS TO MOBILITY AND INDEPENDENT LIVING.

SADLY ENOUGH, ALL OF THESE EXCUSES IGNORE THE BASIC MORAL QUESTIONS AND THE FACT THAT A COST FACTOR CANNOT BE PLACED ON INDIVIDUALS' PERSONAL DIGNITY AND WORTH.

IT IS EASY TO SEE, I THINK, THAT THERE SIMPLY ARE NO LEGITIMATE EXCUSES FOR ACTS OF DISCRIMINATION AGAINST THE HANDICAPPED.

LET'S GO ON TO THE MOST IMPORTANT QUESTION. WHAT ARE WE DOING TO ASSURE MANY OF YOU, AS CITIZENS OF THIS STATE, OF YOUR RIGHTS AND WHAT CAN WE DO ABOUT YOUR RIGHTS AND OPPORTUNITIES FOR REHABILITATION IN THE FUTURE?

MANY HANDICAPPED PERSONS, THEIR FRIENDS, AND VOLUNTEER ORGANIZATIONS ARE GOING TO COURTS. AS MORE AND MORE OF THESE COURT CASES ARE BEING WON, THE PUBLIC IS BECOMING AWARE OF RESPONSIBILITIES THAT HAVE LONG BEEN IGNORED. ALTHOUGH THE CONSTITUTION MAY NOT SPELL OUT YOUR RIGHTS TO REHABILITATION SERVICES, OR TO EQUAL SUCCESS, IT DOES, IN MY OPINION, GUARANTEE YOUR RIGHT TO AN EQUAL OPPORTUNITY "TO PURSUE SUCCESS, HAPPINESS AND YOUR DREAM".

IN NORTH CAROLINA WE HAVE A REVISED HANDICAPPED SECTION OF THE NORTH CAROLINA STATE BUILDING CODE AND NEW LEGISLATION THAT SPELLS OUT MORE SPECIFICALLY THE RIGHTS THAT YOU HAVE IN THIS STATE.

THE HANDICAPPED SECTION OF OUR BUILDING CODE NOW REQUIRES ALL PRIMARY ENTRANCES TO BUILDINGS TO BE FULLY ACCESSIBLE, PARKING SPACES TO BE SET ASIDE FOR THE HANDICAPPED AND ACCESS TO THE BUILDINGS PROVIDED, INCLUDING RAMPED CURBS AND MORE ADEQUATE RESTROOM FACILITIES.

WE HAVE LEGISLATION PERMITTING UNLIMITED PARKING IN TIME-LIMITED PARKING ZONES; LEGISLATION REQUIRING ALL NEWLY CONSTRUCTED AND RECONSTRUCTED CURBS AT INTERSECTIONS AND AT MAJOR POINTS OF PEDESTRIAN FLOW, TO BE RAMPED. TAX DEDUCTIONS ARE AVAILABLE FOR THOSE WHO RENOVATE EXISTING BUILDINGS FOR THE HANDICAPPED.

OUT 1973 NORTH CAROLINA GENERAL ASSEMBLY PASSED SEVERAL BILLS OF RIGHTS, ONE DEALING WITH MENTAL HEALTH PATIENTS' RIGHTS AND ANOTHER DEALING WITH RIGHTS OF HANDICAPPED PEOPLE IN GENERAL. THIS SECOND BILL OF RIGHTS HAS PERHAPS RECEIVED LESS ATTENTION BUT, OF COURSE, IS OF VITAL INTEREST TO YOU. I URGE YOU TO BECOME FAMILIAR WITH IT.

I HOPE THE BILL WILL BE USED AS A SPRINGBOARD FOR THE RENOVATION OF EXISTING STATE FACILITIES.

I REMEMBER WELL HOW IN DECEMBER, 1969 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 WAS UNABLE TO USE MOSE OF THE

RESTROOMS I ATTEMPTED TO ENTER. SOME OF THE BUILDINGS WERE COMPLETELY INACCESSABLE. THIS SITUATION MUST BE CHANGED SO THAT ALL OF OUR CITIZENS CAN FIND STATE EMPLOYMENT AND, IN GENERAL, GAIN ACCESS TO STATE SERVICES AVAILABLE TO THEM. I AM ESPECIALLY PLEASED TO NOTE THAT OUR LEGISLATIVE SERVICES COMMISSION HAS TAKEN ACTION TO RENOVATE SEVERAL RESTROOMS IN THE LEGISLATIVE BUILDING.

IN THE LAST SECTION OF THE BILL, THERE IS A REFERENCE TO YOUR RIGHT TO "SUCH HABILITATION AND REHABILITATION SERVICES AS ARE AVAILABLE AND NEEDED, ETC." I SINCERELY HOPE THAT THE NORTH CAROLINA GENERAL ASSEMBLY WILL GO ONE STEP FURTHER AND MAKE CERTAIN THAT ALL NORTH CAROLINIANS WHO NEED HABILITATION AND REHABILITATION SERVICES, IN FACT HAVE THEM AT THE TIME IN THEIR LIVES WHEN THEY NEED THEM.

ALTHOUGH WE HAVE MADE GREAT STRIDES IN THE LAST SEVERAL YEARS IN DEVELOPING AND IMPROVING REHABILITATION PROGRAMS, I AM STILL GREATLY DISTURBED BY THE PROPORTION OF FUNDS THE STATE OF NORTH CAROLINA EXPENDS ON REHABILITATION SERVICES.

FOR TOO LONG, WE HAVE SEEN MOST DISABLED PERSONS AS PROBLEMS TO BE TOLERATED ONLY THROUGH HEALTH MAINTENANCE AND PUBLIC ASSISTANCE PAYMENTS. COMPARED TO SOCIAL AND HEALTH PROGRAMS, WE ARE OBVIOUSLY SPENDING A PITTANCE ON REHABILITATION IN NORTH CAROLINA. OUR NEWSPAPERS PROCLAIM

OUR VAST SOCIAL PROBLEMS - MANY OF WHICH COULD BE GREATLY ALLEVIATED BY GREATER EMPHASIS ON VOCATIONAL REHABILITATION YET WE DESIGNATE ONLY 5% OF OUR HUMAN RESOURCES BUDGET FOR THIS PURPOSE.

ACTUALLY FEW PEOPLE ARE AWARE OF THE ROLE VOCATIONAL REHABILITATION PLAYS IN THE REHABILITATION OF JUVENILE AND ADULT OFFENDERS, DRUG OFFENDERS, THE MENTALLY ILL, ALCOHOLICS AND THE MENTALLY RETARDED, IN ADDITION TO WORK WITH THE BLIND AND DEAF AND THE MORE SEVERELY PHYSICALLY DISABLED. THINK OF THE POTENTIAL MANPOWER AVAILABLE TO NORTH CAROLINA IF WE COULD ONLY SEE BEYOND THE SURFACE OF THE DISABILITY TO THE POSSIBILITY OF REHABILITATION.

I DO NOT BELIEVE YOU DO ENJOY, OR WOULD ENJOY, BEING WARDS OF THE STATE. I BELIEVE YOU WOULD PREFER, IF YOU HAD A CHOICE, THE OPPORTUNITY TO BECOME MORE INDEPENDENT AND TO PAY YOUR OWN WAY.

WE SHOULD CONTINUE TO APPROPRIATE FUNDS FOR HEALTH AND WELFARE PROGRAMS AND USE THEM WISELY. BUT AT THE SAME TIME WE SHOULD PROVIDE YOU WITH OPPORTUNITIES FOR TREATMENT AND OTHER SERVICES NECESSARY TO ALLEVIATE YOUR HANDICAPS, AND THE TRAINING AND EDUCATION TO DEVELOP YOUR MARKETABLE SKILLS.

THERE ARE OTHER PROGRAM AREAS IN WHICH WE AS A STATE HAVE ONLY BEGUN TO MAKE SOME PROGRESS. 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.

I WAS PLEASED TO SEE THAT THE 1973 NORTH CAROLINA GENERAL ASSEMBLY PASSED SOME SPECIAL APPROPRIATIONS BILLS FOR THE EDUCATION OF EXCEPTIONAL CHILDREN, AS WELL AS FOR COMMUNITY GROUP HOMES FOR EMOTIONALLY TROUBLED CHILDREN. THESE SERVICES, HOWEVER, ARE AT THE PRESENT TIME, ONLY AVAILABLE TO A SMALL NUMBER OF NORTH CAROLINIANS. BUT AT LEAST WE HAVE BEGUN TO RECOGNIZE THE PROBLEM, AND I TRUST THAT WE WILL MOVE FORWARD FROM HERE.

PERHAPS ONE OF OUR GREATEST AREAS OF ACHIEVEMENT IN NORTH CAROLINA HAS BEEN IN OUR COMMUNITY SHELTERED WORKSHOPS. SINCE THE EARLY 1960'S, WHEN NORTH CAROLINA DID NOT HAVE A SINGLE COMMUNITY SHELTERED WORKSHOP FOR HANDICAPPED PERSONS, OUR COMMUNITIES HAVE DEVELOPED, WITH THE ASSISTANCE OF THE DIVISION OF VOCATIONAL REHABILITATION SERVICES, THE DIVISION OF SERVICES FOR THE BLIND AND THE DIVISION OF MENTAL HEALTH SERVICES, OVER 50 COMMUNITY SHELTERED WORKSHOPS.

THESE ARE ONLY A FEW EXAMPLES OF PROGRAMS. I COULD HAVE MENTIONED MANY OTHERS.

BUT TO SUM UP, LET ME SAY THAT WE NOW HAVE SOME EXCELLENT LAWS IN NORTH CAROLINA SPECIFICALLY SPELLING OUT YOUR RIGHTS AND OUR REHABILITATION PROGRAMS ARE MAKING A SIGNIFICANT IMPACT ON DEPENDENCY, ENABLING THOUSANDS OF NORTH CAROLINIANS TO LEAD MORE MOBILE AND INDEPENDENT LIVES.

HOWEVER, WELL OVER 90 PERCENT OF OUR BUILDINGS AND FACILITIES ARE STILL INACCESSIBLE TO YOU WHO ARE PHYSICALLY HANDICAPPED. WE, AS YET, DO NOT HAVE ONE SINGLE STATE INSTITUTION OF HIGHER LEARNING THAT IS COMPLETELY ACCESSIBLE TO YOU.

OUR PROGRAMS FOR EXCEPTIONAL AND TROUBLED CHILDREN HAVE YET TO REACH THOUSANDS OF NORTH CAROLINIANS, WHO WITHOUT THESE SERVICES, MAY WELL REACH ADULTHOOD WITH BEHAVIORAL PROBLEMS, NO MARKETABLE SKILLS, THUS BECOMING POTENTIAL WARDS OF THE STATE. THE VAST MAJORITY OF OUR HANDICAPPED YOUNG PEOPLE AND ADULTS DO NOT HAVE REASONABLE ACCESS TO VOCATIONAL REHABILITATION PROGRAMS - PROGRAMS THAT HAVE THE POTENTIAL, GIVEN THE FUNDING AND MORE PUBLIC ADVOCATES, TO HAVE A MUCH GREATER IMPACT ON CHILDREN WHO HAVE GROWN UP WITH DISABILITIES AND ADULTS WHO HAVE BECOME VICTIMS OF CHRONIC DISEASES AND ACCIDENTS - AND MANY OTHER CITIZENS WHO, THROUGH NO CHOICE OF THEIR OWN, HAVE BECOME HEAVILY DEPENDENT ON THEIR FAMILIES AND THE STATE.

WE CAN AND MUST DO MORE.

THEREFORE, I ENCOURAGE YOU TO BECOME FULLY AWARE OF YOUR RIGHTS. WHEN DISCRIMINATION OCCURS, DO NOT HESITATE TO BRING THIS DISCRIMINATION TO THE ATTENTION OF MY OFFICE AND OTHERS WHO AS YOUR ADVOCATES WILL TAKE AN INTEREST AND HELP YOU ELIMINATE THIS DISCRIMINATION - THROUGH THE COURTS, IF NECESSARY. ANYTHING LESS THAN YOUR EQUAL RIGHT TO PURSUE THE OPPORTUNITIES WE DISCUSSED TODAY VIOLATES THE SPIRIT, IF NOT THE LETTER, OF OUR CONSTITUTION. WITH THE RECENT BILLS OF RIGHTS ENACTED IN NORTH CAROLINA, DISCRIMINATION IN EMPLOYMENT, ACCESS TO FACILITIES, BUILDINGS AND TRANSPORTATION, EDUCATIONAL OPPORTUNITIES, AND REHABILITATION SERVICES, IN FACT, VIOLATE THE LETTER OF OUR STATE LAWS.

WE MUST WORK FOR STRONG ENFORCEMENT OF THE PROGRESSIVE LEGISLATION TO INSURE PROPER HOUSING, TRANSPORTATION, BARRIER-FREE BUILDINGS, EQUAL EMPLOYMENT AND THE ENLIGHTENED SOCIAL CLIMATE YOU MUST HAVE IN ORDER TO FUNCTION PROPERLY IN THE COMMUNITY.

AS WE PROVIDE EQUAL ACCESS FOR ALL OUR CITIZENS, YOU CAN BEGIN TO ENJOY THE EQUALITY AND JUSTICE WHICH ARE THE FOUNDATIONS OF OUR NATION. AND, AS WE BREAK DOWN THESE BARRIERS TOGETHER, I BELIEVE YOU MAY EVEN FIND THAT YOU WILL HAVE A COMPETITIVE EDGE IN PURSUING YOUR DREAMS AND SUCCESS. FOR THOSE OF US WHO ARE CALLED "ABLE-BODIED", OFTEN ARE MADE OF LESSER METAL THAN YOU. WE MAY FIND OURSELVES LESS EQUIPPED TO DEAL WITH THE CHALLENGES OF LIFE THAN THOSE OF YOU WHO HAVE MET THE CHALLENGE OF HANDICAPS AND OVERCOME THEM.

I AM REMINDED OF AN INCIDENT WHICH OCCURRED AT THE OLYMPICS IN MUNICH. IN ONE OF THE TRACK EVENTS, A RUNNER WHO WAS NOT PICKED TO PLACE, MUCH LESS WIN, ACTUALLY WON THE RACE AND SET OLYMPIC AND WORLD RECORDS.

IT SEEMS THAT IN THE COURSE OF THAT RACE, ABOUT 50 YARDS DOWN THE TRACK, HE WAS KNOCKED DOWN BY SEVERAL RUNNERS WHO COLLIDED. HE GOT UP STAGGERING; AND MANY YARDS BEHIND HIS COMPETITORS, RAN THE RACE OF HIS LIFE TO CATCH AND PASS THEM. HE WON MANY RACES AFTER THAT. BUT, I AM CONVINCED THAT IF HE HAD NOT BEEN KNOCKED DOWN, HE PROBABLY WOULD NOT HAVE WON THAT RACE.

HE HAS SINCE STATED IN AN INTERVIEW, "I FELT THAT IF I COULD WIN THAT RACE, AFTER HAVING BEEN KNOCKED DOWN, SURELY I COULD WIN WHEN I WASN'T KNOCKED DOWN." HIS TEMPORARY DEFEAT LED HIM TO ULTIMATE SUCCESS.

ONE OF MY FAVORITE POENS IS GOOD TIMBER BY DOUGLAS MALLOCK. IT READS LIKE THIS:

THE TREE THAT NEVER HAD TO FIGHT  
FOR SUN AND SKY AND AIR AND LIGHT,  
THAT STOOD OUT IN THE OPEN PLAIN  
AND ALWAYS GOT ITS SHARE OF RAIN,  
NEVER BECAME A FOREST KING  
BUT LIVED AND DIED A SCRUBBY THING.

THE MAN WHO NEVER HAD TO TOIL  
TO HEAVEN FROM THE COMMON SOIL,  
WHO NEVER HAD TO WIN HIS SHARE  
OF SUN AND SKY AND LIGHT AND AIR,  
NEVER BECAME A MANLY MAN,  
BUT LIVED AND DIED AS HE BEGAN.

GOOD TIMBER DOES NOT GROW IN EASE;  
THE STRONGER WIND, THE TOUGHER TREES;  
THE FARTHER SKY, THE GREATER LENGTH;  
THE MORE THE STORM, THE MORE THE STRENGTH;  
BY SUN AND COLD, BY RAIN AND SNOWS,  
IN TREE OR MAN, GOOD TIMBER GROWS.

WHERE THICKEST STANDS THE FOREST GROWTH  
WE FIND THE PATRIARCHS OF BOTH;  
AND THEY HOLD CONVERSE WITH THE STARS  
WHOSE BROKEN BRANCHES SHOW THE SCARS  
OF MANY WINDS AND OF MUCH STRIFE -  
THIS IS THE COMMON LAW OF LIFE.

MANY OF YOU IN THIS ROOM HAVE HAD TO TOIL AND WIN YOUR SHARE OF SUN AND SKY AND LIGHT AND AIR; YOU HAVE FACED STRONG WINDS AND STORMS, AND, AS THE POEM GOES, "THE MORE THE STORM, THE MORE THE STRENGTH".

BEETHOVEN NEVER HEARD SOME OF HIS GREATEST WORKS IN MUSIC; HE WROTE THEM WHILE HE WAS DEAF. JOHN MILTON WAS NEVER ABLE TO SEE HIS GREATEST WRITINGS BECAUSE OF HIS BLINDNESS.

IF YOU ARE TEMPTED TO BECOME DISCOURAGED, THINK OF THE TREES THAT BECOME "FOREST KINGS" THROUGH FACING STORMS AND OVERCOMING THEM AND THE MEN WHO THROUGH THEIR WILLINGNESS TO BECOME STRONGER BECAUSE OF THEIR STRUGGLES AND HANDICAPS, HAVE GONE ON TO CHANGE THE COURSE OF OUR HISTORY AND IMPROVE THE PLIGHT OF ALL PEOPLE.

LET'S WORK TOGETHER TO REMOVE THE BARRIERS THAT FACE US, SO THAT YOU WILL HAVE THE CHOICE TO PURSUE YOUR SUCCESS AND YOUR DREAMS. THEN, YOU TOO CAN CHOOSE AND WORK TO BECOME A "FOREST KING" IN YOUR OWN FIELD OF ENDEAVOR, WHATEVER IT MAY BE. AND YOUR STRUGGLES WILL HAVE BEEN YOUR GREATEST ASSET.

THANK YOU.