



State Senate clears the way for constitutional amendment

Companion legislation introduced in Assembly

The New Jersey Senate unanimously approved a measure that would remove the words “idiot” and “insane” from the state constitution. Disability advocates hailed the vote as a great victory.

SCR-134 will alter Article II, Section I, of the state constitution regarding elections and voting. Paragraph six of the section states: “No idiot or insane person shall enjoy the right of suffrage.” That language would be replaced with the

phrase “person who has been adjudicated by a court of competent jurisdiction to lack the capacity to understand the act of voting.”

Another bill, S-2476, would similarly amend Title 19:4-1 of the State Statute, which contains the same language. That bill has yet to go before the Senate.

The measures were drafted by the Council’s grassroots Monday Morning Project in conjunction with the Department

of the Public Advocate and the Office of Legislative Services, and introduced by Senate President Richard Codey (D-Essex).

Many advocates with disabilities testified at Senate hearings that the language was offensive, discriminatory and archaic.

On the same day SCR134 passed the Senate, two identical bills, ACR-240 and A-4030, were introduced in the General Assembly by Assemblymen Joseph Cryan (D-Union) and James Whelan (D-Atlantic).

If approved, the proposed constitutional amendment will be placed on the November ballot as a public question.

AMA meets with activists about growth-stunting case

The American Medical Association bowed to pressure from disabled activists and met recently to hear their opposition to growth-stunting treatment performed on a girl with severe brain damage.

The now 9-year-old girl identified only as “Ashley” had surgery in Seattle to remove her womb and breast buds, and hormones to keep her permanently child-sized, treatment some activists say amounted to

mutilation.

The treatment was first publicized in a medical journal owned by the AMA, and her parents created a blog about their “pillow angel” last month to defend their decision. Their daughter was diagnosed with severe brain damage shortly after birth. She can’t walk, talk, sit or stand and functions like a young infant.

Her parents say the treatment makes Ashley more portable, more comfortable, and will enable her to remain with her family and receive care at home even as she ages.

Advocacy groups including

Feminist Response in Disability Activism, Not Dead Yet and Access Living asked the AMA to condemn the treatment. They also sought support for proposed federal legislation that would give families more resources to care for disabled people at home so they could avoid drastic treatment or being institutionalized.

After a protest outside the AMA building last month and repeated phone calls and faxes demanding that the AMA listen to their concerns, five activists from the grass-roots groups met with Dr. Michael Maves, AMA’s

(continued on page 2, column 1)

AMA meets with activists about growth-stunting case

(continued from page 1)

chief executive officer, and Dr. Cecil Wilson, chairman of the AMA's board of trustees.

While Maves and Wilson made no promises during the meeting at AMA headquarters, the groups said just getting the nation's largest group of doctors to hear their concerns was a victory.

The AMA also agreed to consider more meetings with the groups, and will give them a more formal response in writing during the first week in March.

Eagleton study on voter ID requirements

Researchers from the Eagleton Institute of Politics recently presented the results of a study of the effects of voter identification requirements on voter turnout to the U.S. Election Assistance Commission.

Eagleton, working with scholars from the Moritz College of Law at the Ohio State University, conducted the re-

search under a contract with the Election Assistance Commission.

States that imposed identification requirements on voters reduced turnout at the polls in the 2004 presidential election by about three percent, and by two to three times as much for minorities.

The study supports concerns among voting-rights advocates that blacks and Hispanics could be disproportionately affected by ID requirements. But federal officials say more research is needed to draw firmer conclusions about the effects on future elections.

While not specifically reporting on voters with disabilities, disability advocates have consistently opposed Voter ID requirements. The study was based on data provided to the Census Bureau by 53,000 people nationwide.

Tim Vercellotti, a professor at the Eagleton Institute of Politics, said that in the states where voters were required to sign their names or present identifying documents like utility bills, African-Americans were 5.7 percent less likely to vote than in states where voters simply had to say their names.

Hispanic voters appeared to

be 10 percent less likely to vote under those requirements, while the combined rate for people of all races was 2.7 percent.

Only two states, Indiana and Florida, now require all voters to show photo ID, and voters without it are allowed to cast only provisional ballots. Indiana officials have said voter turnout increased by 2 percent last November, compared with the 2002 midterm election, despite the enactment of a photo ID law in 2005.

Three states — Hawaii, Louisiana and South Dakota — require voters without photo ID to sign affidavits to cast regular ballots. Photo ID laws in Missouri and Georgia have been struck down in court, and several states are considering similar measures.

DCA announcement on State Rental Assistance Program

The NJ Department of Community Affairs, Division of Housing, has announced a statewide opening of the waiting list for the State Rental Assistance Program (SRAP) for the

NJCDD New Jersey Council on Developmental Disabilities

Monday Morning is published by the New Jersey Council on Developmental Disabilities

Chair: Maureen Babula **Vice Chair:** Lorraine D'Sylva-Lee **Executive Director:** Alison M. Lozano, PhD., M.P.A. **Editor/Writer:** Greg Mizanin

ADDRESS: PO Box 700, 20 West State Street, Trenton, NJ 08625-0700. **INFORMATION:** 1.800.216.1199

OFFICE: 609.292.3745 **TDD:** 609.777.3238 **FAX:** 609.292.7114 **INTERNET:** www.njcdd.org **EMAIL:** njddc@njddc.org

NJCDD's Monday Morning is a compilation of news from various sources, organized to inform people with disabilities about policies, programs, laws, trainings and events. The purpose of the New Jersey Council on Developmental Disabilities is to apply its unique resources for culturally competent advocacy, capacity building and systemic change activity, to build leadership in self-advocates and their families, and to assure that individuals with developmental disabilities and their families are full participants in the design of and have access to needed community services, individual supports, and other forms of assistance that support self-determination, independence, productivity, integration and inclusion in all facets of community life.

Disabled. To be determined eligible, the head of household or spouse must be a person with disabilities and be a resident of New Jersey.

Because of limited funding, only the first 5,000 applications will be accepted based on income limits, which vary in each county. For a printable application form and income limits, log onto <http://monarchhousing.org/Blog/?p=270>

Send application forms to: NJ Department of Community Affairs, Division of Housing, Applicant Services Unit – State Rental Assistance Program for Disabled, PO Box 051, Trenton, NJ 08625-0051

Written notification of the applications eligibility may take several weeks.

For additional information call 609-633-6171.

State Supreme Court rules on anti-bias harassment case

The state Supreme Court ruled recently that school districts are responsible for stopping bias-based harassment. The decision came in a case brought by a Toms River Regional School District student, now 21, who complained he was slapped, punched and repeatedly taunted from the time he was in fourth grade by classmates who perceived him as gay.

The unanimous decision, based on New Jersey's Law Against Discrimination, gives pupils in the state greater protec-

tion from "student-on-student" harassment than their peers nationwide. It said a school district may be found liable if it knew about a "hostile educational environment" and failed to take reasonable action to end it.

"Students in the classroom are entitled to no less protection from unlawful discrimination and harassment than their adult counterparts in the workplace," Chief Justice James Zazzali wrote in the opinion.

Over the years, school administrators warned the harassers to stop and disciplined the worst offenders, but the school district did not reinforce an anti-discrimination policy through assemblies, letters to parents or other widespread communication, according to court records.

The harassment let up in eighth grade, but the student was beaten up twice when he entered Toms River High School South in September 2000. He then transferred to another school at the district's expense.

While drawing comparisons to "hostile work environment" lawsuits, the justices recognized "schools are different from workplaces."

"A school cannot be expected to shelter students from all instances of peer harassment," Zazzali wrote. "Nevertheless, reasonable measures are required to protect our youth, a duty that schools are more than capable of performing."

Civil rights organizations hailed the opinion as a major victory. The decision will also impact students with disabilities.

Special education journal changes name

After almost 5 decades of being called Mental Retardation, the journal in special education has changed its name to Intellectual & Developmental Disabilities. The journal describes the change as "a microcosm of society's ongoing struggle to find a socially acceptable way of addressing persons with an intellectual disability."

The new name reflects the name change of its publisher, the American Association on Intellectual and Developmental Disabilities, formerly AAMR, the world's oldest organization representing professionals in developmental disabilities.

"The term intellectual and developmental disabilities is simply less stigmatizing than mental retardation, mental deficiency, feeble-mindedness, idiocy, imbecility, and other terminology we have cast aside over the years," said editor Steven J. Taylor.

However, Taylor acknowledges that the crux of the issue here goes beyond language and terminology into the deeper issues of inclusion and acceptance of people with intellectual disabilities in society.

"Anyone who believes that we have finally arrived at the perfect terminology will be proven wrong by history. I am sure that at some future point we will find the phrase intellectual and developmental disabilities to be inadequate and demeaning," he said.

COMMUNITY CALENDER

March 22

Council on Developmental Disabilities Public Meeting

10 AM to 3 PM
Lafayette Yard Marriott Conference Center, 1 West Lafayette Street, Trenton, NJ
njddc@njddc.org or
609.292.3745

March 22

“Positive Behavior Support for People with the Dual Diagnoses of a Developmental Disability and a Mental Illness”

12 PM to 2 PM
Grassman Hall, New Point Campus, Trinitas Hospital, 645 East Jersey Street, Elizabeth, NJ 07206
Registration: 908.497.9636

March 29-30

NJ APSE - The Network on Employment and The Boggs Center

Woodbridge Hilton, Iselin, NJ
Contact: Wendy Kuziemski,
732.235.9325

March 30-31

SPAN’s Annual State Conference

Crowne Plaza Hotel / Monroe Jamesburg, NJ
Register online: www.spannj.org
1.800.654.SPAN

March 31

”Building Inclusive Communities,”

NJ Inclusive Child Care Project Annual Conference, Crown Plaza in Monroe
Contact Denise Bouyer,
973.642.8100 ext. 108

April 18

“Transition from Early Intervention to Preschool”

10:30 AM to 12:30 PM
Ocean County Public Library Toms River Branch
101 Washington St.
Toms River, NJ 08753
Contact: 732.937.5437

April 27

Conference on Housing Discrimination

9 AM - 3 PM
New Jersey Law Center
1 Constitution Square,
New Brunswick, NJ 08901
Contact: NJ Division on Civil Rights, 609.292.4605

Return Service Requested

PRESORTED
FIRST-CLASS MAIL
U.S. POSTAGE
PAID
TRENTON, N.J.
PERMIT NO. 21

Monday morning
New Jersey Council on Developmental Disabilities
PO Box 700
Trenton, New Jersey 08625