

## **Testimony of C. Jeffery Evans before the Human Services Committee of the Oregon House of Representatives.**

Chair Tomei, honored members of the Committee, my name is Jeffery Evans and I speak on behalf of the Able Student Alliance of Oregon State University.

The ASA is an organization of students with and without disabilities dedicated to advocating for better accessibility at OSU. While universities and colleges play a significant role in our lives so do many other places controlled by the state of Oregon and its many cities and counties. These places include, but are not limited to, public parks, transit stations, and local government meeting facilities. An astounding number of these are not accessible to individuals with disabilities. This problem limits our ability to travel, recreate, study, and participate in the activities of government. For example, inaccessible transit stops and sidewalks limit our ability to move freely within our communities; inaccessible universities and colleges limit our ability to train for most of the kinds of employment that are not inconsistent with our physical limitations; and inaccessible buildings housing our local governments limit our God-given right to participate and redress our grievances. These are not insignificant concerns.

Consider the following information contained within the American Community Survey conducted by the United States Bureau of the Census:

Persons with disabilities are 2.25 times less likely to complete high school and three times less likely to be employed than their

non-disabled counterparts. In fact, nearly 74 percent of individuals with disabilities are not part of the labor market. Similarly, while 31.7 percent of our population has earned at least one college degree, only 13.9 percent of individuals with disabilities can make that claim.

While the Americans with Disabilities Act, created to fulfill the promise of the fourteenth amendment guarantee of equal protection, applies to all segments of our society --- it holds government to a higher standard by expecting that the Halls of this Republic, the Forums of our Democracy shall remain open to and accessible by all. In this, we have failed miserably.

It is just this problem that HB 2674 seeks, in some small measure, to address by requiring that one percent of the budget of construction projects of local and state government be set aside to remove barriers to accessibility that still exist and should have been removed long ago. It requires these funds to address barriers that have been identified and hold some promise of improving access to this least empowered of all protected classes. It is for this reason that we recommend passage of this important piece of legislation. One percent is not enough, but it is a start.

We do, however, have a concern. The legislation requires that the funds be applied to barriers that appear on an inventory and are of high priority. This would be acceptable if the inventory is developed through an ADA-compliant assessment process and the priorities established as part of an ADA-compliant transition plan both of which result from the substantial and equal participation of persons with disabilities. Unfortunately, too

many mid- and senior-level governmental administrators choose not to trouble with the “of the people, by the people, for the people” philosophy that serves as the foundation of our right to “life, liberty and pursuit of happiness;” many find it easier to know what’s best for us poor, little crippled people. Well, I must apologize to the members for the bitter tenor of that statement. But it’s bitterness that we have tasted more than once. Forgive us if, in an era where deferred maintenance deficits grow with each passing day, we do not trust that those charged with managing public facilities, won’t slap an “accessibility-priority” label on something simply as a means of funding something that is merely broken and will have little or no benefit to individuals with disabilities. We have seen that also all too often.

Of course, it is difficult for us to demand that private facilities be made accessible if we are unwilling to hold government’s wheels to the fire. Let the commitment start here, let it start now.

Please pass this legislation and ensure that the funds it provides actually goes towards addressing those things that prevent us from pursuing what we have been told we have a right to pursue --- our share of the American Dream.

I am prepared to answer any questions you may have and if you have none, I thank for your time.

Respectfully Submitted,

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