



This time on Disability Nation --

Steve Novick: And in this year where we keep on hearing about change, I happen to be 4 feet, 9 inches tall and with a left hand made of stainless steel. And Oregon's leading Democratic pollsters said a few months ago that, yes, this is a change-oriented electorate; and if Novick's not the face of change, I don't know what is.

-- Senate Candidate Steve Novick of Oregon and the latest news from the disability community all next on Disability Nation, Episode 60.

Hi, it's Larry and you're listening to *Disability Nation*, an audio magazine by and for people with disabilities.

Well, thanks for tuning in this week. As always, whether you're listening on the Internet from a podcast or on the radio, I appreciate you tuning in and listening to the show as always. This time on the show I'm pleased to welcome Steve Novick. Steve is a candidate for United States Senate from the state of Oregon and he's definitely working hard on his campaign. And he's got a unique message and definitely is using his disability as a promotional piece and to help people remember who he is and to share more about him as a person. So we're going to visit with Steve and learn more about him and his campaign and why he wants to be a senator.

Also on the show this week we'll get the latest news from the disability community provided by *Inclusion Daily Express* at InclusionDaily.com.

If you want to get in touch with me here at *Disability Nation* there's a couple ways to do that. You can send e-mail to contact@disabilitynation.net; or you can phone (480) 302-9300, and that's the *Disability Nation* phone portal through PhonePortals.com. Again, (480) 302-9300. You can listen to past episodes of the show and leave voice mail by calling that number. And also you can go to the *Disability Nation* website at www.DisabilityNation.net.

Thanks for listening again this time and enjoy the show.

Here are some brief headlines in this week's disability rights and advocacy news, as reported by Inclusion Daily Express, the international disability rights news service.

The number of people who used Oregon's assisted-suicide law to die reached its all-time high in 2007. At the same time, those who received the legal, lethal prescriptions but have not used them yet is on the increase. Not one of the patients who died was first referred for psychological or psychiatric treatment. Oregon health officials released their 10th annual report on assisted suicide in the state, showing that 49 people died using the law last year. That's up from 46 in 2006.

Since the controversial Oregon law took effect in 1997, 341 patients have used it to kill themselves. The Catholic Church, disability groups and pro-life advocates have long opposed the law, saying it pressures the sick and elderly to kill themselves and devalues the life of sick and disabled citizens. In the most significant statistical change, the report showed 85 people received the drugs in 2007, an increase of 20 from 2006. Three of the people who killed themselves in 2007 received the prescription in 2006.

One national euthanasia opponent says she's concerned doctors don't do more to help patients address the mental health issues that likely prompt them to consider suicide. "During 2007, not one patient who died under Oregon's assisted suicide law was referred for psychiatric or psychological evaluation before receiving the prescription for lethal drugs," said Rita Marker, of the International Task Force on Euthanasia and Assisted Suicide. Marker also echoed a long-time criticism of the state report — it relies entirely on the doctors who collaborate in assisted suicide.

Since the war in Iraq began five years ago, tens of thousands of U.S. military personnel have been severely injured while on duty. Unfortunately for many, they have come home to a set of benefit systems that have not been updated since World War II, according to a report by ABC's Bob Woodruff. Those systems base the level of disability pay the soldiers are to receive on how physical disabilities impact their ability to perform manual labor.

But the injuries from this war are considerably different from those of the 1940s. The improvised explosive devices, or IEDs, that insurgents commonly use, cause bits of metal to slice through bone and flesh. When soldiers are close enough to the explosions, the blasts themselves often cause internal brain injuries that heal partially or not at all. And a record number are coming back with psychological trauma. These veterans and their families are finding that they have to battle with one or more of three different benefit systems: the Departments of Defense, Veterans Affairs, and the Social Security Administration. The veterans often have to prove how their injuries happened, while dealing with overwhelmed bureaucracies.

Last year, after news reports revealed that many injured veterans were receiving substandard care and that some were housed in unsanitary conditions, President George W. Bush appointed former Senator Bob Dole and former Health Secretary Donna Shalala to look into the problems. After their panel's report was released last summer, Bush ordered his Defense and Veterans Affairs secretaries to implement the recommendations, including one to "completely restructure the disability and compensation systems." Woodruff noted that little has changed since the order from President Bush to implement the reports recommendations.

Disability advocacy groups in West Virginia are outraged that the new owner of an abandoned institution plans to preserve more than its 150-year-old building. Joe Jordan, who recently purchased the former Weston State Hospital, has announced that he plans to rename it the "Trans-Allegheny Asylum for the Insane", which is what it was called in 1858. Jordan said this would provide "a realistic depiction of the era." West Virginia disability groups said they are offended by the name change.

Scott Miller, director of the Mountain State Direct Action Center, told the Charleston Gazette that the old name is very derogatory. "We don't call people lunatics. Asylum is just not the term anymore," he said.

The new owner plans to hold mud-bog races and other motor sports on the grounds, along with "ghost hunt" tours of the facility. He said it would go back to the original name, regardless of how many people it offends.

A series of class-action lawsuits are being filed against the governments of eight Canadian provinces and Canada's Schools for the Deaf on behalf of former residents who say they were abused while at the facilities.

Attorney Tony Merchant filed the first complaint last week against the government of Alberta, alleging that staff at the Alberta School for the Deaf abused at least 20 former students between 1955 and 1996. Merchant's firm plans to sue the governments of every Canadian province, except New Brunswick and Prince Edward Island, for mistreatment that allegedly took place in 12 government-funded facilities and likely involved thousands of former students.

Merchant explained that the segregated programs would not allow the students to use American Sign Language because they were supposed to be learning to read lips and speak out loud. He said this also made the students -- especially young female students -- "perfect victims" for would-be perpetrators because they weren't going home to their families, and they weren't allowed to communicate, and they lived in a largely solitary world.

Three former students of the Alberta institution claim, among other things, that they were choked, slapped, strapped and hit with wire hangers, hairbrushes and a hockey stick during their time at the school. They said teachers sometimes poured cold water on them to wake them up. Merchant said he believed that wrongdoers tended to accumulate in these types of institutions.

And, finally, Massachusetts officials have announced that more than 600 people with intellectual and developmental disabilities in the state will be able to move out of nursing homes and into group homes, apartments, or their own homes over the next five years. The decision settles a class-action lawsuit that community advocates filed 10 years ago against the state.

The advocates, from such groups as The Arc of Massachusetts and the Disability Law Center, claimed that about 700 people with these disabilities were unfairly forced to stay in nursing homes. They cited federal law and the U.S. Supreme Court decision in *Olmstead v. L.C. & E.W.*, which said people must receive services in the "least restrictive settings." Another part of the suit was settled in 1999, when the state agreed to move about 1,000 people from nursing homes between the years 2000 and 2007. The state said that about 100 people would remain in nursing homes, either because they wanted to stay or because of their ages and medical needs.

Jean McGuire, assistant secretary of the state Department of Health and Human Services, told the Boston Globe that this would accelerate further development of community-based services for people with intellectual or developmental disabilities.

Expanded coverage of these stories, and links to dozens more disability rights news articles, commentary, and resources, are available through our daily and weekly email updates at www.InclusionDaily.com.

Announcer: U.S. Senate candidate Steve Novick fought corporate polluters and defeated Bill Sizemore. But would you want to have a beer with him?

Steve Novick: I agree. I think most Democrats are still pretty frustrated. We're just not seeing real progress on the big challenges we're facing. If we're going to get out of Iraq, fix the broken healthcare system, stop global warming, we can't afford just politics as usual.

It's going to take a whole different level of courage --

Announcer: Steve Novick. He's always found a way to get things done.

Steve Novick: I'm Steve Novick and I approve this message.

Larry Wanger: That was audio from one of the advertisements that Senate candidate Steve Novick has put together. And in that particular commercial Steve is sitting at a table and a bar with a gentleman and they're talking politics, and he opens the beer with the hook on his left hand for the person he's with because they couldn't get it open. And it's an interesting commercial and it kind of highlights Steve's disability and some of the things that he's dealing with. And you can see the video of that and a number of other Novick commercials that I've put on the website at DisabilityNation.net.

I'm pleased to welcome Steve to the show and to talk with him about his candidacy, why he's running, and about how he's portraying and presenting his disability as a candidate for Senate. So, Steve, welcome to the show. Why don't you take a couple minutes as we begin here to just introduce yourself and tell us why you're running for office?

Steve Novick: I'm running for the United States Senate in Oregon. I grew up in Oregon -- actually, I did a bit of time in California beforehand, but my family moved to a small town called Cottage Grove when I was 10.

When I was 14 the schools in Cottage Grove closed for a while because the voters didn't want to pay property taxes that year. So I wound up going to the University of Oregon to take a few classes to pass the time and wound up just staying there. It was the '70s; they were very mellow about it. I showed that I could do the work so they just let me in, which meant that I wound up graduating when I was 18 in 1981.

After that I went on to Harvard Law School, then went to the Federal Justice Department where I had the honor of spending eight years suing polluters, doing clean air and clean water and super-fun toxic waste cases.

Since I came back to Oregon in 1996 I've spent much of my time fighting the devastating radical rightwing ballot measures directed towards slashing taxes woefully and destroying government services. So I've been fighting the ballot measure wars for years and years. And I also carried on a lengthy struggle against the Oregon lottery to get them to stop short-changing schools by overpaying some of their contractors.

And I'm running because I'm deeply concerned about the direction the country's going in. I'm concerned about our collapsing

healthcare system; about global warming; about the rising federal debt; and the concern that if we're borrowing tons of money now before the baby boomers even retire, it's hard to see how we're going to pay for Social Security and Medicare and Medicaid after the baby boomers retire and those costs go up; I'd like to get out of this terrible war; and I think we need to re-build an economy that works for all of us, not just the richest one-tenth of one percent.

And we're building a nice coalition here in this campaign and we've got a real shot at replacing an incumbent Republican. And I think, based on what we've seen so far, inspiring some folks in a way that we haven't seen too often since Paul Wellstone ran his insurgent campaign in Minnesota in 1990, we've got a lot of people lining up to support somebody who hasn't been an elected official but has worked hard to support public services and to fight for good causes.

And in this year where we keep on hearing about change, I happen to be 4 feet, 9 inches tall and with a left hand made of stainless steel. And Oregon's leading Democratic pollsters said a few months ago that, yes, this is a change-oriented electorate; and if Novick's not the face of change, I don't know what is. We're counting on that to be the sentiment that carries us to victory.

Larry Wanger:

Well, you've got a long resume of public service and working within the government to make change for people, for taxpayers, for the environment, and that's something that really impressed me. When you talk to people who have that lengthy history of being involved sometimes you find out that they've kind of gotten focused more on private interests and self-interest and that kind of thing; but clearly from what I've seen that's not where you're at. What is it that really motivated you to get into politics and really to stay in it and take the steps you're taking?

Steve Novick:

Well, I grew up in a very political family. My mom was one of the first Head Start teachers, and I guess that's not exactly political but it sort of is. I mean, she was part of the great society. And my dad was active in the civil rights movement and the anti-war movement. My mom used to careful the Grateful Dead instruments in her VW Bus up to a hill where they used to play in San Francisco before they got big.

So I grew up in a family that was very political and I have a pretty strong memory when I was 6, 7, 8, 9 of Vietnam, of Watergate, of the McGovern campaign, and the feeling that a lot of us had then that, yes, we can build a truly just society. We can protect the environment. We can win civil rights for women and black people and gay people and people with disabilities and build a truly

inclusive society. And there was a lot of energy. Of course, there were a lot of terrible things happening -- the war and Richard Nixon's enemies list and a whole lot of bad things happened in the '60s and '70s, but there was a lot of hope and optimism that we could use government to help build a just society. And I haven't let go of that dream since I was 6 and 7 years old and viewing my parents at it.

Larry Wanger: You've been really upfront in your campaign, especially in your commercials and places like that, about your disability. And I'm just curious -- I don't necessarily mean that other folks seeking political office have kind of hid that, but it hasn't really been a public thing that much. But clearly that's something that people see -- in one of your commercials you open a bottle of beer for a guy with the left hook and that kind of thing. So I'm just curious, it sounds like you're almost using that to your advantage in promoting you as a viable candidate.

Steve Novick: We're absolutely using it to our advantage and there's three different reasons we're using it. One is simply that the first job of any politician, any candidate, is to be remembered; so I happen to have these memorable physical characteristics, might as well use them.

The second is that the characteristics I have fit very well into our overall campaign message. And part of our message is I'm fighting for the little guy. I'm fighting for tax fairness. I'm fighting for an economy that works for all of us, for healthcare for everybody, and I happen to be a little guy. I'm a little guy fighting for the little guy.

And we're also fighting. We're making the case that I fought effectively for the things I believe in. I've fought polluters. I've fought rightwing initiative extremists. I've fought what I saw as corruption in the Oregon lottery. And a fighter does need a hard left hook, so we're playing off that.

A third reason for actively talking about, showing my disabilities, is that I know from experience that most people have no problem, no issue at all with people who look a little different. But there's some people who are a bit uncomfortable with anybody who's different. And I would point to the experience I've had at grocery store checkout lines over the years where every once in a while I'll be standing in line and there'll be a little kid with a mom across from me in the next line. The little kid will be staring at my hook and asking his mom about it, or maybe just staring. And quite often the mom will say, "Well, go over and ask the man how the hand works." And I'm always very happy to show the kid how my hand works and

explain -- shake hands with that kid, explain what the physics of it are.

But every once in a while I'll see a kid staring and maybe ask a question and his mom will say, "Oh, don't stare at the man." And I always respond to that by going over myself and showing the kid my hand. And usually I'll see sort of a sigh of relief on the mom's face when she realizes, okay, the guy's not offended. He's actually willing to interact with my kid. And we see doing the ad as a way of reaching out to those people -- people who might be uncomfortable and worried. But we figure that as long as we show that I'm comfortable with it and we're willing to laugh about it, they'll be comfortable too.

Larry Wanger: There are a lot of issues that are important to people with disabilities right now, a lot of legislation that is in Congress or has been. Anything from Mental Health Parity to the ADA Restoration Act to the class act; I mean, all kinds of things that are really directed at improving the quality of life, living opportunities, and just things overall for people with disabilities. What are your --

Steve Novick: The Community Choice Act.

Larry Wanger: Yeah. All of those things. What is your position on these issues? And in general what types of things do you hope to work on for folks with disabilities?

Steve Novick: Well, I mean, obviously if they're not completed by the time I get there ADA Restoration and the Community Choice Act are critical. I also -- for years we've been reading about people who were denied Social Security disability claims, and pretty much anybody who's able to get an appeal through manages to win their benefits on appeal. But they have to find a lawyer who will work to do that.

We should aggressively move to educate employers about compliance and explain to them that employers who might be inclined to evade the Act because they're worried that if they hire anybody with disability it will be incredibly costly. We should be explaining to them that generally most employers are able to accommodate people with disabilities without all that much extra effort or cost. So I think there should be an education component to ADA enforcement, as well as the sheer enforcement enforcements. And

I think the Community Choice Act is also critical. I mean, federal dollars should be flexible so that, to the extent possible, people are

able to stay in their own homes or the least restrictive kind of housing rather than chuck people into nursing homes.

Larry Wanger: Well, I know that there's a long way to go in the campaign, but in general how are things going so far?

Steve Novick: Things are going very well. The ads have gotten tremendous response. I took a short trip out of state a few days ago and two of the airport security guards stopped me and told me how much they liked the ad.

I had a conversation with a guy -- I carried on this lengthy battle with the Oregon lottery saying that they were overpaying the bars and taverns that carry these state run video poker machines. And I happened to run into a tavern owner a couple of weeks ago. He came up to me and said, "So are you going to be talking about your attack on us tavern owners in this campaign?"

And I said, "Well, I will be talking about my view on this issue because I'm proud of it." And he sort of railed on me for a while about it.

And then he went and got into his car, and my car was right behind his. We both started to drive off. After about half a block, actually, he stopped his car, jumped out, ran back to me and he said, "I forgot to say one thing. Great ad." So even somebody -- one of my deadliest political enemies, a guy from a group that I was tussling with for years, he thought the ad was great.

The beer bottle ad has gone wild over YouTube; over 70,000 people have seen it. And in terms of what we're seeing in the polls, I'm leading the Democratic field. I'm within striking distance of the Republican incumbent, even though a lot of people still don't know a heck of a lot about me. The newspaper coverage we've gotten has been very good. And if the people we are talking to -- I had a swing around the state the last week and we've gotten a really enthusiastic response in all of those place.

And the message I've been delivering is that 70 years ago Franklin Roosevelt told us that -- he said, "This generation has a rendezvous with destiny." And he was right. I mean, that generation had to overcome a depression, had to fight and win a world war, and rebuild the economy afterwards. And they did it. They succeeded and they built the greatest economy the world had ever seen and the fairest economy the world had ever seen. They built the middle class. And in the past few decades we've seen that eroding and more

and more we have a society divided between a few rich people at the top and everybody else. And we need to get back on track.

I mean, I think that a reasonable person who was around in, say, 1970 would have assumed that 30 years later, 40 years later, we would still have an economy that was reasonably fair and we would have civil rights for black people and women and gay people and people with disabilities, and we'd be protecting our environment. Instead, we've been getting away from those ideals and devolving into sort of this dog-eat-dog society and economy.

But I think that people are ready to get back on track and I think the American people are fundamentally compassionate and generous and thoughtful if they only have political leaders who are willing to tap into those emotions. And that's what I hope that we can do over the next few years.

Larry Wanger: Let me ask you one last question here. And I know this is kind of a state level issue in Oregon, but it definitely has interesting implications nationally for people with disabilities, and that's about the right to die or assisted suicide law that's in Oregon that's gotten much publicity. What position on that issue do you take to Washington? Because I think that's a big deal for those of us in the disability community.

Steve Novick: I was and am a strong supporter of death with dignity. And what we saw in Oregon was we put it on the ballot and it passed by a relatively narrow margin. And then the Republicans that controlled the legislature decided that they wanted to overturn it, so they sent out a referendum to the voters asking them to overturn it and instead voters preserved it by a much wider margin. So the people of Oregon have spoken strongly on that issue.

And I think that the people in the rest of the country, given the opportunity, would give the same answer, that people who are in a position where they know that they're terminal and they're going through a great deal of pain, they are entitled to die with dignity. And I will carry that message to Washington. And the voters of Oregon have spoken and they don't want that right messed with, and I suspect that people throughout the country feel exactly the same way.

Larry Wanger: Well, I appreciate you talking with me, Steve. In case people want to find out more about your or your campaign, where can people go to get more information?

Steve Novick: They can go to www.novickforsenate.com. And I really look forward to working with representatives of a community of folks with disabilities once I'm in the Senate. I think that there's fewer people on the Senate now who are working on those issues than there was 30 years ago. I mean, Tom Harkin, of course, is strong; but Bob Dole I think was always somebody that we could look to. When I look through the Senate I don't know who is really identified with those issues, other than Harkin. And I'll be proud to take my place with him.

Larry Wanger: All right, Steve. Well, I wish you good luck with the campaign and maybe we'll follow up here towards the election or afterwards. And I wish you all the best and hope that you're successful.

Steve Novick: Thank you very much. I really appreciate it.

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