

The Crisis of Disability Is Violence

Ableism, Torture, and Murder

BY LYDIA BROWN

ANDRE McCOLLINS was eighteen years old in 2002 when he was a student at the Judge Rotenberg Center in Canton, Massachusetts. Like many of the students at the center, a residential institution for people with disabilities, Andre is autistic and has other mental disabilities. One day in October 2002, a staff member told McCollins to take off his jacket. He said no. That was direct defiance and disobedience to directions from staff. The Judge Rotenberg Center staff then pressed a button on a remote control connected to a powerful electric shock device that McCollins, like dozens of the center's students, was required to wear. McCollins screamed and dove under the nearest table in a futile effort to hide from staff members who were already clambering around chairs to grab his arms and legs. They hauled him from under the table, physically pinning him as they strapped him facedown into restraints. Once McCollins was immobilized on the restraint board, the staff continued to administer shocks. Over the next seven hours, they shocked him thirty-one times. On the mandatory report, all but two of the subsequent shocks were for screaming in pain or tensing up in fear of the next shock.

Since 1971, six students have died in separate but preventable incidents at the Judge Rotenberg Center, which was forced to relocate from Rhode Island and close its sister facility in California following continual allegations of abuses such as food deprivation, forced inhalation of ammonia, and prolonged use of restraint and seclusion (isolation in solitary confinement). Originally founded for the ostensible purpose of treating those with the most severely dangerous self-harming or aggressive behavior, the Judge Rotenberg Center now houses children, youth, and adults with a variety of disabilities, as well as some residents referred through the juvenile justice system as an alternative to incarceration. Over the past four decades since its opening, the center's practices have spawned numerous state investigations, a



Members of Occupy the Judge Rotenberg Center demonstrate outside the FDA headquarters in Silver Spring, Maryland.

Department of Justice investigation, and condemnation from two United Nations Special Rapporteurs on torture.

The center continues to operate today. Dozens of parents and other relatives of the center's residents turn out in droves for the annual hearings on Beacon Hill, clamoring that the center's treatment is necessary and life-saving for their children, who they claim would die from their self-injurious behaviors if left untreated by the Judge Rotenberg Center's shock device. And so, year after year, the hearings function as little more than well-practiced ceremonies in which disabled activists like me come to protest the abuses at the Judge Rotenberg Center while parents deride us for daring to suggest that they stop trying to help their children in the only way they can conceive of.

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Forced Labor, Sterilization, and Homicides

For a large segment of the autistic activist community, the Judge Rotenberg Center represents the pinnacle of evil, the height of torture in the name of treatment. Yet for all of the egregious human rights abuses that take place there, this institution is merely one of many that continually enact violence on disabled people. I know adults with developmental disabilities living in group homes who are not permitted by staff to spend time alone with their romantic and sexual partners. This is in fact common practice, as we who are disabled are frequently presumed incompetent. I know others who were once forced to slave away at monotonous tasks like sorting paper clips, earning only a few dozen cents per hour. As if to further underscore the inhumanity of these practices, at the Judge Rotenberg Center, students are shocked for pausing or slowing down while counting popsicle sticks. Grossly underpaid labor such as this is legal for people with disabilities under a section of the Fair Labor Standards Act of 1938, as long as the employer claims that the workers' disabilities adversely impact their productive capacity. The law explicitly states that blind workers, as well as those with intellectual disabilities, cerebral palsy, or mental illness, may be paid less than minimum wage. Another provision in the law further wedds this practice to the inherently exploitative nature of institutional settings by authorizing subminimum wages for disabled people working for the institutions in which they live.

In 1927, the Supreme Court decided in *Buck v. Bell* that involuntary, forcible sterilization of disabled people in the

name of public health and welfare constitutes no violation of rights. Justice Oliver Wendell Holmes went so far as to argue in his decision that the Virginia law permitting sterilization of those with mental disabilities was in the public interest, to prevent the nation from “being swamped with incompetence.” When referencing Carrie Buck, whose case the court was considering, Holmes wrote, “Three generations of imbeciles are enough.” That decision has never been overturned. Not much later, in Germany, the societal fear of disabled reproduction led to the mass internment of disabled people in concentration camps under the Nazi regime. In addition, in the United States, this fear led to vociferous arguments for legislation that would prohibit deaf people from marrying or having children.

One of the most chilling ways in which our media and legal systems participate in violence against disabled people is in the lenience and understanding shown toward parents who murder their disabled children. In these cases, the justifications abound—disabled children are described as burdens on their families who are thus stressed from caring for them and who one day might just snap from that stress. While there are undeniably elements of sexism, racism, and classism that impact media coverage of cases in which parents are accused of murdering their nondisabled children, the differences are stark.

In October 1993, Robert Latimer of Wilkie, Saskatchewan, murdered his daughter, Tracy, who had cerebral palsy, and claimed it was a compassionate killing. Latimer consistently argues that he did the right thing. During a CBC News interview in 2011, eighteen years after Tracy's death, he said, “It was something that had to happen . . . she'd had enough, that was it, we were done.”

Unlike most parents who murder their disabled children, he served seven years in prison. Of the few even charged with murder, only some parents who murder their disabled children serve any prison time. After the November 1996 murder of Charles-Antoine Blais, for instance, his mother served only a year in a halfway house, after which the Montreal autism society hired her as its spokesperson.

On March 16, 2012, ten days after the murder of autistic man George Hodgins by his mother in Sunnyvale, California, autistic activist Zoe Gross organized vigils in memory of our dead across the United States. The very same evening, Latimer appeared live on a Global News internet discussion, defending his crime alongside a mother of two disabled people who argued that parents should have the legal right to murder their disabled children. Two weeks later, four-year-old Daniel Corby, who was also autistic, was murdered by his mother.

The vigils have since become an annual observance. Each year, the list of names that we read grows longer. Even as we speak the names of our dead, more of us fall victim to the violence of ableism.



At a candlelight vigil in Sacramento, a mourner from the Autistic Self Advocacy Network weeps for the hundreds of disabled people who have been killed by their parents or caregivers.

Dehumanizing Rhetoric

When clinicians administer electric shocks to disabled people as punishment, it's not considered torture, but treatment. When parents murder their disabled children, it's not considered an act of violence, but an act of love. When disabled people are imprisoned in institutions, it's not considered a deprivation of freedom, but necessary and humane. When teachers smear hot sauce into disabled students' eyes, or force disabled students to climb inside bags, or tell disabled students that they are retarded and don't belong in class, it's written off as an isolated incident, despite the innumerable accounts of similar behavior. Damning reports from the U.S. Government Accountability Office, Mental Disability Rights International, the Council of Canadians with Disabilities, TASH, and the Autism National Committee document repeated cases of disabled people subjected to inhumane treatment.

Violence against disabled people is so rarely recognized as part of an insidious system of socio-cultural values that systematically values certain types of people while dehumanizing the rest of us. We live in a society profoundly steeped in ableism. The belief that it is better to be dead than to be disabled rests on the presumption that disability itself is loss, burden, and tragedy. Our lives are routinely devalued and deemed unworthy of even the most basic human dignity by policymakers, celebrities, and scientists alike.

Disabled people are disproportionately more likely to become victims of rape, domestic violence, and murder than those in the general population. And the particularly terrifying underside of these statistics is that disabled people are also disproportionately more likely to be trapped in situations of dependency—on social services, on housing assistance, in vocational rehabilitation, on mental health services, or under the restrictions of guardianships—that empower abusers at the expense of their victims.

For all the deeply ableist rhetoric surrounding psychiatric disabilities and autism in the wake of tragedies like the 2012 shooting at Sandy Hook Elementary School in Newtown, Connecticut, or the 2014 shooting in Isla Vista, California, the reality is that we exist in a strange limbo between commodification, spectacle, and erasure. Disabled people become props useful for political expediency in demanding gun control and cuts to empowering mental health support networks—take, for example, Congressman Tim Murphy's campaign to eliminate protections for people with mental illness as a means of supposedly protecting the public from dangerous and unstable people. Disabled people become caricatures of disability stereotypes that are used as arguments for the necessity of access to abortion, for fear that our

conditions will be reproduced. Yet we are systematically excluded from history and policymaking, on top of the erasure we face within our own communities.

Rejecting Pathologization

The pathology paradigm of disability demands adherence to a single template for human existence defined as normative and therefore ideal. Any deviation is evidence of deficiency, defect, or disorder, and must be ameliorated, hidden, or eliminated altogether. The pathology paradigm thrives on capitalist society's insistence on quantifying human worth, and assigning value based on productivity.

Disabled bodies/minds exist under constant surveillance both by systems that require compliance with ablenormativity—the ableist notion that being abled is not merely default but ideal—and by our own selves in an attempt to hold ourselves to the standards of ablenormativity. And we are forced to make sacrifices. Sacrifice our identity, survive another day. Sacrificing our way of communicating and our way of moving becomes necessary for survival. Even in otherwise progressive and radical spaces, ableism is allowed not merely to proliferate, but to prosper. In queer spaces, for example, the disavowal of responsibility to disability justice has become almost an art—as though one set of marginalized identities is worthy of empowerment and validation and another can simply be discarded as undesirable.

Only in the intimate conversations among we who are disabled is it possible to imagine a future in which our lives are not marked by constant violence. In our own spaces, we have begun to recognize our individual and collective traumas. We have begun the process of unlearning the repetitive litany of *I am unworthy, I am damaged, I am broken, I do not deserve anything good*, and we have begun to learn to love ourselves and our ways of existing in the world. We have begun to reject the disability hierarchy that replicates disability disavowals across disabled identities—for example, eschewing mental disability while affirming pride in physical disability, or rejecting psychiatric disability while celebrating autistic pride. Legal, political, and social systems enable institutions such as the medical-industrial complex and practices such as compliance-based behavioral interventions to dominate our lives, but bit by bit, we are building new ways of doing community. With the rise of Disability Cultural Centers like the one pioneered at Syracuse, the introduction of laws and policies with strong enforcement mechanisms to protect our rights, and the continual development of disabled communities united across our struggles, we have laid the groundwork for the future. We have not yet achieved disability justice, but we are working to end the structural violence of ableism. ■