

MEMORANDUM

Date: November 4, 1994
To: Senator Dole
From: Alec Vachon
Re: FYI/Quadriplegic House Candidate; How Clinton Won the Disabled Vote in '92; John Hager & RNC Contacts

Handwritten note: Strong was not found

ED TESSIER/HOUSE CANDIDATE WHO IS QUADRIPLÉGIC

- * Attached is an article re Ed Tessier, a 26-year old House candidate in Orange County, CA (41st District)--who is quadriplegic from a surfing accident in 1984.
- * Although a Democrat, some political values are Republican: Strong advocate of small business, skeptical of government programs -- in fact, believes some government disability programs foster dependency.
- * Tessier is running against Republican incumbent Jay Kim, elected in 1992. Although Kim is under investigation for Federal election, tax, and labor law violations, he is expected to win.

HOW CLINTON WON THE DISABLED VOTE IN '92

- * Fred Fay, who you met in 1969 through Vicki Stanton, heads a disabled voter project in Massachusetts, and has written a short memo (ATTACHED) on how Clinton won the disabled vote in '92, which Bush was competitive in '88. Fay contends Clinton had more substance and ran an "accessible campaign."
- * Clinton won in part by persuading many disabled voters who voted for Bush in '88 to vote for him. According to a Louis Harris study of the '88 Presidential election for N.O.D., 10% of voters are disabled. In 1988, 64% of disabled voters were for Dukakis in July 1988, versus 31% for Bush. However, by November, the gap narrowed--Bush had 44% of the disabled vote, Dukakis 49%.
- * In '88 Bush courted disabled voters--e.g., in his acceptance speech at the Republican National Convention he said:

"I'm going to do whatever it takes to make sure the disabled are included in the mainstream. For too long they have been left out, but they're not going to be left out anymore."

* Harris estimates that 1-3% of Bush's 1988 victory margin came from disabled voters. These figures do not include family members, etc.

UPDATE ON RNC CONTACTS

- * As you know, John Hager and I met w/Jeanie Austin in July to discuss RNC outreach--John was unhappy with lack of support services for the RNC Disability Advisory Committee he heads. John had sent her a memo in advance (which I drafted), outlining the value of courting the disabled vote (MEMO ATTACHED).
- * Austin seemed genuinely interested in the potential voting power of "49 million Americans with disabilities", but basically said the RNC had little to offer in support services (not just to disabled outreach, but seniors, etc.). However, the RNC would disseminate any materials prepared by the Disability Advisory Committee to State Republican Committees, etc.
- * However, there has been little action on the Disability Advisory Committee since July--John has been absorbed in Virginia elections. After the election, we will see if the pace picks up. I have identified some staffers who are interested in volunteering time for the Disability Advisory Committee.

Wiley
J
e
r

THE CHALLENGE TO REPUBLICANS

- * As I have written you, both the DNC and the Clinton Administration have actively courted disability groups--in part, as a constituency; in part, to avoid the embarrassment of sit ins, etc. Nonetheless, as you know they have made some missteps.
- * However, Republicans have little focus on disability issues, and frankly at times seem uncomfortable with these issues. Although ADA was a Republican initiative, Republicans often seem ambivalent about it. If the "sleeping giant" of the disabled voter awakens, it will be a Democratic giant, if only by Republican default. The Democrats are not shy about courting this giant--the challenge to Republicans is to fashion a competitive agenda.

Ed Tessier Congressional Candidate

Story and Photos by Marta Russell



Tessier in his campaign headquarters—his home.



When Congressional candidate Ed Tessier rolls into a room, he flashes an easy, confident smile. With his handsome, tanned face and tasteful suit—every stitch in place—he could be Jack Kennedy in a wheelchair.

Or could he? Tessier is a high quad seeking high office, and his candidacy raises some interesting questions: Is the country ready for a visibly disabled congressman? Are we past the days when quadriplegia implies incapacitation? Or does a wheelchair still signify weakness?

Tessier himself is banking on the more progressive attitude as he campaigns throughout the 41st U.S. Congressional District in Pomona, Calif. His publicity photos show him full-length, wheelchair and all.



Tessier greets potential voters in a Pomona park.

out among the locals. He addresses their curiosity directly.

"When I speak to groups I bring up my disability in the context of having gifted me with a broader range of experiences and skills than most people my age enjoy. This is what has made me a community leader," says the 26-year-old businessman. "Most people accept this and talk about it as being something that really makes me stand out in a crowd, and that's good."

But some naysayers don't think he could make it on the Hill. "A few people come up to me and warn me about the pressures in Washington, tell me it's inaccessible and say, 'Do you really want to do that to yourself?'—questions they would never ask a 35-year-old jogger candidate. They equate disability with fragility and disease," he says.

Tessier began disproving that equation soon after his spinal cord injury in a 1984 surfing accident. In 1986 he became the first wheelchair user to attend Pomona College in the school's 100-year history. Initially, the administrators agreed to improve campus accessibility, but then stalled on making the necessary renovations.

"I couldn't go to poetry readings, film festivals, comedy night, frat parties. The level of segregation was beyond anything I had ever experienced before," Tessier says. He found himself relegated to what became known as the "handicapped ghetto," three rooms in the basement of one old building where he attended classes for five years.

When officials refused to remove barriers, Tessier educated himself on section 504 of the Rehabilitation Act of 1973 and discov-

ered that the college had been in violation of the act since 1977. When he presented this fact to administrators, they still balked, so Tessier turned to activism. He wrote articles, held rallies, kept a discrimination diary and eventually passed some of the first student legislation addressing accessibility. The result was that even if the whole college didn't comply with section 504, every activity or interaction recognized by the student government had to follow the nondiscrimination rules of the act.

"Any new direction that I could force the disability issue to become part of the public debate, I did it," Tessier says. When the administration refused his request to see the plans for all new campus construction, Tessier got a job at city hall, where he could view the papers the school was required to submit.

When the college refused to make the graduation ceremony accessible to him—even though he held the second-highest GPA in the school's history and graduated Summa Cum Laude—other students signed a petition in protest and some threatened to boycott the ceremony. The school relented at the last minute and constructed the necessary ramps. For his efforts, Tessier received a national award from *Time* magazine.

During his college career, Tessier spent much of his time learning about disability law. There were no disability studies courses at Pomona, but he took every other minority studies class and applied the information to his community. Like Mark Twain, who said "I never let my schooling interfere with my education," Tessier says, "The best education I got out of Pomona College was from the activism. Those same principles of advocacy, opportunity, empowerment and organization started me as a businessman."

By 1989, Tessier realized that he was no longer calling others for information—they were calling him. "My dad said, 'That's a market, son,' so I started a business," Tessier says. He did construction management, marketing, leasing and public relations for the revitalization of downtown Pomona. He also worked as an architectural and policy consultant with clients such as Wells Fargo Bank, Home Savings, Bank of Los Angeles, the City of Claremont, the City of Montebello and ironically, the City of Pomona.

Now Tessier has turned his attention to the political arena, working to become the first Democrat elected in the newly created congressional district of Pomona. His district, something of a port of entry for many minorities and immigrants, has been hit hard by the California and national recessions. As Tessier sees it, economic opportunity and revitalization are the links to enfranchisement for all people in the district.

Sympathetic to the challenges facing small businesses and knowledgeable about special treatment big business often receives from the government, Tessier would like to see his congressional office be a clearinghouse for information on local investment and development of small businesses.

"We need to realize that investing in small business is a better investment than almost any social expenditure," he says. "Right now opening a small business is a terrifying, risky, difficult, often completely consuming process, and it's one of the most patriotic things we can do."



Never one to shy away from substantive issues, Tessier discusses details with a voter.

Without economic opportunity, many people won't have the chance to pull themselves up into the middle class, and that is against everyone's best interest, he says.

Tessier believes that the same is true for the disability community. "We've been in the mode now for 30 years where we have looked toward Washington or toward state capitals for improvements in our lives. We now have some significant legislation, but the majority of our leadership is still organized around getting something from the government. I think that is a limiting and self-defeating strategy.

"We need a disability political structure, a disability Chamber of Commerce, a disability economy composed of disabled businessmen and women involved in self-empowerment in the economic and political struggle," he proposes.

Tessier says that the independent living movement, which has dictated the way government has funded disability institutions, is flawed. "Our institutions have been co-opted by nondisabled activists," he says. But this is not the only problem. A government-funded "movement" is not a movement at all; it robs the disability community of the very empowerment it seeks.

"I think the major problem penalizing the disability community is that our defining experience has not been oppression, it's been dependency," he says.

If elected, Tessier would be in a powerful position to speak out on disability issues.

One of his primary concerns is the lack of enforcement of the Americans With Disabilities Act. "We've got great laws on the books, but we have lousy enforcement—that's a fact," he says. "But enforcement doesn't work by unilateral action by the government. There have to be local constituents and coalitions of people that demand and become the real motivators of enforcement."

But before he can convince people to organize local lobbies, he must convince them to vote. Although Democrats hold a majority in Pomona, Republicans traditionally have had better voter turnout. To change this, Tessier spends his days wheeling down poor neighborhood streets and talking to people. Recently the bilingual Tessier engaged a local Popsicle vendor in a little Spanish banter and political discussion. "These people are surprised that anyone would come door to door to see them," he says. "They are surprised that anyone cares."

The Image Question

Even if people respond to his personal touch and his political agenda, the question remains: are the voters ready for a quadriplegic in the House of Representatives?

Unlike former President Franklin D. Roosevelt, Tessier can't hide his disability. Roosevelt, who had polio, never allowed himself to be seen in public in his wheelchair. He stood for press conferences, with ablebodied men bolstering him so that he did not appear disabled.

Although the public knew that he had

been "crippled" by polio, they believed he had been "cured," i.e., that he was again one of them. So, as Hugh Gallagher explains in *FDR's Splendid Deception*, Roosevelt cut a deal with the press; he hid his disability and the reporters and photographers didn't pry. The public bought the charade.

Gallagher says a deal like that may no longer be necessary. "Qualities of a good politician, disabled or not, are the ability to be personable and to gain the confidence of the voters," he says. "When you appear before the voters in a wheelchair, you need to let them know that it is all right that you are in a wheelchair, that you handle things, that you feel good about yourself, that you are not complaining or angry. If you project negatives on the voters, they will sense that something is wrong."

Former Alabama Governor George Wallace got into trouble by letting the public witness an awkward descent from a small airplane, Gallagher says. "It is very difficult to get a large paraplegic off a private jet, so people were pulling and hauling one leg

here and there, and his staff was getting uptight, and you could see it.

"By the time Wallace was at the bottom of the runway to give his statement, the viewer had the sense that this guy is really suffering. His staff is worried about him and there's lots of effort. You can't do that."

Conversely, Tessier feels that his disability may be advantageous in securing the confidence of the voters. "My disability is an opportunity for communication in many ways. It grounds me in a way that people feel many leaders aren't. On a daily basis I have to deal with the realities of physical limitation, mutual reliance, of communication and coalition building. Just managing my own life and affairs has given me a set of experiences that I think many people relate to and that need to be better represented in our government."

So far so good: Tessier won the Democratic primary June 7. In November he will face Republican incumbent Jay Kim, who is currently being investigated by the FBI, IRS, Federal Exchange Commission, the state Franchise Tax Board and the Labor

Department, according to reports in the *Los Angeles Times*. These investigations may help Tessier win votes, but with nearly twice as many Republicans as Democrats making it to the polls, it will take a major push to send Tessier to Washington.

If he does make it to the Hill, Tessier will find the capitol building and much of Washington accessible, thanks to the work of the previous generation of disability rights activists. Gallagher himself authored the Architectural Barriers Act of 1968 when he couldn't get into the Library of Congress.

At this point, Tessier's disability could in fact give him extra clout, Gallagher says. "There will be a distinction about being the congressman who is the quadriplegic in the electric wheelchair. Everyone will know him and everyone will remark upon him and say 'Isn't he wonderful?' That will be an advantage. He can use that." ♦

Marta Russell is a free-lance writer, photographer and producer who lives in Encino, Calif.

Toll Free Directory

Access Board (USATBCB)
800-USA-ABLE

ADA Answer Line (EEOC)
800-669-4000

American Paralysis Association
800-225-0292

ALS Association
800-782-4747

California SCI Network
800-548-2673

FES Information Center
800-666-2353

Foundation for SCI Prevention
800-342-0330

Miami Project to Cure Paralysis
800-782-6387

Multiple Sclerosis Information
800-624-8236

Muscular Dystrophy Association
800-223-6666

National Head Injury Foundation
800-444-6443

National Organization on Disability
800-248-2253

National Paralysis Foundation
800-925-CURE

Nat. Rehab Information Center
800-346-2742

National SCI Association
800-962-9629

Simon Foundation for Continence
800-237-4666

Spina Bifida Hotline
800-621-3141

Spinal Cord Injury Hotline
800-526-3456

Spinal Network/New Mobility
800-543-4116

United Cerebral Palsy
800-872-5827

OTHER KEY NUMBERS

American Amputee Foundation
501-666-9540

American Syringomyelia Alliance
903-236-7079

Amputee Coalition of America
708-698-1633

Canadian Paraplegic Association
416-422-5644

International Polio Network
314-534-0475

Nat. Coordinating Council on SCI
617-338-7777

National Council on the Disabled
202-267-3846

Paralyzed Veterans of America
202-872-1300

HANDBIKE

 **sampson**

WHEELCHAIRS

 **Colours**
in motion

 **Tessier**
Everest & Jennings

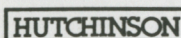
CUSHIONS


 **Solo**
WHEELCHAIR

BAGS

 **Advantage**
by Canyon

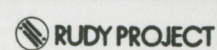
TIRES

 **HUTCHINSON**

 **Greentire**

SUNGLASSES

 **bolle.**

 **RUDY PROJECT**

GLOVES

**CALL FOR A FREE
PRODUCT CATALOG**



**1-800-OMEGAS-1
1-800-663-4271**

CLINTON'S DISABILITY 1992 VOTE LANDSLIDE: HEALTH CARE REFORM IMPLICATIONS

Frederick A. Fay, Ph.D.
National Chairperson, Disability Rights in Voter Empowerment
2054 Main Street
Concord, Massachusetts 01742
508/371-0992

The final Harris Poll for the 1992 campaign showed a disability vote landslide: Clinton 50%, Bush 26% and Perot 18%. A total of 10% of all voters were voters with disabilities. The 24% disability vote margin accounted for nearly half of Bill Clinton's much narrower winning margin. How did this happen and what are the implications for congressional representatives now debating health care? A bit of history may help answer.

HOW BUSH WON, DUKAKIS LOST, THE '88 DISABILITY VOTE

In 1988, Massachusetts Governor Mike Dukakis's political staff largely ignored the disability constituency. Dukakis hardly mentioned people with disabilities at all. In stark contrast, George Bush repeatedly promised to bring "43 million disabled Americans into our economic mainstream." Bush frequently spoke of his support for the Americans with Disabilities Act (ADA). Harris survey polls showed a 33% shift in the disability vote from Dukakis to Bush in the months between the Democratic Convention and the election.

In 1990 the disability rights movement came of age. Disability activists in virtually every congressional district fought for their civil rights. Senator Kennedy described the ADA bill as the "most important piece of civil rights legislation in 25 years." The bill passed with nearly unanimous bipartisan support in both the House and Senate. President George Bush signed the ADA landmark civil rights law on July 26th, 1990.

In 1992, presidential candidates George Bush and Bill Clinton both courted voters with disabilities. Both developed position papers on disability issues. Both had leaders with disabilities working on their campaigns. But Clinton won the disability vote by 24% by persuading many voters with disabilities who had voted for Bush in 1988 to vote for him in 1992. How?

HOW BILL CLINTON WON THE '92 DISABILITY VOTE

Bill Clinton won on both content and process. Clinton's position paper had more substantive content on the top issues affecting people with disabilities. Both Bush and Clinton promised strong enforcement of ADA. But late in the campaign

Bush backed away from visible support of our civil rights. Clinton stood strong and also promised to:

"actively involve people with disabilities in developing a national policy that promotes equality, opportunity, and community for all Americans. We will ensure that children with disabilities receive a first-rate education that suits their needs. People with disabilities will be able to live in their own homes, in their own communities.

Adults with disabilities will work alongside their peers without disabilities. And people with disabilities will have access to comprehensive health care and consumer-driven personal assistance services."

"We must not rest until America has a national disability policy based on three simple creeds: inclusion, not exclusion; independence, not dependence; and empowerment, not paternalism."

Clinton also promised "universal access to health care with no exclusions for pre-existing conditions."

But Bill Clinton won the disability vote not just with stronger content but with stronger process. The Democratic National Committee hired disability rights advocates to reach out to the disability constituency.

CLINTON'S ACCESSIBLE CAMPAIGN

Clinton's campaign staff ran an accessible campaign by assuring:

- architectural access to campaign offices and campaign events,
- the presence of American Sign Language interpreters at campaign events,
- Text Telephones in offices and captioning of most campaign ads,
- accessibility of campaign literature in large print and braille, and on audiotape and computer disk,
- cross-disability conference calls for outreach on political strategy,
- large direct mail appeals to thousands of voters with disabilities, and

-- involvement in national, state and local campaign offices and events.

The "incidental inclusion" of people with disabilities at campaign events also sent a message. Two people with visible disabilities were on stage immediately following Clinton's acceptance speech at the Democratic Convention. Voters with disabilities were up front at campaign events from Florida and Massachusetts to New Mexico and Alaska. Simultaneous press conferences by people with disabilities in major media markets included endorsements of the Clinton/Gore ticket.

In summary, Democrats with disabilities worked on all aspects of the Clinton/Gore campaign and helped elect Bill Clinton. Clinton won his disability vote landslide in part because of his campaign's content: support for enforcement of ADA, a national personal assistance services program, and equal access to health care. But Clinton also won through his accessible campaign process: nearly every aspect of the campaign was open to people with disabilities.

DISABILITY VOTE: A SLEEPING GIANT

In 1988, a pollster described the disability vote as "a sleeping giant" awakened by Bush. In 1992, Clinton successfully courted this "giant" minority and it helped him become president. Since then he has involved us in policy development -- including health care reform. The entire House and a third of the Senate are up for re-election. As our elected representatives reform our health care system they have an opportunity and a responsibility to work with, and make it "healthy for," their disability constituency (voters!).

Representatives and Senators who involve us in both the content and process of the health care reform legislation, will find us working for their re-election. Voters with disabilities will remember their friends in Congress at election time. We are counting on you to vote for universal coverage Now!

No Band Aids! Real Health Care For All, Now!