## Laws and Policies

<table>
<thead>
<tr>
<th>Document 1</th>
<th>Washington’s Sterilization Laws (1909 and 1921)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Document 2</td>
<td>Timber Industry Union Organizing (1934)</td>
</tr>
<tr>
<td>Document 3</td>
<td>Goodwill Industries Report (1936)</td>
</tr>
<tr>
<td>Document 5</td>
<td>Respectful Language Act (2010)</td>
</tr>
</tbody>
</table>

## Education and Schooling

<table>
<thead>
<tr>
<th>Document 6</th>
<th>Third Biennial Report from the School for Defective Youth (1892)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Document 7</td>
<td><em>As I Saw It</em> by Robert Irwin (1955)</td>
</tr>
<tr>
<td>Document 9</td>
<td>Parent Letter to the Governor’s Office (1972)</td>
</tr>
<tr>
<td>Document 10</td>
<td>Disability History Month Act (2008)</td>
</tr>
</tbody>
</table>
Document 1:
Washington’s Sterilization Laws of 1909 and 1921

Background info: Eugenics is a set of ideas and practices that are based on the belief that human genetics and traits can be improved by managing who is allowed to have children. Eugenics was formally introduced in the early twentieth century and based on racism and ableism, suggesting that marginalized communities (e.g. people of color, people with disabilities, immigrants, Native Americans) were not valuable members of the society and their perceived undesirable traits could be eliminated by preventing them from having children. In 1909 Washington State was the second state in the United States to pass a eugenics law allowing sterilization as punishment for some criminals and in 1921 the law was expanded to include groups of people with disabilities. Although the 1921 law was deemed unconstitutional in 1942 (because of that way it was carried out, not because it was discriminatory), the 1909 law is still in place, RCW 9.92.100.

Source: Eugenical Sterilization in the United States: A Report of the Psychopathic Laboratory of the Municipal Court of Chicago by Harry H. Laughlin
Date: December 1922

2. WASHINGTON.
   (a.) First Law.
   Date of Law: June 9, 1909.
   The bill was introduced as a part of the criminal code which was prepared by the Code Commission.
   It passed the Senate March 1, 1909, the House March 8, 1909.
   It was approved March 22, 1909, by Governor M. E. Hay.
   It appears on the Washington statutes of 1909 as Chapter 249, sec. 38 Criminal Code.
   PREVENTION OF PROCREATION: Whenever any person shall be adjudged guilty of carnal abuse of a female person under the age of ten years, or of rape, or shall be adjudged to be a habitual criminal, the court may, in addition to such other punishment or confinement as may be imposed, direct an operation to be performed upon such person for the prevention of procreation.

   (b.) Second Law.
   Date of Law: June 9, 1921.
   The Bill was introduced on February 14, 1921, by the Committee on Medicine, Surgery, Dentistry and Hygiene.
   It passed the House February 17, 1921—68 ayes, 13 noes, absent or not voting 16.
   It passed the Senate March 2, 1921—36 ayes, 0 noes, absent or not voting 36.
   It was approved March 8, 1921, by Gov. L. F. Hart.
   It appears on the Washington statutes as Chapter 53 of the Session Laws of 1921, H. B. 193.
   PREVENTION OF PROCREATION; AN ACT to prevent the procreation of feeble-minded, insane, epileptic, habitual criminals, moral degenerates and sexual perverts, who may be inmates of institutions maintained by the State, and authorizing and providing for the sterilization of persons with inferior hereditary potentialities and providing for appeals to the Superior Courts in certain cases.

In Washington the first sterilization law was applicable only to criminal court cases, and only by implication to the custodial institutions—the State Penitentiary and the State Reformatory which are the executive agents of the court orders.

The second law, that of 1921, is of much wider scope, applying to inmates of institutions for the feeble minded and insane as well as of the State Penitentiary and State Reformatory. It is purely eugenic and therapeutic in its motives.

Summarize the document
How does this document reflect social perceptions of disability?
Does this demonstrate withholding or uplifting disability rights? How so?
Background info: In the early 20th century, worker compensation, wages paid to a person who acquire a disability on the job or during military service, was provided from the federal government for veterans, but industry workers had to negotiate with their employers to get such compensation. The Washington State had the largest logging industry at the time and was considered one of the most dangerous jobs due to the rugged environment, intense labor and hazardous tools. The workers formed unions to fight for their rights to safety measures could reduce injuries and illness on the job that led to short- and long-term disabilities. They also demanded unemployment compensation for people whose disability resulted in the inability to continue work. In the 1930s Voice of Action was a radical labor newspaper published weekly in Seattle that included local issues and grassroots organizing efforts. The Timber Worker was another important labor newspaper that was published out of Aberdeen, WA and circulated throughout the Pacific Northwest. These newspapers included sections that listed people with injuries and illness to emphasize the urgency of the issue. The Timber Worker was used to promote the 1935 Timber Strike, during which over 30,000 timber workers in the Pacific Northwest rallied in a strike and won more equitable wages, safer working conditions, and unemployment insurance.

Source: Voice of Action
Date: December 14, 1934

An unemployment and social insurance system must be designed to ensure the masses against lowering their living standards. It must serve to increase purchasing power, stimulate productivity in the interest of a higher living standard and lead to necessary redistribution of wealth that is withheld from circulation.

In recognition that this type of insurance can be enacted in the state of Washington pending the enactment of a like measure by the Federal government, the Workers’ Unemployment and Social Insurance Bill, HR [7396’], is being put forward in this state in the form of Initiative [?] to the State Legislature this initiative is now being circulated to secure the required 50,000 signatures. For those who are willing to engage in socially constructive work, but are being denied that opportunity through no fault of their own, we must demand compensation equal to the average wages which their normal occupation and localities, as set forth in the Workers’ Unemployment and Social Security Bill.:

All workers, regardless of age, occupation, color, sex, nationality, citizenship, religious or political belief, must be secured such compensation for all time lost because of involuntary unemployment, old age, industrial accident or sickness and maternity.

Summarize the document
How does this document reflect social perceptions of disability?
Does this demonstrate withholding or uplifting disability rights? How so?
Document 3:  
Report of Goodwill Industries (1936)

Background info: In 1936 there were three Goodwills in Washington State located in Tacoma, Aberdeen, and Seattle. These Goodwills provided work training, employment, and wages for people with a variety of disabilities. This was particularly important following World War I and the Great Depression because unemployment was very high. Also, as the United States became more industrialized, people with disabilities were not considered as productive in the workplace. Even though Goodwill provided important opportunities for people with disabilities, they were recently sued for paying workers with disabilities extremely low wages, sometimes less than a dollar an hour. An old law, Section 14 (c) of the Fair Labor Standards Act (1938), allows employers to obtain special minimum wage certificates from the Department of Labor. The certificates give employers the right to pay disabled workers below minimum wage. Some Goodwills still use these certificates. By employing people with disabilities Goodwill took an important first step, however they haven’t been engaged in disability rights or equity for all workers.

Source: Report of Goodwill Industries  
Date: 1936

It has been suggested that every man should climb a mountain at least once in his life so that he might from that mountain top enjoy a breadth of vision which will take him beyond his own individuality and relate him to the divine. Readers of this report are invited to climb to the mountain top of the statistics reported, and with their feet firmly resting on the summary shown, indicating that $1,976,901 were paid in opportunity wages to 38,124 different handicapped and needy persons, look out over the horizon of human service and see something of the divine in the lives of those 38,124 people, who through Goodwill Industries last year were given the opportunity to more nearly attain perfection in developing to their fullest usefulness in accordance with their physical, intellectual, and other capacities...

The Goodwill Industries provides employment, training, and rehabilitation for people of limited employability, and temporary assistance for persons whose resources are entirely exhausted and who must become dependent for such opportunity as may be available through Goodwill Industries. It is recommended that the following general order be observed in determining priority in the selection of persons to be served:

a. the physically disabled such as the orthopedically handicapped; the blind; the deaf; persons with speech difficulties; persons with health difficulties, such as cardiacs, diabetics, epileptics, and those with arthritis or arrested tuberculosis.

b. the mentally, emotionally, and neurologically handicapped persons including nervous breakdown, neurosis, broken morale, and impaired intellectual development.

c. the aged, including older persons ineligible for Old Age Assistance.

d. the socially handicapped persons including persons whose domestic situations prevent regular employment of self or breadwinner, widows inexperienced in industry, unmarried mothers, persons on probation and ex-prisoners.

e. the morally handicapped including drink and drug addicts and vagrants.

f. the economically handicapped such as the vocationally untrained, the misfits, the temporarily unemployed skilled and experienced workers about to become dependent.

Vocabulary

<table>
<thead>
<tr>
<th>Rehabilitation: improving health</th>
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<tbody>
<tr>
<td>Orthopedic: related to bones or muscles</td>
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</table>

Summarize the document

How does this document reflect social perceptions of disability?  
Does this demonstrate withholding or uplifting disability rights? How so?
Background info: The Washington State Human Rights Commission (WSHRC) was founded in 1949 to enforce laws against discrimination and prejudice. People with disabilities were added as a group protected from discrimination by law with Substitute House Bill 445. This bill also added a Human Rights Council for the Sensory, Mentally or Physically Handicapped. The members of this council included people with disabilities and advocates. Some of the advocacy groups that worked with this council included Disabled Veterans Organizations, Association for Retarded Children, United Cerebral Palsy, Physical Handicapped Groups, Deaf and Blind Organizations, and social agencies. These groups were asked to recruit members to help inform the council as well.

Date: August 6, 1973

Summarize the document
How does this document reflect social perceptions of disability?
Does this demonstrate withholding or uplifting disability rights? How so?
Respectful Language Act (2010)

Background info: Washington Arc advocates with intellectual and developmental disabilities organized to pass the Respectful Language Act in 2010. This grassroots movement sought to replace offensive language (e.g. mentally retarded, disabled people) with person-first language (e.g. people with disabilities) when referring to people with disabilities in state documents. Washington State was the first state to pass such an act. One advocate, Cherie Tessier, said, “It meant that people could look at us first as a person instead of labeling us.”

Source: Respectful Language Act (RCW 44.04.280), Washington State Legislature

Date: 2010

RCW 44.04.280

State laws—Respectful language.

(1) The legislature recognizes that language used in reference to individuals with disabilities shapes and reflects society’s attitudes towards people with disabilities. Many of the terms currently used diminish the humanity and natural condition of having a disability. Certain terms are demeaning and create an invisible barrier to inclusion as equal community members. The legislature finds it necessary to clarify preferred language for new and revised laws by requiring the use of **terminology** that puts the person before the disability.

(2)(a) The code reviser is directed to avoid all references to: Disabled, developmentally disabled, mentally disabled, mentally ill, mentally retarded, handicapped, cripple, and crippled, in any new statute, memorial, or resolution, and to change such references in any existing statute, memorial, or resolution as sections including these references are otherwise amended by law.

(b) The code reviser is directed to replace terms referenced in (a) of this subsection as appropriate with the following revised terminology: "Individuals with disabilities," "individuals with developmental disabilities," "individuals with mental illness," and "individuals with intellectual disabilities."

... [2010 c 94 § 2; 2009 c 377 § 1; 2004 c 175 § 1.]

Vocabulary

<table>
<thead>
<tr>
<th><strong>Legislature:</strong></th>
<th>congress and house of representatives (in this case those of Washington State)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Diminish:</strong></td>
<td>lessen, put down</td>
</tr>
<tr>
<td><strong>Terminology:</strong></td>
<td>words, wording</td>
</tr>
</tbody>
</table>

Summarize the document

How does this document reflect social perceptions of disability?

Does this demonstrate withholding or uplifting disability rights? How so?
Background info: Washington School for Defective Youth was established in 1886 as a residential school for the “deaf, mute, blind, and feebleminded” youth of Washington Territory (Washington became a state in 1889). Youth were sent away to the school to live and attend classes instead of living with their families. In 1891 the youth who were “feeble minded” were separated from youth who were deaf or blind. In 1913 the school was separated into the State School for the Deaf and the State School for the Blind.

Source: Third Biennial Report from the School for Defective Youth, US Archives
Date: 1892

Vocabulary

**Feeble minded:** an outdated word for people with a variety of learning, intellectual, and developmental disabilities

**Asylum:** an institution for the mentally ill. People with disabilities were sent to asylums to be socially separated from the general public.

**Loathsome:** hated, gross

**Stringent:** strict

Summarize the document

How does this document reflect social perceptions of disability?

Does this demonstrate withholding or uplifting disability rights? How so?
Background info: Dr. Robert Irwin (1883-1951) was born in Washington. He became blind at the age of five and attended a School for Defective Youth. He then went on to the University of Washington and Harvard University. Dr. Irwin became a famous teacher and advocate for the Blind, worked closely with Helen Keller, and founded the American Foundation for the Blind. He was a huge proponent of rights for people with disabilities and helped to standardize Braille, promote Talking Books (the original audiobook was designed for the Blind), and make library materials more accessible across the country.

Source: As I Saw It by Robert Irwin
Date: 1955

Few cities have attempted to provide educational facilities for all of their blind children because it is felt that where the home doesn't afford wise parental cooperation it is better for the pupils to attend the residential school of the state. In the early years of the day school movement residential school managers were much perturbed over the spread of the day school program. It was feared that the plan might in some way actually supplant the residential school. However, this has never happened and in Oregon, Washington and California the superintendents of the schools for the blind have taken the initiative in placing blind children in the public schools for part of their work. (pg. 39, 379).

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[The American Foundation for the Blind] has worked to improve the education of the blind through:
Surveys of schools for the blind;
The operation of an experimental and demonstration school jointly with Perkins Institution;
The conduct of a dramatics training project for blind children;
The development of educational Talking Book records for blind children;
Cooperation in the development of measuring scales of intelligence and educational achievement tests;
The publication of a professional magazine and books for teachers of blind children;
Higher education scholarship for promising young blind students.
(pg.56, 519)

Vocabulary

<table>
<thead>
<tr>
<th>Pupils: students</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential school: a boarding school; students were separated from their families and lived on school grounds</td>
</tr>
<tr>
<td>Perturbed: upset</td>
</tr>
<tr>
<td>Perkins Institution: Perkins Institution was the first school for the Blind and greatly contributed to educational, literacy, and independence for blind and deafblind across the country</td>
</tr>
</tbody>
</table>

Summarize the document

How does this document reflect social perceptions of disability?

Does this demonstrate withholding or uplifting disability rights? How so?
Background info: When advocating against the segregation of students with disabilities, advocates also considered how these policies affected other communities in the United States. Native Americans had been sent to Indian Boarding Schools to make them more “American” because it was believed that their cultures were primitive and lacking intelligence. Even though the government said that residential schools for people with disabilities and boarding schools for Native Americans were helping “cure” people, it was deeply prejudice and hurtful. Students in these schools were taught that they were innately bad and were not treated with respect. In Washington State the three most well-known Indian boarding schools were Cushman Indian School in Tacoma, Spokane Indian School, and Tulalip Indian School.

Source: The Origin And Nature Of Our Institutional Models from Changing Patterns in Residential Services for the Mentally Retarded by Wolf Wolfensberger

Date: January 10, 1969

A person’s social perceptions are profoundly influenced by his basic values and orientation to life. Certain of these values and orientations have clear-cut implications to one’s perception or image of the retardate and his role. And one’s image of the retardate has definite implications to one’s conceptualization of the residential care model appropriate for persons cast into playing the retardate role.

. . . . The first institutions for the retarded were built in a period of optimism regarding mental illness and the education of the deaf and blind, and many facilities for these other deviances were erected at that time. The later disillusionment about retardation was also not isolated, but part of a more generalized aversion toward, and virtual persecution of, deviances.

. . . . The deviant, being perceived as unpleasant, offensive or frightening can be segregated from the mainstream of society and placed at its periphery. We have numerous examples of this in our society: we segregate the Indian in reservations, and the Negro in the ghetto; the aged are congregated in special homes, ostensibly for their own good, and these homes are often located at the periphery of our communities or in the country; deaf and blind children who could be taught in the regular schools are sent to residential schools, many of which are on the periphery of, or remote from, population centers; we have (or have had) “dying rooms” in our hospitals to save us the unpleasantness of ultimate deviancy; and the emotionally disturbed and the retarded may be placed in institutions far in the countryside.

Vocabulary

- **Retardate**: An outdated term for a person with an intellectual or developmental disability
- **Disillusionment**: realization that something is not as good as one thought it to be
- **Aversion**: avoidance
- **Deviance**: not adhering to social norms and standards
- **Periphery**: outside edges
- **Segregate**: set apart, isolated
- **Congregate**: bring together
- **Ostensibly**: apparently, but not actually

Summarize the document

How does this document reflect social perceptions of disability?

Does this demonstrate withholding or uplifting disability rights? How so?
Document 9:  
Parent Letter to the Governor’s Office (1972)

**Background info:** Arc of Washington State, an advocacy group for people with developmental and intellectual disabilities was first established in 1936 as Children’s Benevolent League of Washington. It was one of the first parent advocacy groups in the country and helped form the national Associate for Retarded Children (ARC). WARC was integral in ensuring that children with disabilities received adequate care, education, and social acceptance. This letter was written by a parent working with Evelyn Chapman, the leader of WARC’s Education for All Committee. The Education for All Committee organized parents and children to ensure that students’ rights were being upheld and worked to pass legislation for educational services for children with disabilities age 3-21.

**Source:** Letter from Nancy Reidel, parent of a child with an intellectual disability, to Ralph Munro, Special Assistant to the Governor Daniel J. Evans.

**Date:** July 24, 1972

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Mr. Munro,

Thank you for your [visit] last evening. It is good to know there are people like yourself that really care and are interested in the mentally handicapped. We feel most fortunate that God has blessed us with Eddie. He was six weeks old when we brought him home as a child. We he was 10 mo. old the doctors told us they were quite sure he was mentally retarded. We took him to the University of Washington Clinic for Child Study, and they confirmed what our family doctor had told us. We began reading books, and talking to [], the county health [], and Spec. Ed. teachers to have all of the information we could about Eddie’s problem and how we could best help him. While living in Pt. Angeles we became acquainted with a woman with a mongoloid, deaf child. We shared the experiences and problems and hopes for the future of handicapped children and we came to the conclusion that we didn’t want sympathy, we want acceptance and understanding for our children. We want handicapped children to have opportunity to reach their full potential both mentally and physically.

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**Vocabulary**

**Mongoloid:** outdated term used to describe someone with Down Syndrome

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**Summarize the document**

How does this document reflect social perceptions of disability?

Does this demonstrate withholding or uplifting disability rights? How so?
**Document 10:**  
Disability History Month Act (2008)

**Background info:** Starting in 2006, Disability Rights Washington (DRW) coordinated with a variety of disability rights self-advocacy groups after hearing about other states that passed bills requiring that disability history be promoted during October, which is Disability History Month. Students with disabilities saw this as an opportunity to expand people’s awareness of the contributions of people with disabilities throughout history and create an inclusive culture that is more accepting and celebrates people with disabilities. They saw that other civil rights movements were taught in school, but disability civil rights were left out. They wrote letters about their experiences and disability civil rights, and over 90 students visited legislators to talk about the importance of passing the bill. Legislators listened to the students and the governor signed it into law in 2008.

**Source:** Disability History Month Act (RCW 28A.230.158), Washington State Legislature  
**Date:** 2008

**RCW 28A.230.158**  
Disability history month—Activities.

Annually, during the month of October, each public school shall conduct or promote educational activities that provide instruction, awareness, and understanding of disability history and people with disabilities. The activities may include, but not be limited to, school assemblies or guest speaker presentations.

[2008 c 167 § 3.]

**NOTES:**

**Short title—2008 c 167:** “This act may be known and cited as the disability history month act.” [2008 c 167 § 1.]

**Findings—2008 c 167:** “The legislature finds that annually recognizing disability history throughout our entire public educational system, from kindergarten through grade twelve and at our colleges and universities, during the month of October will help to increase awareness and understanding of the contributions that people with disabilities in our state, nation, and the world have made to our society. The legislature further finds that recognizing disability history will increase respect and promote acceptance and inclusion of people with disabilities. The legislature further finds that recognizing disability history will inspire students with disabilities to feel a greater sense of pride, reduce harassment and bullying, and help keep students with disabilities in school.” [2008 c 167 § 2.]

**Vocabulary**

**Legislature:** the part of government that includes the Senate and House of Representatives

**Contributions:** improvements

**Summarize the document**

How does this document reflect social perceptions of disability?  
Does this demonstrate withholding or uplifting disability rights? How so?
References

Document 1: Washington’s Sterilization Laws (1909 and 1921)
1. **Images and Content from *Eugenical Sterilization in the United States***

   https://repository.library.georgetown.edu/bitstream/handle/10822/556984/EugenicalSterilizationInTheUS.pdf

Document 2: Timber Industry Union Organizing (1934)
1. **Image and Content from *Voice in Action* “On to Olympia January 27!”**


2. **Image of Voice in Action “Together We Stand”**


Document 3: Goodwill Industries Report (1936)
1. **Image of Seattle Goodwill**


2. **Report of Goodwill Industries**


3. **Current Goodwill Lawsuits**


4. **Section 14(c) Certificate Holders as of January 2020**


1. **Image of Advocates and Quote from Advocate**

   Milestones in Disability History: The Respectful Language Act (19 May 2014). 13 August 2018. The Arc Washington State,
Document 6: Third Biennial Report from the School for Defective Youth (1892)
1. Image and Content from the Third Biennial Report from the School for Defective Youth
2. Image of School of the Blind

Document 7: As I Saw It by Robert Irwin (1955)
1. Image of Robert Irwin
2. As I Saw It by Robert Irwin Content

1. Image of Tulalip Indian School
2. The Origins and Nature of Our Institutional Models by Wolf Wolfensberger

Document 9: Parent Letter to the Governor’s Office (1972)
1. Image and Content of Nancy Reidel’s Letter to Ralph Munro

Document 10: Disability History Month Act (2008)
1. Image of Disability Rights Washington in Olympia
2. Disability History Month Act