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Weekend Edition
February 16 / 17, 2008

The Outrage is Grossly Misplaced

Wheelchair Dumping

By WILLIAM J. PEACE

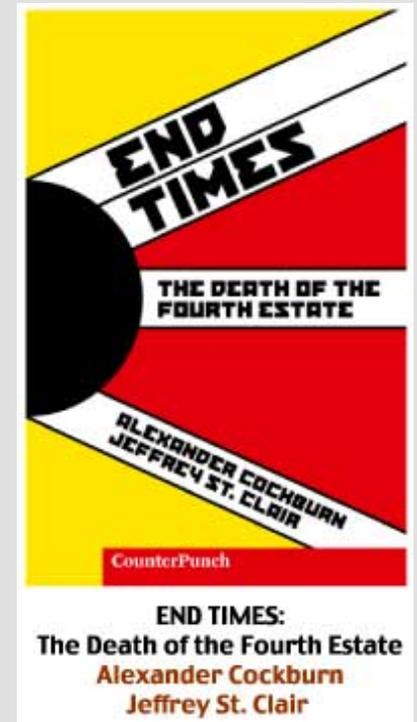
Wheelchair dumping is a relatively new term and age-old phenomenon. Few people ever heard of wheelchair dumping until this week. Thanks to a surveillance videotape and websites such as You Tube many of us know about Brian Sterner, a quadriplegic, who was literally dumped out of his wheelchair by a Tampa Florida police officer on January 29. [The videotape is damning](#)

Conversely, the lack of any action on the part of the other police officers present that witnessed what happened to Sterner was equally inexcusable.

Even I, a hardened crippled man accustomed to social abuse, was shocked to see Sterner on the ground as officers casually laughed, put on plastic gloves and proceeded to frisk Sterner. The tape shows Sterner's body was moved front to back, his pants askew, as though he were a sack of potatoes. This was not a scene from *Cool Hand Luke* where hardened criminals are treated brutally. Sterner, a quadriplegic, represented no physical threat.

What particularly fascinated me was one aspect of the press coverage. Headlines exploded across the United States and abroad. A random sampling includes: "Deputy dumped quadriplegic out of wheelchair" (MSNBC), "Deputies Suspended for Wheelchair dump" (AP), "Police dumped paralyzed man" (BBC News), "Fla. Deputy dumps quadriplegic from chair" (WFAA TX). Many news stories failed to mention an important part of the story: the actual name of the human being who was dumped out of his wheelchair. Thus the assault on Sterner did not end at the Tampa police department. The nameless Sterner was not fully human. He was merely "paralyzed", "paraplegic", "quadriplegic".

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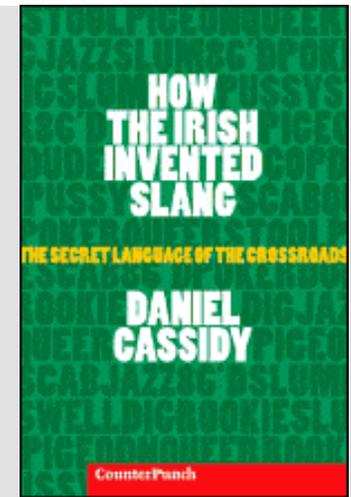
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This story brought two thoughts to mind: first, after my father died two years ago I needed to get my fingerprints taken. My father owned thoroughbred racehorses and most states, including New York where I reside, require all registered race horse-horse owners have their fingerprints taken and kept on file. I went to the local police station to have my prints taken only to discover there was no wheelchair access. I then went to the nearest New York State police department and there was no wheelchair access to this building either. Eventually I found a police station that was accessible -- that is unless I was arrested. All the holding cells were impossible enter. This was comforting and alarming. I asked the officer who took my prints about wheelchair access and his reply was "don't get arrested and you will not have a problem". These were not comforting words. What I did not and should have said to this officer was that buildings housing police offices were required by the ADA circa 1990 to be accessible, a law that the town has ignored for 15 years.

The second thing that sprang to mind when I read and saw the raw video of a fellow crippled man being dumped out of his wheelchair was how common this has become. Here I am not referring to a horde of paralyzed people who are dumped out of their wheelchair by the police but rather the phenomenon and term "wheelchair dumping" itself. This phenomenon is not restricted to people that use wheelchairs. I consider "wheelchair dumping" to be a broader term that refers to all those who have a physical or mental deficit whose existence is no longer valued. The people that are dumped are generally poor, many elderly, often have no home to go to, lack adequate health insurance, and are estranged from family and friends. The people that are dumped are not wanted by a host of institutions such as my local police station, jails, mental institutions, rehabilitation hospitals, half way houses, homeless shelters etc. Sterner is thus far from unusual. Indeed the only surprise was that the actions of the officer that arrested him were caught on videotape. No tape no story.

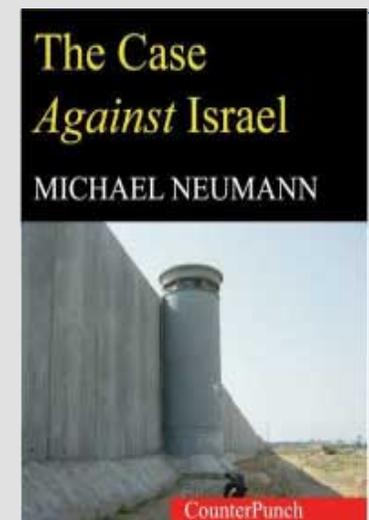
This is not speculation. This is a fact. "Dumping" is a convenient, cost-effective way of eliminating people who have no social standing. Such events appear in the news with alarming regularity but are quickly forgotten. They are never perceived as a violation of a person's civil rights. For example, last month Gabino Olvera, a mentally ill paraplegic man was dumped on Skid Row. Hollywood Presbyterian medical Center "discharged" Olvera in a soiled hospital gown without a wheelchair. Several witnesses reported that Olvera was clutching hospital documents between his teeth and was crawling back toward



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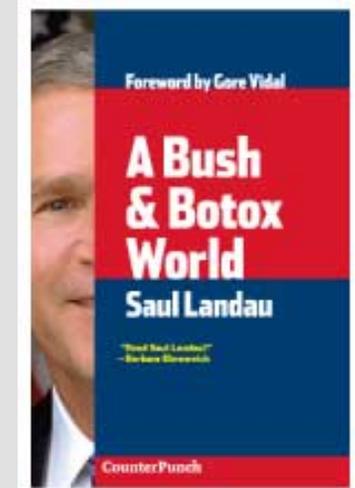
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America](#)

the van that dumped him on the street.

Wheelchair dumping is the antithesis of inclusion. Disability rights activists coined the term inclusion over the well-known concept mainstreaming. For nearly two decades disabled people have fought to be included, their existence valued. This effort has met stiff resistance -- especially in the court and educational system. Disability rights activists have fought for inclusion because it reflects the idea that all members of society are equal and capable. In theory this idea is accepted but rarely if ever put into practice. It's easier and cheaper to ignore the rights of disabled people and "dump" all those who don't fit in. In the past we had institutions to dump people into -- most of which were closed in the 1980s, thanks to Ronald Reagan. In their place we have a host of inaccessible facilities, like my local police station, or other government facilities, many of which contain "resource rooms". The vast majority of these rooms accomplish what institutions once did -- segregate those that are not wanted. It is easier for institutions such as public schools to "dump" all children with learning disabilities into a "resource room" than include them in classrooms with other children. If the parent or child balks, they can deem the child disruptive and the district can literally force the child out of the district and into "special programs". It is up to the parent to hire experts and prove their child is not a disruption to other students. To me, this is the legacy that Reagan should be known for because he took dumping to an extreme -- especially for those with mental illnesses who were dumped on urban street corners across the country.

Since the 1980s, I have seen this phenomenon of dumping spread inexorably. All sorts of people from police officers like the one who tipped Sterner out of his wheelchair, to hospital and school administrators, can now dump people they deem objectionable. The Sterner case is out of the norm in that the abuse he was endured was caught on videotape and involved a man who was not afraid to assert his rights (Sterner was the former director of the Florida Spinal Cord Injury Source Center and is currently working on his PhD). Sterner was arrested on a traffic related charge. Last fall he blocked an intersection with his car, was accused of fleeing an officer, and did not show up for a court appointment. Sterner readily admits he made mistakes that led to his arrest. He also says that when he was in the booking room of the Orient Road Jail, he told the arresting officer that he was a quadriplegic and could not stand up. According to officers, Sterner made a number of stupid comments, hardly justification for abuse. Apparently the arresting deputy did not believe Sterner was

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paralyzed and became agitated when he said he could not stand. This is when Sterner was unceremoniously dumped out of his wheelchair to the ground and frisked. The local sheriff in Tampa has publicly apologized to Sterner and the officer that arrested Sterner and those present when he was dumped out of his wheelchair was suspended and has now been charged with a third-degree felony, abuse of a disabled person. In his apology to Sterner the sheriff pointed out that over "72,000 inmates were processed through central booking, more than 230 of them came to jail in wheelchairs". I sincerely doubt these words are comforting to Sterner.

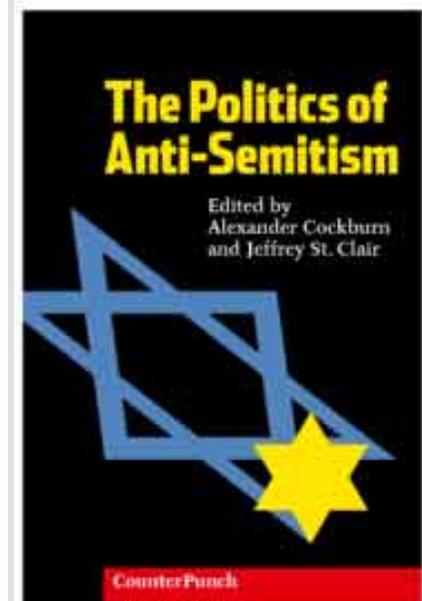
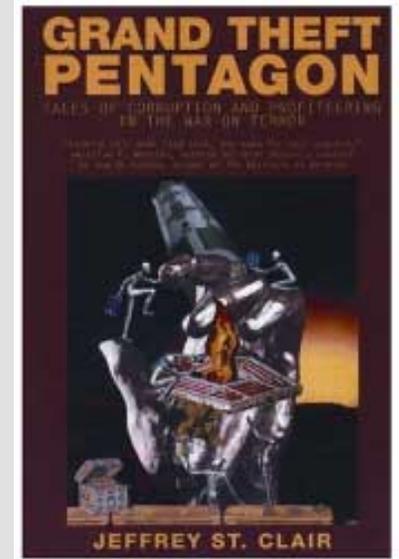
Two thoughts: why was Sterner not using his own wheelchair instead of a markedly inferior jailhouse special.

Sterner, so often the nameless cripple, contrasts with Rodney King, a name that has instant recognition. Unless the media radically changes the way it has covered this case, Sterner will remain anonymous, reduced to "paralyzed man", a secondary assault Mr. King was never subjected to.

Wheelchair dumping is not a new phenomenon. As noted in a history of the Black Panthers, in February 1945 Blues singer Blind Willie Johnson died of pneumonia after being denied hospital treatment. He was barred from the hospital not cause he was black but because he was blind. Wheelchair dumping is also not to be confused with "patient dumping". There are laws against patient dumping. There are no laws to protect disabled people from wheelchair dumping. This has not prevented Florida Attorney General Bill McCollum from asking his Office of Civil Rights to review the video (the Hillsborough County Sheriff Office will cooperate fully). If McCollum's office finds deputy's violated Sterner's civil rights it could sue on his behalf for up to \$10,000 per infraction.

In spite of the obvious civil rights violation not one mainstream news outlet has stated the obvious or framed the story within the realm of civil rights. Sterner and other disabled Americans are routinely discriminated against yet of the hundreds of stories I read only one has a direct quote from Sterner stating as much. In a February 13 report by KXAN Sterner is quoted as stating "Do I believe people with disabilities have been getting the shaft for a long time? Yea. Do I want to do something about it? Yes. Absolutely."

Within the disabled community there is much outrage -- shock really,



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Edited by Alexander Cockburn
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and the grim reminder that somehow the rights of those that have a physical deficit are somehow different. There is no question in my mind that Sterner was the victim of a hate crime. Why, I wonder, is this so hard to accept? Instead, replies posted to news reports all harp on the same thing, pity: no police officer should hurt a poor defenseless disabled person. There is outrage but it is grossly misplaced. What needs to be done is clear: first, disabled people must assert their civil rights -- even if under less than desirable conditions -- and their bipedal peers must support this effort. Second, we should follow the lead of the British disability rights group Disability Now and create a highly public hate crime dossier.

Disability Now has created "No Hiding Place" as part of their website that consists of a dossier of crimes against disabled people. It is categorized by impairment and lists the responses given by the Crown Protection Service (police forces involved). This is hardly a solution to hate crimes against disabled people but at least represents a start toward framing the issue as a civil rights violation.

William Peace is an independent scholar and is writing *The Bad Cripple*, to be published by CounterPunch Books. He can be reached at wjpeace@optonline.net.

