

Position Statement on the Rights of Individuals with Developmental Disabilities

The New Jersey Council on Developmental Disabilities endorses the following statement supporting the rights of individuals with intellectual and/or developmental disabilities (I/DD):

Position

People with intellectual and/or developmental disabilities have the same basic legal, civil and human rights as other citizens.¹

Disability is a natural part of the human experience that does not diminish the right of individuals with intellectual and/or developmental disabilities to live independently, to exercise control and choice over their own lives, and to fully participate in and contribute to their communities through full inclusion in the economic, political, social, cultural, and educational mainstream of our society.

Background Information

Federal civil rights laws are clear in mandating the rights of individuals with I/DD:

“The ADA (Americans with Disabilities Act) prohibits discrimination on the basis of disability in employment, State and local government, public accommodations, commercial facilities, transportation, and telecommunications. It also applies to the United States Congress.

To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The ADA does not specifically name all of the impairments that are covered.²”

The United Nations Convention on the Rights of Persons with Disabilities affirms:

“...the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed their full enjoyment without discrimination.³”

The rights of individuals with developmental disabilities described herein shall be considered to be in addition to any constitutional or other rights otherwise afforded to all individuals.

Government must continue to recognize and guarantee the civil and human rights of individuals with intellectual and developmental disabilities. This includes advancing laws and regulations that provide individuals with the information, skills, opportunities, and supports to pursue meaningful, fulfilling and productive lives and to live free of abuse, neglect, financial and sexual exploitation.

Adopted: October 25, 2018

¹ The Arc, 2018

² “A Guide to Disability Rights Laws,” US Department of Justice, 2018

³ <http://www.un.org/disabilities/documents/convention/convoptprot-e.pdf>