

Bergeron v. Glampers

The Harrison Bergeron Mock Trial

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Case Summary

This is a civil case in which plaintiffs are suing defendant for “wrongful death.” Usually a wrongful death is one that is caused by a negligent, reckless, or intentional act. Because the person injured is dead, the lawsuit is brought by someone on the behalf of the deceased person’s family or loved ones.

In this case, parents Hazel and George Bergeron (plaintiffs) have filed a complaint for wrongful death against Handicapper General Diana Moon Glampers (defendant) for killing their son, Harrison. Defendant claims that her actions were lawful because it is her job to maintain the handicapping practices that are meant to make everyone equal. Whether that is true depends on whether jurors believe the current laws are fair and her actions were justified.

Plaintiffs

Hazel Bergeron, mother of Harrison

George Bergeron, father of Harrison

Defendant

Diana Moon Glampers, Handicapper General

Witnesses

Broadcast Announcer, witnessed the event in question

Ballerina, was at the scene of the event in question

Musician, was at the scene of the event in question

Expert

Old Doctor, retired medical doctor

Exhibits

Exhibit A - ORS-30.020 (Wrongful Death)

Exhibit B - Handicapper Guidelines

Exhibit C - The Declaration of Independence (excerpt)

Exhibit D - The Bill of Rights (simplified version)

Exhibit E - Crime Scene Drawing

Exhibit F - 1990 Americans With Disabilities Act (excerpt)

Exhibit G - Constitutional Amendments 211, 212, 213

Exhibit H - Constitutional Amendment 214

Exhibit I - Constitutional Amendment 215

In the District Court of the State of Oregon for Chinook County

HAZEL and GEORGE BERGERON
Plaintiffs,

v.

DIANA MOON GLAMPERS,
Defendant

Case No. 00201903

COMPLAINT
(Wrongful Death)

ORS 30.020

INTRODUCTION

1. Plaintiffs George and Hazel Bergeron (“Plaintiffs”) bring this action against Defendant Diana Moon Glampers (“Defendant”). Plaintiffs are the parents of the deceased Harrison Bergeron. Defendant is the General Handicapper.

2. Defendant, in view of multiple eye witnesses, shot and killed Harrison Bergeron (“Bergeron”) and his dance partner, Ballerina (“Ballerina”).

PARTIES AND VENUE

3. Plaintiffs are individuals who reside in Chinook County, Oregon.

4. Defendant is the General Handicapper of the United States of America, a federally appointed position.

5. Venue is proper in this Court because plaintiffs live in Chinook County and their son, Bergeron is from Chinook County.

FACTS

6. The Declaration of Independence states that all people are guaranteed life, liberty, and the pursuit of happiness.

7. The Bill of Rights (Amendments 1-8) specifically prohibit the federal government from interfering in the private lives of citizens.

8. Bergeron was removed from his home by Defendant without any charges against him.

9. Bergeron escaped his unlawful imprisonment and at a live broadcast of a ballet performance harmlessly began to dance.

10. Without cause or provocation, Defendant shot Bergeron and Ballerina with a ten-gauge shotgun.

11. After Bergeron and Ballerina were dead, Defendant reloaded her shotgun and threatened the remaining ballerinas and musicians in the theater studio with death.

12. Defendant knew or should have known that killing Bergeron and Ballerina detrimentally would harm Plaintiffs by taking away their only son without cause.

CLAIM FOR RELIEF

(Wrongful Death)

13. Plaintiffs incorporate and reallege paragraphs 1 through 12 above, each as if fully stated herein.

14. Defendant's action amounts to a violation of ORS 20.030 - Wrongful Death because she caused Bergeron's death by her wrongful act.

15. Defendant's conduct caused Plaintiffs a special injury. Since Defendant killed Bergeron, plaintiffs now must suffer the loss of their son the rest of their lives.

16. Defendant's conduct also caused threat to the general public because of her specific life-threatening actions towards the other people at the scene, which was broadcast live.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for relief as follows:

1. A legislative review of the handicap laws in Oregon and their violation of the first 10 Amendments and the Declaration of Independence; and
2. Such other relief as may be just and proper.

DATED: October 20, 2081

CARLYLE, POLLARD & SCHMIDT LLP

s/Shannon Schmidt

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Attorneys for Plaintiffs

In the District Court of the State of Oregon for Chinook County

HAZEL and GEORGE BERGERON
Plaintiffs,

v.

DIANA MOON GLAMPERS,
Defendant

Case No. 00201903

ANSWER

ORS 30.020

For its Answer to Plaintiffs Hazel and George Bergeron’s (“Plaintiffs”) Complaint, Defendant Diana Moon Glampers (“Defendant”) admits, denies, and alleges as follows:

INTRODUCTION

1. Defendant admits the allegations in paragraph 1.
2. Defendant admits the allegations in paragraph 2.

PARTIES AND VENUE

3. Defendant admits the allegations in paragraph 3.
4. Defendant admits the allegations in paragraph 4.
5. In response to the allegations in paragraph 5 of the Complaint, Defendant admits that venue is proper in this Court.

FACTS

6. Defendant admits the allegations in paragraph 6.
7. Defendant admits the allegations in paragraph 7.
8. Defendant denies the allegations in paragraph 8.
9. Defendant denies the allegations in paragraph 9.
10. Defendant denies the allegations in paragraph 10.
11. Defendant admits the allegations in paragraph 11.
12. Defendant denies the allegations in paragraph 12.

CLAIM FOR RELIEF

(Wrongful Death)

13. Defendant incorporates and realleges its responses to paragraphs 1 through 12 of the Complaint above, each as if fully set forth herein.

14. Defendant denies the allegations in paragraph 13.

15. Defendant denies the allegations in paragraph 14.

16. Defendant denies the allegations in paragraph 15.

17. Defendant denies the allegations in paragraph 16.

PRAYER FOR RELIEF

WHEREFORE, Defendant prays for relief as follows:

1. An order dismissing Plaintiffs' claim with prejudice;
2. An award of the costs and disbursements Defendant incurs in defending this action; and
3. Such other relief as may be just and proper.

DATED: October 25, 2011.

McCOY & RUBEROSA LLP

s/Corrina M. Ruberosa

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Attorneys for Defendant

1 **AFFIDAVIT OF GEORGE BERGERON** (PLAINTIFF)
2

3 My name is George Bergeron and I am married to Hazel Bergeron. We had a son
4 named Harrison. My main handicap is an ear radio. Though I know it is important to
5 have it, I do admit it gives me frequent headaches and distracts me and makes me
6 lose my train of thought very often. We loved our son very much. But we knew from the
7 time he was young that he would have to be severely handicapped to be equal to
8 everyone else. He was such a handsome and talented little boy! But by the time he was
9 14, despite our best intentions and attempts to keep his handicaps on him, he
10 continuously threw them off. The Handicapper General's office came and took him
11 away when he was 14. At first, I was so sad, but eventually I just couldn't think about it
12 too much because my ear radio did its job.

13 My wife and I are quiet folks, and one of our favorite things to do together is sit
14 and watch television in the evening. On the night my son was killed, we were watching
15 a ballet performance. All through the performance, I got different sounds in my ear
16 radio that hurt my head. Sometimes I have the fleeting thought of taking off some of my
17 handicaps, like lightening the handicap bag I wear around my neck - but then I know I
18 would get two years in prison and two thousand dollars fine for every ball of birdshot I
19 took out of the bag.

20 Anyway, the ballet performance was interrupted by a news bulletin with a
21 ballerina saying that Harrison had escaped from jail. They showed a picture of him,
22 even with all his heavy handicaps, I knew it was him. Then I saw him come into the
23 theater and he was stomping up onto the stage. I knew it was him - but suddenly I got
24 such a blast in my ear radio I couldn't keep my eyes open!

1 **AFFIDAVIT OF HAZEL BERGERON** (Plaintiff)
2

3 My name is Hazel Bergeron and I am married to George Bergeron. My son's
4 name is Harrison. I mean, my son's name WAS Harrison. He was a lovely child, but I knew
5 a soon as he was born he'd have to have a lot of handicaps. That's just the way our
6 country works because it is important that we all be equal. I didn't want my son to not
7 be equal. I don't have any handicaps like my husband and son, but I do love them
8 both dearly.

9 For some reason, Harrison was taken away from us when he was 14. George said
10 it was because Harrison kept taking off his handicaps, but I didn't remember that
11 happening. I was so terribly sad when my son went to prison, but only at first. After a
12 while, it felt normal again and I thought he would just come home after his two-year
13 sentence.

14 One night while George and I were watching a lovely ballet performance on the
15 television, there was a news bulletin that Harrison had escaped. They showed a picture
16 of my son, but at first I didn't realize it was him. George yelled "That must be Harrison!"
17 but then he shrieked in pain from his ear radio. I have often thought that they should
18 use gentler noises in the ear radios. Anyway, there was more that happened, but I
19 don't quite remember the performance itself.

20 I only remember that my Harrison was killed by General Glampers right on
21 television. I don't quite recall seeing it happen, but I know it did because I have a
22 reminder to myself when I forget that she murdered him. It was so unfair because he
23 only deserved a two-year sentence, and he was such a lovely boy! My George usually
24 feels these things much more strongly than I do, but I can say that a mother's love is so
25 important. General Glampers took that away from me, and I don't believe the law

1 gave her the right to do that. I am so, so sad, when I remember to be. I don't want to
2 be so sad, but I have no choice because my Harrison is dead.

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12
13

Hazel Bergeron

Mother
Dated: October 4, 2081

Subscribed and sworn to me this 4th day of October, 2081.

Geneva Blossom

Geneva Blossom
Dated: October 4, 2081

1 **AFFIDAVIT OF DIANA MOON GLAMPERS** (DEFENDANT)
2

3 My name is Diana Moon Glampers, and I am the Handicapper General of the
4 United States. My job is to make sure that everyone complies with the Handicapping
5 Rules and Amendments 211,
6 212, 213. I also decide all handicaps from the heaviness of the weights to type and
7 volume
8 of the ear interrupters and many more. It is very important that everyone use their
9 handicaps as instructed by my office. If they don't, they need to be punished because
10 the most important rule is that everyone must be as equal as possible.

11 On the night of the ballet performance, everything was proceeding normally.
12 The ballerinas who should have been wearing masks, as well as those with ear radios
13 were performing together as planned. I was watching peacefully from my office in the
14 government building next to the theater.

15 Suddenly, Harrison Bergeron burst into the theater shouting and causing havoc.
16 He was even claiming to be, "The Emperor" and then demanded, "Everyone must do
17 what I say, at once!" It was impossible to tell from the television screen that anything
18 was happening to stop him from disrupting everything. So, I immediately decided to go
19 over to the theater. I took my weapon because I didn't know if I would have to defend
20 myself.

21 By the time I got to the theater, Bergeron had obviously yanked the handicaps
22 from an innocent ballerina and was leaping around, dragging her with him. He must
23 have threatened the musicians because they were playing bizarre music. All equality
24 had been destroyed and everything was chaos. I knew if I didn't act quickly to stop
25 him, he would corrupt everyone viewing the performance.

1 **AFFIDAVIT OF BROADCAST ANNOUNCER**

2

3 My name is Broadcast Announcer. I have been an announcer in television and
4 broadcasting for 15 years. Like all broadcasting announcers I have a speech disrupter.

5 On the night of the performance at the theater, things began normally. I was
6 rehearsing my segments in an effort to make my announcements as smooth as possible,
7 considering my handicap disrupts my speech so much I feel like it is almost impossible to
8 understand what I am saying. Suddenly, I was handed a news bulletin by the producer
9 and told to prepare to go on stage in one minute. I quickly glanced at the words on
10 the page and was shocked at what I saw!! My heart began to pound and mouth went
11 dry as I read, "Harrison Bergeron, age 14, has just escaped from jail, where he was held
12 on suspicion of plotting to overthrow the government. He is a genius, and an athlete, is
13 under-handicapped, and should be regarded as extremely dangerous." Because of
14 my state of anxiety, when I went on stage to make the announcement I couldn't even
15 get out the words, "Ladies and Gentlemen," much less the rest of the announcement.
16 After about half a minute of trying, over and over, I finally gave up in frustration and
17 defeat. I handed the news bulletin to a ballerina to read.

18 The ballerina read the news bulletin but just as she was finishing there was the
19 crashing sound of a door being torn off its hinges and shock of all shockers there stood
20 the very protestor we had just announced. He must have been like a Greek God. He
21 had the most handicaps I have ever seen on any human being.

22 I watched in awe and amazement as he leapt onto the stage with the doorknob
23 still in his hand. While others backed away I felt drawn to his strength and power.
24 Suddenly I fell to my knees. The rest was a blur as I watched he and his Empress

1 ballerina dance the way ballet should be danced. Gracefully and majestically. Even
2 the musicians suddenly performed music that was a joy to hear.

3 Then as their final leap and kiss crescendo inches from the ceiling, the
4 performance came to a screeching halt when the handicapper general exploded into
5 the studio with a double barreled, 10 gauge shot gun. She fired twice, and Harrison
6 and his beautiful mate, the ballerina, were dead before they hit the floor. You could
7 feel the despair in the studio. I watched in shock and fear for my own life as Diana
8 Moon Glampers, loaded the gun again. This time she aimed it at the musicians and
9 told them they had, "10 seconds, to get their handicaps back on." I wondered if they
10 wanted to defy her as much as I wanted to, but my fear held me in check.

11

12

Broadcast Announcer

13

Broadcast Announcer

14

Dated: October 4, 2081

15

16

17 Subscribed and sworn to me this 4th day of October, 2081.

18

19

Geneva Blossom

20

Geneva Blossom

21

Dated: October 4, 2081

22

23

24

25

1 **AFFIDAVIT OF MUSICIAN**

2
3 My name is Musician and I am part of an orchestra that plays to back up the
4 Ballet. When I was young, I loved music and played on my own for hours and hours. But
5 then as I was given my handicaps, I learned that it was better to be part of a group
6 and play along with the same music everyone else played together. Our laws say it is
7 important that no one is better than another, so I try to stay in line with my orchestra
8 and not worry about how my handicaps keep me from playing music like when I was
9 young. I'd rather not stand out and get into trouble, so I count myself lucky I can play
10 my music at all.

11 On the night of the ballet performance, we were all playing our parts as usual.
12 Several times a year we play for a television audience so we were used to the set up in
13 the theater. I knew the music by heart, so I was playing along as normal, when
14 suddenly, Harrison Bergeron burst into the theater yelling and running around. At first,
15 he was loaded down with his handicaps, but he jumped onto the stage and started
16 ripping them off! I couldn't believe my eyes - I was terrified of what was happening,
17 and stopped playing. The other musicians in the orchestra also stopped - we were
18 stunned and frightened watching him.

19 He pulled off all his handicaps and I couldn't believe my eyes - he was so strong
20 and handsome, it was almost blinding. I was stunned and didn't know what to think. He
21 yelled that he was going to be "emperor" and I didn't understand what was
22 happening when he grabbed a ballerina and pulled off her mask. She was beautiful! I
23 couldn't stop staring at the two of them.

24 Bergeron yelled he wanted music so they could dance. At first I didn't
25 understand what he was saying because I was so shocked. Then he came around and

1 pulled off all OUR handicaps! Right there, in front of everyone! He took off my handicap
2 too, and I had never felt so much relief. I was disoriented. But I felt so uncomfortable
3 and afraid because I knew it was wrong.

4 He told us to start playing, so the orchestra started playing our usual music. It
5 gave me comfort to start playing again and focus on my instrument. But Bergeron
6 interrupted us and yelled at us to stop. Then he grabbed me by my collar, and grabbed
7 my fellow musician in his other hand and LIFTED us both up! Then he swung us around as
8 if we were his music batons, I could not believe his strength! I was terrified at first, but
9 then I focused on his singing letting us know how he wanted the music played. Abruptly
10 he slammed us back into our chairs. The music he wanted was closer to the music I
11 played as a child and not anything like the normal music the orchestra played so as not
12 to be too flamboyant. The more we played the new music, the more I felt afraid - it was
13 music I loved, but I was terrified by Bergeron and by not having my proper handicap.

14 Suddenly, General Handicapper Glampers burst into the theater and shot
15 Bergeron and the ballerina right in front of us! We all stopped playing in stunned silence
16 until she swung the gun towards us and told us to put our handicaps back on. I was
17 quick to get my handicap back on. I was at first scared by her, but I understand she
18 had to keep order and make sure we were all equal. I felt much more calm and less
19 afraid once my handicap was back on, and I knew she'd taken care of the scary
20 situation for us.

21 MUSICIAN
22 Musician
23 Dated: October 5, 2081

24
25 Subscribed and sworn to me this 5th day of October, 2081.
26 Geneva Blossom
27 Geneva Blossom
28 Dated: October 5, 2081

1 **AFFIDAVIT OF BALLERINA**

2
3 My name is Ballerina, and I just joined the National Ballet last year. I have been
4 working hard - but not too hard - so that I can make sure to dance just like all the other
5 ballerinas in my company. The goal for us is to dance all together and no one stand out
6 more than the others. The handicaps most of us have are masks and weights, though
7 two in our company have ear radios. Sometimes the ear radios disrupt their rhythm and
8 flow as part of the group, but they still work hard to stay in sync. I wear a mask, and at
9 first it was hard to dance because it affects my peripheral vision - not that I am
10 complaining! I learned very quickly (but not too quickly) how to dance with the mask,
11 and I am grateful to be part of the National Ballet.

12 On the night of the television performance, I was looking forward to it because it
13 would be my first time on live TV. We had practiced so we all knew our parts and how
14 to dance together - it was meant to be a very soothing and calm performance. We
15 were dancing along, with only a few minor disruptions from the girls with ear radios. All
16 of a sudden, there was a noise I didn't recognize, --like a crash! The musicians quit
17 playing, and all of us ballerinas on stage stopped mid-twirl as a giant man stomped into
18 the room. He was terrifying! Despite the massive amount of handicaps he had all over
19 him, he moved like a giant monster up onto the stage! I was so terrified I cowered back
20 towards the back of the stage with the other ballerinas.

21 As he stomped around declaring he would be free and be Emperor, he threw off
22 all of his handicaps! I was stunned to see a man so tall, strong and handsome but so
23 scary at the same time! Then he looked right at all of us ballerinas trying to huddle
24 together, and he yelled "I shall now select my Empress!" He looked right at each of us!

1 Then he said "Let the first woman who dares rise to her feet, claim her mate and her
2 throne!"

3 We were huddled and scared, but of course, Ballerina Two (we go by numbers
4 when we are all together, otherwise, we are just "Ballerina") got up and walked toward
5 him! I couldn't believe it, but I also remembered she'd been scolded many times
6 before for stopping mid-dance to adjust her mask. She was committing crimes right in
7 front of all of us! Bergeron tore the ear radio and her other handicaps off of her, and
8 then took off her mask! She didn't seem to care. They started dancing and jumping so
9 high. I was so confused and scared.

10 We ballerinas just huddled together not knowing what to do, but General
11 Glampers ran in and brought order back to everything - she could do nothing else but
12 shoot them. I was sad for Ballerina Two, but she really sort of deserved it for so blatantly
13 breaking all the laws, and on live television! We all scurried back to our positions, and I
14 suddenly felt better and safer. The TV show of course was canceled, and General
15 Glampers reassured us that we were safe again. It was a night I will never forget, but it
16 reminds me all the time how lucky I am to have my handicaps and be part of the
17 Ballet.

18 *Ballerina*

19 Musician

20 Dated: October 5, 2081

21
22 Subscribed and sworn to me this 5th day of October, 2081.

23
24 *Geneva Blossom*

25 Geneva Blossom

26 Dated: October 5, 2081
27

1 **AFFIDAVIT OF OLD DOCTOR**

2
3 My name is Old Doctor. I served as a doctor for many years, but I now live in
4 Institution for the Unhandicapped retirement home and have had my handicaps
5 removed because I will probably die of old age soon. I got here when I retired and
6 turned 80. I was a doctor for many years, and I believe I am an expert in the use of
7 handicaps and their effects on people who must wear them. I became a doctor in
8 2032, before amendments, 211, 212 and 213 were created. I was an orthopedic
9 surgeon and I helped people with bad backs, bad knees, bad hips, bad shoulders etc.
10 The parts of the body dealing with joints or movement. I loved my job back then.
11 Helping to repair the human body and free people from pain was the most rewarding
12 part of my job.

13 The human body is designed to function very well when your body weight is at
14 it's optimum and when your muscles are strong to help the joints work well with the
15 least amount of strain. However, when you are doing daily labor where the same joints
16 are working excessively and repetitively the joints can be damaged. For example,
17 pounding nails into wood at a job for eight hours every day will eventually give you
18 shoulder damage, elbow damage, even wrist damage through constant repetitive use.
19 If you work hunched over doing this work you will eventually sustain back injuries as well.
20 Within 5-10 years you will have damaged your body and it will require repair through
21 either surgery, or rest or physical therapy to correct. Often if you continue the same
22 job, it will reoccur and further surgery or therapy will be required. If you do it over your
23 working lifetime it may become permanently damaged and you will then be unable to
24 repair it and the remainder of your lifetime will be spent in pain.

Exhibit A

Oregon Revised Statute (ORS) 30.020*

When the death of a person is caused by the wrongful act or omission of another. Typically, a wrongful death is one that is caused by a negligent, reckless, or intentional act -- the same sorts of actions that would support a claim for personal injury if the deceased person had lived.

In this way, it is possible to think of a wrongful death claim as a personal injury claim. The primary difference is that the injured person in a wrongful death claim is no longer available to bring his or her own claim to court. Instead, another party must bring the wrongful death claim on behalf of the deceased person's estate and any surviving beneficiaries.

*summary via Legal Encyclopedia

Exhibit B

Handicapper Guidelines

Occupation	Talent	Handicap
Dancer	Grace, strength	<ul style="list-style-type: none"> ▪ Body wraps ▪ Weights
Athlete	Strength, coordination, competitive, risk-taker	<ul style="list-style-type: none"> ▪ Weights ▪ Slings
Vocalist, Singer	Beautiful singing voice	<ul style="list-style-type: none"> ▪ Electronic voice modifier
Orchestra / Band Musician	Instrumental music talent	<ul style="list-style-type: none"> ▪ Non-dominant hand use ▪ Taped fingers ▪ Modified mouthpiece
Newscaster, Actor, Leader	Excellent / compelling speaking voice	<ul style="list-style-type: none"> ▪ Electronic stuttering device
Academic, Teacher, Doctor, Scientist, Strategist, Writer, Analytical Thinker	Eidetic memory, creative, imaginative, genius	<ul style="list-style-type: none"> ▪ Electronic brainwave interrupter
Psychologist, Social Mediator, Extroverted Individual	Excellence with: social cues, understanding others, empathy, listening, body language	<ul style="list-style-type: none"> ▪ Ear plugs ▪ Extreme distortion eyeglasses or sunglasses
Artist, Photographer or Graphic Designer	Drawing and visual artistic talent	<ul style="list-style-type: none"> ▪ Non-dominant hand use ▪ Fingers taped or thick glove ▪ Distortion eye glasses or sunglasses
Model, Actor	Physical beauty, excellent speaking	<ul style="list-style-type: none"> ▪ mask

Exhibit C

The Declaration of Independence (excerpt)

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. --That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.

~1776

Exhibit D

Bill of Rights (abbreviated)

- 1st Freedom of religion, speech, and the press; rights to petition the government and assemble peaceably
- 2nd Right to keep and bear arms
- 3rd No forced quartering of troops in people's homes
- 4th No unreasonable searches and seizures of people's property or things
- 5th Right to due process of law, no double jeopardy, right not to incriminate yourself
- 6th Rights of the accused: speedy and public trial by jury, clear charges, witnesses in defense, and an attorney
- 7th Right to trial by a jury in a civil case
- 8th No cruel or unusual punishments
- 9th Just because a right isn't specifically listed in the Constitution does not mean it does not exist.
- 10th Powers not given to the federal government by the Constitution belong to the states or to the people.

Exhibit E

Crime Scene Drawing

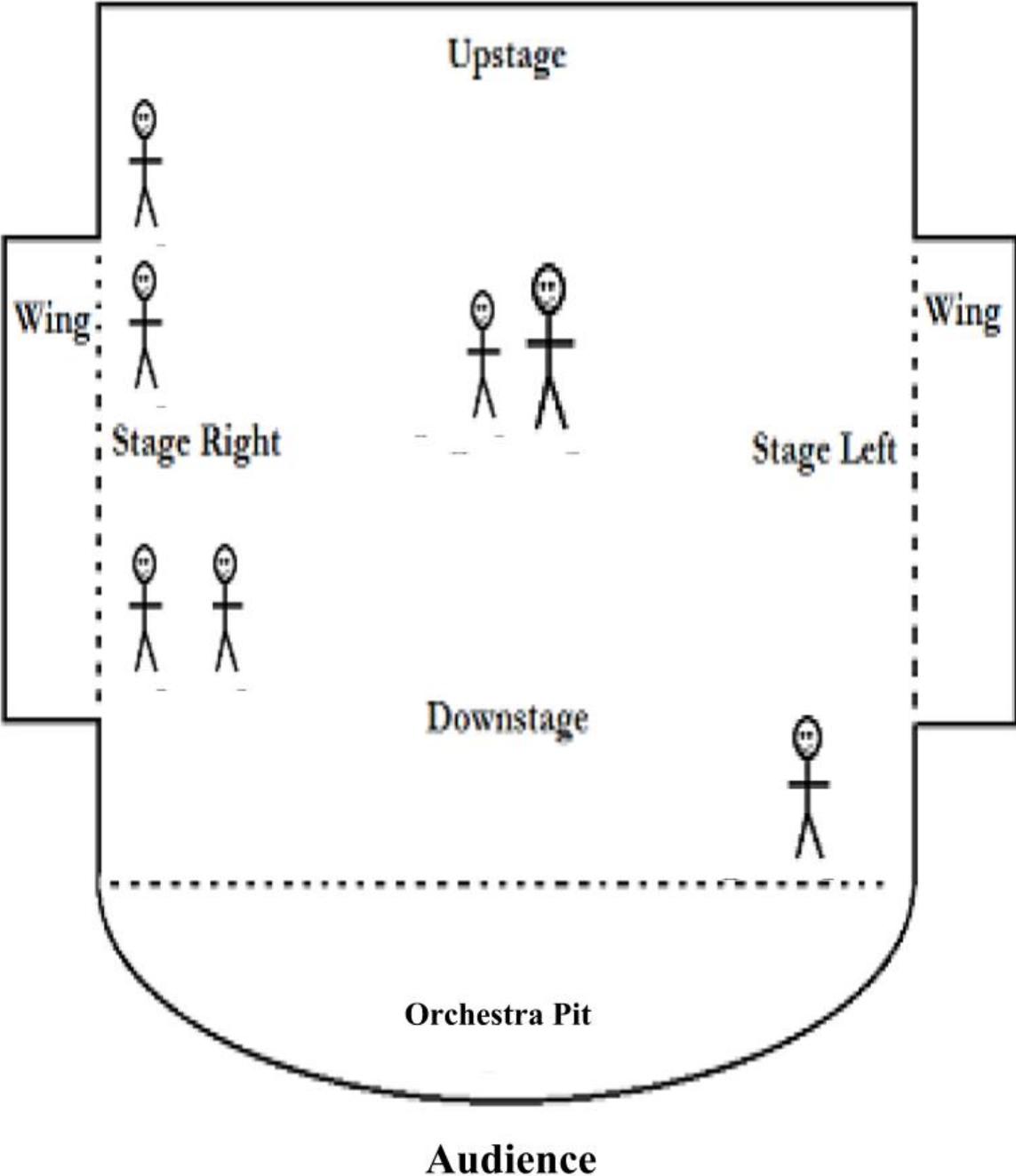


Exhibit F

1990 Americans with Disabilities Act (excerpts)

To establish a clear and comprehensive prohibition of discrimination on the basis of disability.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

...SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS- The Congress finds that--

(1) some 43,000,000 Americans have one or more physical or mental disabilities, and this number is increasing as the population as a whole is growing older;

(2) historically, society has tended to isolate and segregate individuals with disabilities, and, despite some improvements, such forms of discrimination against individuals with disabilities continue to be a serious and pervasive social problem;

(3) discrimination against individuals with disabilities persists in such critical areas as employment, housing, public accommodations, education, transportation, communication, recreation, institutionalization, health services, voting, and access to public services;

(4) unlike individuals who have experienced discrimination on the basis of race, color, sex, national origin, religion, or age, individuals who have experienced discrimination on the basis of disability have often had no legal recourse to redress such discrimination;

(5) individuals with disabilities continually encounter various forms of discrimination, including outright intentional exclusion, the discriminatory effects of architectural, transportation, and communication barriers, overprotective rules and policies, failure to make modifications to existing facilities and practices, exclusionary qualification standards and criteria, segregation, and

relegation to lesser services, programs, activities, benefits, jobs, or other opportunities;

...

(8) the Nation's proper goals regarding individuals with disabilities are to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for such individuals; and

(9) the continuing existence of unfair and unnecessary discrimination and prejudice denies people with disabilities the opportunity to compete on an equal basis and to pursue those opportunities for which our free society is justifiably famous, and costs the United States billions of dollars in unnecessary expenses resulting from dependency and nonproductivity.

(b) PURPOSE- It is the purpose of this Act--

(1) to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities;

(2) to provide clear, strong, consistent, enforceable standards addressing discrimination against individuals with disabilities;

(3) to ensure that the Federal Government plays a central role in enforcing the standards established in this Act on behalf of individuals with disabilities; and

(4) to invoke the sweep of congressional authority, including the power to enforce the fourteenth amendment and to regulate commerce, in order to address the major areas of discrimination faced day-to-day by people with disabilities.

Exhibit G

Constitutional Amendments 211, 212, 213

Amendment 211

Equality of Strength and Speed (2042)

Passed by Congress June 15, 2040. Ratified November 3, 2042.

No persons born, naturalized or residing in the United States and subject to the jurisdiction thereof can be stronger or quicker than anyone else.

Amendment 212

Equality of Physical Attributes (2048)

Passed by Congress September 13, 2047. Ratified February 14, 2048.

No persons born, naturalized or residing in the United States and subject to the jurisdiction thereof can have physical attributes better than anyone else. These shall include, but are not limited to: physical beauty, grace compelling speaking voice, melodic singing voice, dexterity.

Amendment 213

Equality of Mind and Intellect (2055)

Passed by Congress April 1, 2054. Ratified July 4, 2055.

No persons born, naturalized or residing in the United States and subject to the jurisdiction thereof can be smarter, more creative, more socially adept, have greater academic depth or stronger memory abilities than anyone else.

Exhibit H

Constitutional Amendment 214

Right to Retire Handicap (2056)

Passed by Congress January 25, 2056. Ratified August 13, 2056.

No persons born, naturalized or residing in the United States and subject to the jurisdiction thereof, upon reaching the age of majority, or 80 years, may be retired to the Institution for the unhandicapped and have all handicaps removed until death. All persons must be given the opportunity to choose either the Institution or their handicaps. All persons decisions are considered final and may not be changed under the law.

Exhibit I

Constitutional Amendment 215

Equitable and Speedy Trial (2058)

In conjunction with the 6th & 7th Amendments:

Passed by Congress March 17, 2058. Ratified October 31, 20158.

All persons born, naturalized or residing in the United States and subject to the jurisdiction thereof are protected under the 6th and 7th amendments to an equitable and speedy trial by a jury of their peers. All trials shall therefore be tried without handicaps. Lawyers, judges, witnesses, jurors and court personnel shall refrain from using any and all handicaps during the time period of the actual trial. Upon arrival, all handicaps will be checked in at the courthouse door and reissued upon leaving. Every effort shall be made to select jurors who are just average with minimal handicap removal during the trial. All non-court members of the trial case will re-engaged their handicaps full time once the verdict has been declared.