

Wednesday, April 3, 2024, 12:30 PM

Location: G-15 Capitol

To Senator Ron Latz and the Senate Judiciary and Public Safety Committee:

I am grateful that SF 5097 has been introduced and grateful to testify in support. Next month, I will be 35 years old. My partner and I want to have children, and we are both blind. We have been planning our future according to a common variety of factors, such as how old we are, where we are in our careers, and how close I am to finishing my doctorate. Our blindness itself does not directly impact our choice to have children, but how people treat us because of our blindness certainly does impact our family planning. Education and employment are common factors in this decision, and discrimination against us as blind people has affected our progress in education and employment. For blind people, an additional factor comes into family planning decisions altogether: how the child welfare system, family courts, and adoption agencies treat us. For nondisabled people, their nondisabled identity does not lead them to consider this factor, but we do not have that luxury if we are disabled. This phenomenon highlights *nondisabled privilege*.

Every day, I run into people who think I'm helpless because I'm blind. Whether it's a bus driver telling an elderly woman with a walker to give up her seat so that I can sit in the front of a bus, or a waitress who asks my friend to decide what I'll be eating, I get regular reminders of the low expectations and misperceptions that loiter in our society. When people assume that we are helpless, and those people get involved in our rights to parent, we become very vulnerable to discrimination very quickly. People with nondisabled privilege may be officially appointed to positions relevant to our parental rights, or they may weaponize their privilege to insert themselves into our lives, a phenomenon often called the Karen phenomenon.

SF 5097 is exceptionally good because it:

1. Places the burden of proof on the party alleging that the parent's disability is a problem, so that we, as the member of a minoritized group, are assumed competent until proven incompetent. The presumption of competence is already given to the privileged.
2. Allows the parent to demonstrate how supportive parenting services could bridge any gaps that have been substantiated by clear and convincing evidence, explicitly ensuring that we are given this opportunity that those with nondisabled privilege are given automatically.
3. Covers parts of the law that can be used to protect the rights of blind parents in a variety of areas where our rights are threatened, which can include family courts, child welfare, adoption, and even foster care.

In addition to being blind, I am also American Indian. I am in the first generation born after the Indian Child Welfare Act. I know through my family of the damage done to children by taking them away from their parents. We thought the eugenicist family separation practices were coming to an end, but then we learned about the consequences of my teenage-onset blindness. Eugenics teaches us that only certain kinds of people should be allowed to create and raise children, that we should seek a mythical kind of purity in genetics, lifestyles, and customs. Please reject eugenics.

Please help give disabled Minnesotans the peace of mind that, if we want to become parents, disability-based discrimination will not threaten our families. Please pass SF 5097.

Thank you in advance!

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(he/him/his)

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