

**Testimony of
Michelle Kraus, LMSW, Senior Social Worker, Disability Justice Program
on behalf of
New York Lawyers for the Public Interest
before the
Council of the City of New York
Committee on Civil and Human Rights
regarding
Oversight - Dignity for All: National and Local Efforts to End
Appearance-Based Discrimination
March 3, 2023**

As an individual with short stature who works for New York Lawyers for the Public Interest in its Disability Justice Program, I am writing in support of INT 209-2022, a local law to amend the administrative code of the city of New York in relation to prohibiting discrimination based on a person's height or weight in opportunities of employment, housing, and access to public accommodations. Thank you for the opportunity to provide testimony today regarding discriminatory practices against people with height and weight differences.

I am Michelle Kraus, a senior social worker at New York Lawyers for the Public Interest. I advocate for adults and children with physical and mental disabilities in all different realms of their lives. I am very knowledgeable about people of short stature and their daily discrimination because I have dwarfism.

Thank you, Councilman Abreu and your colleagues, for supporting the passage of this local law and for your time and attention to this matter. Your thoughtful comments and questions at the Tuesday, February 28 hearing helped broaden the discussion and demonstrated your commitment to civil rights for all.

People with dwarfism have historically been considered a popular form of entertainment, not for any talents they might have, but due to their distinctive appearance, particularly their small stature. They have been the main attraction at the old-time freak shows and have been cast as gnomes, elves, and hobbits. As a person with short stature, I have experienced discrimination based on unalterable physical

characteristics. People have immediately judged my abilities, competence, and intelligence based on my appearance. Over time, people have been influenced to think people with visible differences are physically and mentally impaired, especially when portrayed in mainstream media as fantastical caricatures or inspirations that deserve the public's compassion and sympathy. It is easy to ignore individual qualities when impressions are solely based on appearance.

Because of protections afforded to people with dwarfism, because we are disabled, there is legal recourse for people with dwarfism if they are denied employment and housing solely because of their short stature. Times have changed, and attitudes evolved because of the growing awareness of the legal rights of people with disabilities. The range of employment opportunities based on skills and competence has broadened; we are no longer only typecast as entertainers because of how we look. I am lucky to be employed as a social worker, a profession I am passionate about because I have not been shut out of educational and professional opportunities based on appearance and disability.

People of short stature who are not disabled based on appearance are consistently discriminated against by the lack of size ranges of clothing, furniture, vehicles, equipment, stairs, and public conveniences with little to no legal recourse. Employment discrimination can be overt, and formal height requirements exist for several jobs. People with short stature are denied or forced out of employment opportunities based on prejudices based on representations in fairy tales and science fiction television. They are often seen as not having abilities, talent, and value. I urge you to pass local law INT 209-2022, so New Yorkers with height and weight differences can have equal and fair access to employment opportunities, housing, and public accommodations. Your support of the passage of this law will be instrumental in providing a more effortless living for people who are regularly marginalized.

I appreciate your consideration. I can be reached at (212) 244-4664, ext. 9251, or MKraus@nylpi.org, and I look forward to discussing how best to provide full opportunities for New Yorkers with height and weight differences.

About New York Lawyers for the Public Interest

For nearly 50 years, New York Lawyers for the Public Interest (NYLPI) has been a leading civil rights advocate for New Yorkers marginalized by race, poverty, disability, and immigration status. Our community lawyering model bridges the gap between traditional civil legal services and civil rights, building strength and capacity for individual solutions and long-term impact. Our work integrates the power of individual representation, impact litigation, and comprehensive organizing and policy campaigns. Guided by the priorities of our communities, we strive to achieve

equality of opportunity and self-determination for people with disabilities, create equal access to health care, ensure immigrant opportunity, strengthen local nonprofits, and secure environmental justice for low-income communities of color.

NYLPI's Disability Justice Program works to advance the civil rights of New Yorkers with disabilities. In the past five years alone, NYLPI disability advocates have represented thousands of individuals and won campaigns improving the lives of hundreds of thousands of New Yorkers.