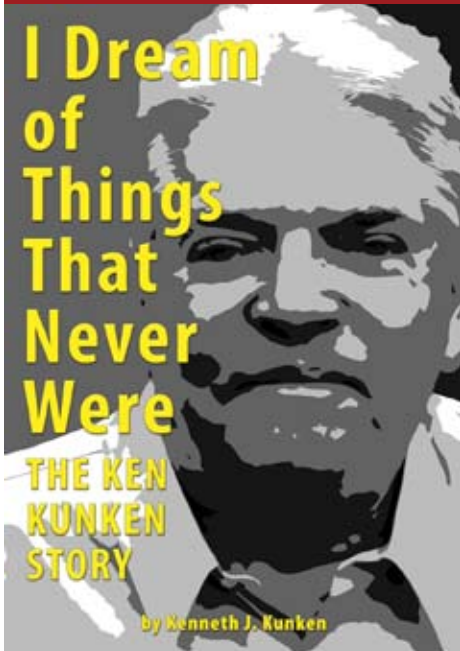


**FOCUS:
ELIMINATION OF BIAS**



Adrienne Flipse Hausch

A unique CLE was presented by the Nassau Academy of Law on January 8, 2024, at Domus with guest speaker Kenneth Kunken. Kunken is an attorney whose career included nearly thirty years as an Assistant District Attorney. To Ken Kunken, there should be no particular notability to that fact, except that on October 31, 1970, Kunken was injured in a college football accident that fractured his spine and left him paralyzed from the neck down.

After almost ten months in rehab and predictions that he would not survive, Kunken defied the odds and returned to Cornell University to complete his degree.

Kunken reported that he was treated as if he were intellectually impaired. Even the doctors would ask his attendants “How is Ken doing?” rather than speaking to Ken directly.

Kunken continued through graduate programs and then attended Hofstra law school. At that time, Hofstra was the only accessible university in the country and Ken’s achievements became noteworthy, so much so that then U.S. Senator Edward Kennedy asked him to testify at a congressional hearing held at Hofstra. It was in those days that this nation began to wake up to the notion that a physical disability’s impact was more to the detriment of the disabled person than to society, and efforts had to be made to make the world more accessible to those with disabilities.

Kunken’s approach was to do and lead by example. After receiving degrees in counseling and rehabilitation, he applied to nearly 200 agencies and employers and learned that even agencies charged with assisting others were reluctant to hire him—even as a volunteer.

Kunken then learned of Abilities, the agency founded by Henry Viscardi

Overcoming Bias Can Be a Lifelong Pursuit

in Albertson, that was committed to giving a proper education to all children, irrespective of the physical or mental impairment from which they suffered and became employed there as a counselor. This positive atmosphere encouraged Kunken to continue with his studies and continue to work on meeting the needs of others. As a result, he quit his job and went to law school. Kunken noted that he had to be replaced by three people because of the volume of cases he handled—a trait that followed him to the Nassau District Attorney’s Office where he was hired almost on the spot after being interviewed. As he noted, he was hired because of his abilities without regard to his disabilities, as he advocates that this is the attitude and position all people should take.

Kunken gives credit to the Americans with Disabilities Act for making public areas of this country more physically accessible but acknowledged that there is a long way to go. However, Kunken (averred) that attitude is a big part of our current problems and bullying of children with disabilities by children without them is a major issue we face today.

In the Nassau District Attorney’s office, Kunken served as a Senior Trial Assistant and had the reputation as “the tough guy in the wheelchair” who really knew his stuff. Even though he was offered a job merely doing desk work, he declined and then exceeded all expectations as a trial attorney—without even considering his physical limitations.

Kunken pointed out that when asked in 2022 “why hire an attorney with a disability?,” the ABA responded: because they are resilient by nature; they know how to concentrate; they are alert to their surroundings; and their positive attitude has an impact on how they are perceived. Kunken confirmed that this is his experience as well, and felt that heightened awareness is a real asset for any attorney.

Kunken is married and has three sons. He and his wife, Anna, welcomed triplets almost twenty years ago. Son, James, attends SUNY Morrisville; son, Timothy, attends Syracuse University Newhouse School of Publication Communications; and son, Joseph, attends dad’s alma mater, Cornell.

Kunken continues working for the Nassau DA and has recently authored a memoir entitled, *I Dream*



Photo by Hector Herrera

of *Things That Never Were*, *The Ken Kunken Story*. The title is inspired by the words of George Bernard Shaw that were etched into a paperweight given to Kunken by Senator Kennedy in gratitude for Kunken’s testimony. Kunken hopes that his story will help to educate others to the need to eliminate bias created by physical disability alone. We are a diverse society. We should be inclusive. But, we have a long way to go. ⚖️



Adrienne Flipse Hausch is an attorney in private practice with offices in Mineola. Her areas of practice are primarily matrimonial and family law, criminal defense, and guardianship. She has served as an NCBA Director, mentor, *Nassau Lawyer* editor, and founding Chair of WE CARE Fund. She can be reached at ahausch@optonline.net.



Appellate Counsel

**39 Years Experience
Free Consultation**

Charles Holster
(516) 747-2330
cholster@appealny.com



WWW.APPEALNY.COM