

WYPR: 88.1 FM

Still Fighting for Rights: 31 Years of ADA

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More than three decades after the Americans with Disabilities Act was signed, there is more access than ever before for people navigating life with a disability. But a lot of work remains to be done. **Michael Bullis**, executive director of the IMAGE Center of Maryland, talks about those challenges on the horizon.



A group of people with disabilities led by then 8-year-old Jennifer Keelan, left, crawl up the steps of the U.S. Capitol, on Monday, March 12, 1990 to draw support for the Americans with Disabilities Act. The group of about 1,000 people advanced down Pen

impact that inaccessible architecture has on people with disabilities. It also underscored the urgency to pass the Americans with Disabilities Act.

A few months later, on July 26, 1990, 31 years ago today, George H.W. Bush signed the ADA into law. The Americans with Disabilities Act guarantees equal opportunity for individuals with

Plus, **Janice Jackson** has had enough. The sidewalks in her Baltimore neighborhood endanger people with mobility disabilities, so she and two other residents have filed a lawsuit against the city:

“It saddens me that 30 years after the signing of the Americans with Disabilities Act that we have to go to the length of actually suing to get those rights that should be in place anyway.”

Links: The IMAGE Center of Maryland, W.E.A.N. Women Embracing Abilities Now, Read the complaint regarding Baltimore City Sidewalks, a history of the Capitol Crawl, and for a deeper history of the Americans With Disabilities Act watch Crip Camp.

TRANSCRIPT

SHEILAH KAST: Good morning. I'm Sheilah Kast. We're On the Record. In March 1990, more than a thousand people advanced from the White House to the US Capitol, demanding basic rights for people with disabilities. When they arrived, dozens of the protesters cast aside their wheelchairs and other mobility aides and crawled up the Capitol steps. The Capitol Crawl, as it's now known, was a physical demonstration of the

disabilities in public accommodations, employment, transportation, state and local government services and communications. Three decades on, how is it working? Here to discuss that is Michael Bullis. He's executive director of the Image Center of Maryland. The center is run by, and provides resources and solutions for, people with disabilities. Welcome back to On the Record, Michael.

MICHAEL BULLIS: Thank you very much for having me. This is exciting. Thirty-one years of the ADA and counting.

SHEILAH KAST: First, tell us more about the image center. What kinds of programs do you provide?

MICHAEL BULLIS: We have programs that help veterans stay in their own homes as they age so they don't have to go into nursing facilities. We have a program that has eighty five volunteer engineers. This is my favorite program of all. We create devices for people with disabilities where they don't exist in the marketplace, each disability is a little bit different. And sometimes you need an engineer and an occupational therapist to kind of work together to say, OK, what device will help this person get a job, take care of their home and do the things that are going to allow them to be independent. And we have many other services. We have 19 services in all. We started in 2010 and we've been growing rapidly over the years as the community responds, the disability community, as well as our friends who don't have disabilities because they're excited about what we do in terms of helping people gain independence and freedom.

SHEILAH KAST: And you live with a disability. What is that?

MICHAEL BULLIS: I- so I'm blind. I have been since I was a young child and have always found it a fascinating challenge to be blind and say to myself, OK, so you can't see - what's the other way you're going to get this job done?

SHEILAH KAST: What are your memories of July 26, 1990, when the Americans with Disabilities Act was signed into law?

MICHAEL BULLIS: Well, I was involved in letter writing campaigns from Oregon at the time where I lived and was involved in watching the whole process go down. It was an extremely exciting time because we've been building up for about 15 years, ever since the 1970s when there was a small bit of legislation that allowed, I guess it was a bit late, but it allowed for people to have rights to access government services and government employment. And then there were laws that allowed kids to be educated in public schools because that had never been a requirement before, and they had to be educated with their peers. So now my daughter, for example, grows up around people with disabilities in her school. It's not an unusual thing. And throughout the 80s, we began working hard to see if we could find enough support to pass a broad legislative piece that would once and for all declare disability as a civil right, not just a problem.

SHEILAH KAST: And that's what happened on July 26, 1990.

MICHAEL BULLIS: That is exactly what happened. And it was an incredible convergence of Congress. Both the Republicans and the Democrats came together. I know. I know that's unusual today. But you have to really work on helping people with disabilities integrate into society.

SHEILAH KAST: Do you remember how people around you reacted, how your friends reacted?

MICHAEL BULLIS: My friends were all extremely excited, and I had to caution people often and say, you know, this is the beginning of the hard work because this is -- it is exciting. And we should be we should be excited about the fact that we got this passed. But now we have to see about enforcing it. Now we have to see about how we help social change happen. We experienced some real pushback on the ADA even after it passed in terms of employment. Many employers didn't want to hire people with disabilities because they're afraid then they couldn't fire them. And so it took a lot of education today. I know we all take for granted that there are ramps that go into buildings and wheelchair curb cuts, those kinds of things. Those are what the architectural community needs to be educated about how would you design a building that was accessible because they had no experience with it. So we began working immediately throughout the country to say, what's it going to take to educate people that this act is actually a positive for everyone, that this act actually benefits families, it benefits communities, benefits moms with strollers, and it benefits people with significant disabilities who up till now are very often just trapped in their home.

SHEILAH KAST: Well, let's start with the basics. How does the Americans with Disabilities Act define disability?

MICHAEL BULLIS: Well, a significant limitation that affects one or more of your major life activities -- those could be physical and intellectual, emotional and and that that's really it. It's it's a very broad definition. It's not a medical definition. It's simply that -- in combination limitations that you have make it difficult for you to function in society.

SHEILAH KAST: And you mentioned employment. That's Title one of the ADA about access to jobs. How successful has that been?

MICHAEL BULLIS: Unfortunately, not as successful as we would like. The employment title really says is - that that with or without accommodation's, the person must be able to do the job. We didn't ask for it. We didn't ask for employers to hire people who couldn't do jobs. But it does offer the opportunity for a reasonable accommodation, which means if the business can afford it, they need to maybe -- most accommodations cost under five hundred dollars that they're usually not a big deal. But I think it made employers nervous. And still, I think in the minds of most employers, as much education as we've done, most employers say to themselves, if I were in a wheelchair or if I was blind, I couldn't do this job. So I can't hire you to do it. For example, I've owned three restaurants, but I'm not sure maybe I could talk my way into .. I'm not sure that I could get a job as a restaurant manager because they might look at me and say, well, you know, you're blind and we just don't know if we can hire you. Employers are very often find it hard to ask the disability related questions because they think that they'll get sued. And frankly, the point is they need to structure some questions that they asked everyone, not just me. How would you deal with employee theft? How would you deal with making sure that your servers all came in on

time? In other words, all those management questions are perfectly appropriate, and I have to answer them just as well as anybody else.

SHEILAH KAST: That's Michael Bullis, executive director of the Image Center of Maryland on the record on WYPR. I'm Sheilah Kast. We're talking about the Americans with Disabilities Act, signed into law 31 years ago today. Title Two Addresses Nondiscrimination in State and Local Government Services. How's that worked?

MICHAEL BULLIS: We've seen a fair amount of progress throughout the country and in governments being responsive to the needs of people with disabilities who want to want to receive services. That also applies to voting. And we're having some problems with voting. For example, here in Maryland, as a blind person, I can't cast a secret ballot from my home because the state has been up till now unwilling to really put a process in place where I could do that. I can go to a polling place. But if I need to stay home because of covid or something, then my wife has to know how I voted because she's the one who has to put it in the envelope and send it off to the state.

SHEILAH KAST: Hmm. Let's move on to Title three calls for non-discrimination in public accommodations and in businesses. How much progress?

MICHAEL BULLIS: Oh, my gosh. Clearly, that's where we've seen the most progress. I think if you think about the restaurant you go to now, of all the public services that you engage in from businesses are for the most part accessible to people with significant disabilities of all kinds. And they're motivated financially to do that. That's the exciting part, of course, is that if you allow more customers to come in your door, then you'll be able to serve more people and potentially make more money. So that has really been a big asset to the community. I think most people just take accessible places and wide aisles for granted now that they didn't take for granted 30 years ago.

SHEILAH KAST: And Title four addresses communications. I mean, the Internet was developed after the ADA became law. How have the laws been amended to address accessibility online?

MICHAEL BULLIS: Well, therein lies the problem. And it actually really qualifies more under public services and accommodations, which is title three. And that is there was no Internet back in the nineteen ninety. And so nobody really contemplated online services. There are still mixed court reviews around the country about whether or not employers have to do it. However, most states have some kind of a ADA requirement, an accommodation requirement at the state level for businesses. Businesses do have to learn a little bit. They have to learn about how do you make a website that is accessible, for example, to somebody who is blind. How do you make sure that your color contrasts are set in such a way that people can see who are maybe older people or who have seizure difficulties? You don't want to put a flashing website up that's going to trigger somebody to have a seizure. So there are kinds of things like that that employers are doing much better jobs that now than they were 20 years ago. But there's really no law in place and it's been hit and miss all around the country and something that we continue to struggle with.

SHEILAH KAST: Where do you hope the state of accessibility will stand for people with disabilities 10 years from now?

MICHAEL BULLIS: Well, I think we really we really hope that there's only accessible ballots. We're going to be really confronting that. And we're also going to be confronting housing issues because very few houses are accessible and or even visible. So if you have a house and your aunt is in a wheelchair now, she can in all likelihood not come over and see you because there's three steps to get into your house. So we want to see a lot more accessible housing built. The baby boom generation is getting older. And whether they understand it or not, that three level house they've got is not going to be very usable for them as they come up into their 70s and 80s and don't walk so good. So we're really focusing hard on trying to help builders understand the need for accessible and integrated housing. And we're trying to and we're trying to position a generation of people with disabilities to buy those houses, to have jobs and have educations and have capabilities so that they can live normal lives and living in regular neighborhoods, not in segregated areas where they're off by themselves in special housing units.

SHEILAH KAST: Michael, I'm really grateful for this picture of the progress and how much there is yet to go. Thank you.

MICHAEL BULLIS: Well, thank you very much. This is very exciting that you folks have taken this opportunity to remember the ADA for us.

SHEILAH KAST: Michael Bullis is executive director of the Image Center of Maryland, we've been talking about the Americans with Disabilities Act, how it has made improvements in the lives of people with disabilities and where it still needs work. It was signed into law 31 years ago today. A short break on the record. And then we'll hear from a woman who filed a lawsuit against Baltimore City over the impassable sidewalks in her neighborhood. I'm Sheilah Kast. Stay with us.

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SHEILAH KAST: Welcome back to On the Record, I'm Sheilah Kast. July is Disability Pride Month. 31 years ago today, the Americans with Disabilities Act was signed into law. We just heard from Michael Bullis, executive director of the Image Center of Maryland, about what positive impacts that law has had and what still needs work.

Some things that still needs improvement, according to our next guest, are the sidewalks in Baltimore City. Last month, three women sued Baltimore City contending, quote, curb ramps, sidewalks and pedestrian right of way are dilapidated, disintegrating and filled with objects such as telephone poles, trash and trees, making everyday travel difficult and dangerous for the thousands of people with mobility disabilities, close quote. Janice Jackson, one of the plaintiffs, is with us today to discuss it. She serves on the Baltimore City Mayors Commission on Disabilities, as well as on the Maryland Disability Commission. Jackson also founded WEAN Women Embracing Abilities Now and is an adjunct professor in business and professional ethics

at the University of Baltimore. In 2013, she was awarded the Presidential Citizens Medal by President Barack Obama. Welcome to the record, Janice.

JANICE JACKSON: Thank you. Thank you for having me.

SHEILAH KAST: Tell us about the organization you founded WEAN Women Embracing Abilities Now. Why did you start it?

JANICE JACKSON: Actually, it was birthed out of my personal experience. I joined the disability community thirty seven years ago at the age of 20 -- one minute I'm an able-bodied woman the next minute joining the disability community.

SHEILAH KAST: This was because of a car accident, right?

JANICE JACKSON: A pedestrian. I was a pedestrian hit by a car. I was standing talking to a friend of mine and a young guy was smoking a cigarette and he dropped it in his lap and lost control of his car. He came over and hit me and I flew 40 feet in the air and broke my neck.

SHEILAH KAST: Oh, my goodness.

JANICE JACKSON: Yeah. And as an adult entering the disability community, I really didn't have any role models, other women that I could actually go to for support. And it was hard trying to navigate my new life as a woman with a disability. And I knew that I wasn't the only one feeling like that. So I actually started my first support group thirty seven years ago. And finally in 2005, I created Women Embracing Abilities Now, which is a mentoring nonprofit organization for women and young ladies with disabilities, just to let them know that they're not in it alone and that they can speak to other women who have actually been where they are. And that can give them that support and help and also just to be there to help them with their coping skills as they navigate through this life called living with a disability.

SHEILAH KAST: How do you do that? How does WEAN do that?

JANICE JACKSON: Well, actually, WEAN is a part of the League for People with Disabilities. So before Covid, we had so many programs, educational programs, we were bringing speakers, workshops, just teaching these women and young ladies the proper coping skills of how to be an advocate, how to embrace their disabilities and not their limitations, and living their lives the best way they can. And to do that is to not have them buy into the negative stereotypes that society has about what a woman with a disability should look like, act like, speak. So we try to put a new face on women with disabilities.

SHEILAH KAST: And you have been at this advocacy and mentoring for a long time ... and just last month, are you along with Susan Goodlaxson, a resident of the Hamilton neighborhood, and Keyonna Mayo of Sandtown Winchester, filed this lawsuit against Baltimore City. Why did you decide to call attention to this now?

JANICE JACKSON: Now was a good time as any to highlight rights being violated. And as we integrate back out in the community after being in for so long, we know the issues that were there before, but you know that we were battling. So just picking back up where we were before Covid and fighting--

SHEILAH KAST: The suit specifically calls out three locations in the city. But in twenty nineteen, the city conducted an evaluation of curb ramps and found that approximately 34000 of the approximately 37000 curb ramps surveyed failed to comply with the Americans with Disabilities Act standards -- like 90 percent of the curb cuts -- So this is not just a problem in your neighborhood and those of your fellow plaintiffs...

JANICE JACKSON: You know this is a citywide issue and county wide as well. But we're dealing with the city. Yes. And it's just it saddens me that 30 years after the signing of the Americans with Disabilities Act that we have to go to the length of actually suing to get those rights that should be in place anyway. And it just seems like it's always a constant fight, a constant battle if it's not access, whether it's battling with housing, transportation, education, it just seems like those areas covered under the ADA, we're still fighting those battles, thirty years later, so it saddens me that we have to go to that point, but if that's what it takes to get people to put these issues on their radar, this is what we have to do.

SHEILAH KAST: And we should also note that many people, not only those with mobility disabilities, take advantage of curb ramps and level sidewalks -- tease that out for us.

JANICE JACKSON: Absolutely. I mean, this is not a disability issue, as you stated, you know, everyone uses the sidewalk curb cuts. Not only individuals with disabilities. So this is a safety issue to our community as well as to able bodies in the community. If we have a sidewalk that's broken up and your child is trying to ride their bicycle down the street. That's a safety hazard for your child. You know, if you're trying to get to your car and you have high heels on and the sidewalk is not even and you flip over and you're -- so it's not just a disability issue. And I explain to people all the time that the disability community is one that anyone can join at any time and it really doesn't discriminate. So those issues that we face, you know, you may not face it now, but who knows? Or if you're blessed enough to age, you're going to know what disabilities are. So it's not just the issue for us. It affects us more, but it's just not our issue.

SHEILAH KAST: That's Janice Jackson, founder and executive director of Women Embracing Abilities Now on the Record on WYPR. I'm Sheilah Kast. We're talking about the civil lawsuit she and two other women filed against Baltimore City about the condition of sidewalks unfit for safe use by those with mobility disabilities. Has the city responded to the complaint?

JANICE JACKSON: Actually right after the lawsuit went public --The mayor, Brandon Scott, did release a statement and his statement included the fact that he inherited all of these problems, but that it's long overdue that the leadership in this city should tackle these issues and that it's been too long for the disability community to have to deal with it, and that he has assembled a multi task force of different agencies to handle the issues that are in the suit. So hopefully soon we'll start seeing these issues being addressed.

SHEILAH KAST: Well, specifically, what do you hope comes from the lawsuit

JANICE JACKSON: That they survey each neighborhood one by one and take inventory of all the issues and to start working on them.

SHEILAH KAST: And what do you most want listeners to understand about this lawsuit that you and Ms. Goodlaxson and Ms. Mayo have filed?

JANICE JACKSON: I think what I would like the community to understand is that we all live together collectively in these communities, and while we may be strongly affected by the sidewalk issues, you know, our neighborhoods are united and hopefully will be more united as we look at issues in the neighborhood. People with disabilities-- we need allies. And I love this quote by John Lewis when he said, when you see something, say something that's not right. So while you're in your neighborhoods, if you see an issue with the sidewalk, it may not be a problem for you. But think about your neighbors that it may affect and those with disabilities because we definitely need every ally that we can get. So I would love for anyone that is listening -- that the disability community -- it may not affect you directly, but to understand that collectively as communities, we have to work together to tackle these issues.

SHEILAH KAST: I'm grateful to you for talking to us about it. Thank you.

JANICE JACKSON: You're welcome.

SHEILAH KAST: Janice Jackson serves on the Baltimore City Mayors Commission on Disabilities and on the Maryland Disability Commission. She founded and runs WEAN Women Embracing Abilities Now. We've been talking about the lawsuit she filed, along with two others, against Baltimore City over dilapidated and unsafe sidewalks, endangering and compromising the mobility of people with disabilities. We have more information at the on the record page, on WYPR dot org. On the Record's director and engineer is Nathan Sterner. Maureen Harvie and Melissa Gerr produced the program. John Ehrens wrote and recorded the On the Record theme music and Jamyla Krempel is digital content director. I'm your host, Sheilah Kast On the Record on WYPR. Thanks for listening. Join us again tomorrow.

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