

Jean Parker ADA Awards Podcast

KEVIN WILLIAMS

I am Kevin Williams, the Civil Rights Legal Program director, a position I've held for almost 30 years. And we are starting a new online content to discuss work that we're doing related to the passage of the Americans with Disabilities Act and many other disability civil rights laws. So this is the very first inaugural podcast. Hopefully we'll be doing these at least once a month, if not more. But I am very pleased for this initial podcast and very fortunate to have an opportunity to talk to Jean Parker, who is one of the original founding members of the Colorado Cross Disability Coalition. I'm going to call it CCDC, and I hope you will too, because otherwise we will be here forever. And I met and got to know Jean, I think. I don't know what year it was, but it would have been through Paul Bilzi many, many years ago., So why don't I just skip through some of my questions and go straight to. So, it is my understanding that you were one of the founding members of CCDC. What is CCDC and why was it founded?

JEAN PARKER

So CCDC was an outgrowth and an inspiration of a lot of groups and individuals that came together. And one of those was, of course, the Community Resource Center. And those who are familiar with CRC and Rich Male... that is his name, Rich Male. And his work, we were all, unfortunately, at his funeral about six months back. But the Community Resource Center was an incubator at the time for nonprofit organizations, particularly activist organizations. And so CCDC came out of that incubator process. One of the things about it that was unusual at the time was that instead of it being a single disability organization, it was a cross disability organization or multiple disabilities. And even though there were some groups around like that, there were a few, there were not as many as there are now. And so we had this... this assignment of disability rights, but very much in the overall sense of multiple and all disabilities. Very inclusive kind of agenda that we had.

KEVIN WILLIAMS

So Jean, cross disability doesn't mean, mean people with disabilities?

JEAN PARKER

Actually there was one of the... I called a funder once and the person that answered the phone asked me about that.

KEVIN WILLIAMS

I get it a lot.

JEAN PARKER

Do you? Wow. Yeah. Well you know, people think what they're going to think, I guess. But no, it does not mean that. It means across the intersections of disability and across the intersections of humanity, actually, but it means bringing all disability groups together under one organization to fight for a common cause. This case, it was the ADA.

KEVIN WILLIAMS

Why do you think being cross disability is so important?

JEAN PARKER

So, there are times and a lot of times when a single disability group is really necessary. I'm also a member of the National Federation of the Blind, and I was at that time too. And there are just things that impact us as blind people that don't necessarily impact other disability groups and the single disability groups choose to handle on their own. There are just some things that fit that description. There are other things, though, that that are more effectively addressed as by groups that have many different disability categories represented in those groups and... the political definition of disability, the definition that we use in the ADA and the other laws because there are other laws in the rest of the world that describe this.

JEAN PARKER

Those are... those are... just 1 second, Kevin.

Okay, sorry. I have a cat issue. The activism that is done by groups that are unified across disability categories are very impactful on issues that affect a lot of different people, a lot of different disability groups. They can also be effective supports though for issues that do affect one disability. So the working relationship between CCDC and the National Federation of the Blind of Colorado is a prime example of that where they work together very nicely to support each other when it's appropriate.

KEVIN WILLIAMS

Cats... Cats are welcome in these podcasts, by the way.

JEAN PARKER

Cats are walking on these podcasts. This is actually a cat paw-cast.

KEVIN WILLIAMS

And so I understand the difference, the distinction between the reason why it might be necessary to deal with a particular group of, say, individuals who are blind because there are issues that might impact that group, or folks who are deaf. But what about... the definition of the ADA is very, very broad and has been made even broader. So how would you say that someone with a physical disability like mine; quadriplegia, use a wheelchair or blindness? How would that tie together with something like an intellectual disability?

JEAN PARKER

So there are some things that affect all people with disabilities as a group, so you can look at those as. Let's take accessibility at the capitol, for example. And that was the first big lawsuit that we filed and that was in 1995. And so, what we realized was that there were so many things that were wrong in the capitol and that were out of compliance with oh my God; ADA, 504.. all of it. We felt like this

was one of those things that affected so many people in so many ways that we... we put together a lawsuit. And there were seven of us that were plaintiffs, and we represented a variety of disability groups. We had a deaf person. We had a couple of people in wheelchairs. We had... We had a minor, Jeremy Hudson, who at the time was underage, was represented by his father. There were a lot of different people involved in that.

JEAN PARKER

And so we felt like the outcome of that would impact far more people in far more constructive ways than if it was just one group representing one kind of disability. The other thing to know, though, is that many people who have disabilities actually have more than one. And so for many people, it doesn't make sense to favor one of their disabilities over another.

KEVIN WILLIAMS

Well, and certainly would you agree with me that an ability, the word ability itself means I practice law, maybe some people can't do that. You know, I certainly would not be a very good telephone repair person if they still have such people. I don't know if people climb poles to do that. But ability in and of itself is a pretty broad word. And so, I guess my question is in what ways? I think I've had it expressed to me this way, that the definition of disability is simply too broad. How can you bring all of those groups together under one umbrella and get anything accomplished?

JEAN PARKER

Yeah. And that's a reasonable question. And we especially at the beginning, we had to have a lot of internal dialogue about that question of when is it just too broad? When is the definition of who we're including too much or too wide or is it? So that was something when I was the director, that was something that we dealt with a lot, that particular question. And I don't know that it really ever gets answered because, of course, things change and evolve in the world and as we, as we hopefully progress as humanity, new things happen. And so now, for example, we've got people who have long COVID.

Is that a disability? Is it an illness, is it temporary? Is it permanent? We don't really know. So some of this ambiguity it's kind of part of the whole question.

KEVIN WILLIAMS

Well, would you agree with me that that is in part why the definition of disability is so broad is to make sure that it takes into consideration those things that we did not consider at the time that the ADA was passed in 1990?

JEAN PARKER

I would think so, yes. Yes, I would hope so. The key to that, though, is the kind of flexibility in society and in the legal structure that accommodates those changes. And I don't think we always do a very good job with that. I think that sometimes gets left behind where you've got someone who has a functional disability, there's some major life thing that they can't do but they're somehow they slip

under the legal definition as it's defined in this country. The legal definition of disability. And so they're not able to get benefits, they're not able to get any of the things that we fought for.

KEVIN WILLIAMS

Well, and you mentioned a moment ago, for example and you and I might use terminology that is familiar to us but may not be familiar to everyone. You mentioned Section 504. There certainly were laws that dealt with disability issues prior to the passage of the Americans with Disabilities Act.

JEAN PARKER

Oh, absolutely.

KEVIN WILLIAMS

But give me an example. What was Section 504, for example?

JEAN PARKER

So when we say 504, we're talking about the Rehabilitation Act of 1973. So that is 50 years. Fifty. Five zero and we still don't have full compliance, anywhere near full compliance with the Rehab Act of 1973. In fact, I've got a complaint going right now against the Department of Homeland Security for violations of the Rehab Act of 1973. Now, you would think that in 50 years this affects government agencies. They've got resources, they've got people. You would think that in 50 years they could get it together. But they haven't.

KEVIN WILLIAMS

Right, I find that to be true. In lawsuits that I file, they're often filed under, you know, many different... it might be Section 504, the ADA, it might be a state law claim each one has a different maybe remedy or something of that nature. But they still all fit within the category of disability discrimination, which has been sort of my charge since the very beginning. Now, prior to the ADA, Section 504 and some of these nondiscrimination statutes, what are your thoughts about, for example, there's the Social Security Disability Insurance Act. Do you have any thoughts about sort of... that type of disability or how it's defined? There is very different from civil rights of people with disabilities. What are your thoughts about that subject?

JEAN PARKER

So that is a benefit program. So you could say that the intent of a program like that is different than the intent of a civil rights program. They're very, very different in what they intend to accomplish. They're both necessary. The benefit programs are necessary because of structural deficiencies in society regarding employment and accessibility and so forth. The civil rights laws are also necessary to try to make a society where maybe the benefits won't be necessary anymore. That would be nice, but they're very different kinds of legislation that are meant to accomplish different things.

KEVIN WILLIAMS

Okay, would you say... you and I have both been involved in disability rights? You before me, but I started when I got out of law school, probably around well, it was 1996 is when I graduated. Started my job with CCDC in 1997. And there certainly was plenty of work to do then, and there remains to be plenty of work now.

JEAN PARKER

Sometimes I think the work is more now than it was then. I don't know, it just seems that way. It does seem that way.

KEVIN WILLIAMS

And it definitely seems to broaden into different fields. You'd mentioned the issue of long COVID before, and there are article after article. There's just tons of people, lots of lawyers that deal with disability rights issues and so forth that are trying to address that issue. And what does it mean? What does it mean in the employment context? What does it mean in the context of, you know, someone who might need benefits under a Social Security type system because they can't work doing what they did before? Or do they need an accommodation, which would be more of a civil rights issue, but let's go back to 1990. It's funny when I think. Well, I don't know, it was last century, after all, but what was it about? It's my understanding that CCDC was essentially founded, started around that time. What was it, the ADA specifically that brought about CCDC beginning at that time? Are those two things directly linked?

JEAN PARKER

So yeah, they are. So what happened was that, you know, we had Section 504, which we've spoken about already, we had the Fair Housing Act, we had the Air Carrier Access Act. We had some state laws and some local ordinances and things at that time, but there was not a federal comprehensive law at that time. Now, this is back in the first part of 1990 and before and so a number of us, and it is a we people say, I'm the founding director, but you can't be a director unless you have people to be in the group and to help. And so there was defined a group of people who began the coalition and what we found so we had those laws but if you protested about something, it wasn't really often a legal obligation, particularly in the private sector, to meet your protest and to make any change. So they would just say "well, too bad, go elsewhere." If you couldn't get into a restaurant, so what? "We don't want you anyway. Will you take up too much space?" That was the attitude, really, that we were up against. But we also found weaknesses in the existing advocacy systems that were set up to do systems change for people with disabilities at that time. Most particular to that was the independent living centers where they have, as part of one of their core activities, is advocacy and systems change. And we just found that they weren't up to the job. They were providing services, they were doing this, they were doing that, and they just were not taking on advocacy as seriously as we thought it should be. And so those two things and then the ADA was inevitable. It was coming. We knew it was coming. It was obvious it was coming and a number of us, I remember Chris Johnson and I, we were at the US Capitol during the final days of lobbying. And it was at the time when so many compromises were having to be made in order to get this, you have to give up that, and just the awful part of lobbying and politics. I think our... I don't know, somehow we couldn't get our air ticket changed. We missed, I think we were in the air back to Denver at the time that the thing actually passed, but we were there right up until then, and it was a fascinating process. Also a very frustrating process and, um signed me off of politics forever, but it was a very meaningful thing and

so this date of July 26 is the Independence Day for so many people. It was also the birthdays of a lot of people, certainly in my life that that happened to be on that date as well. So then the regulations writing process came along, and there were lots of training programs that people could take. A lot of us took training programs in the law because we had to know the law in order to know how to fight for our rights. So when you have a law like this, your rights are not automatically given to you. All you get is a mechanism for fighting for your rights and you might not win.

KEVIN WILLIAMS

You mean just because the ADA passed, everything didn't go away as far as discrimination for people with disabilities?

JEAN PARKER

Not at all. Not, in fact, in fact. In fact, there was a fair amount of backlash that came along with the passage of that law and people who there shouldn't be a law like this. And so not only did we have the compliance of the law to deal with, we also had certain numbers of people who thought that the law was a mistake and that it should not have been put in place by Congress. So what you get when a law like this passes, you trade fighting for the law. You trade that for diligence to number one, keep the law intact, and number two, to make sure that the law is applied correctly to the things that make a difference in society.

KEVIN WILLIAMS

Okay.

JEAN PARKER

So your work actually just begins when a law like that passes. And in the case of the ADA and most of these other laws, keeping the law intact has been, has taken a great amount of work to make sure that it doesn't erode or that enforcement doesn't let up.

KEVIN WILLIAMS

It's not getting easier.

JEAN PARKER

It's not getting easier. And with this Supreme Court, it won't get easier. So you know, just like every other civil rights law in this country, the ADA is in danger of erosion. So know that just because we have a law, that's all that is. It's a law. It's a piece of legislation. What's done with it is a whole different question.

KEVIN WILLIAMS

I frequently use the phrase private cause of action, and people have no idea what I'm talking about. But those are the most important words in the world to a lawyer, because if you don't have an ability to bring a lawsuit to enforce rights, then there's no reason to have those rights correct on paper, as you said, piece of paper. And it's like a contract. It's a piece of paper unless it's enforced.

JEAN PARKER

Well, it's a busted contract, it's a broken contract, and so before the ADA, before we had this comprehensive law, that's exactly what we were faced with, was that you couldn't bring a lawsuit on the national level that would change things through case law. That would change things for many people, for a group, a category of people. And so it was all very piecemeal, if you could bring a complaint against the local ordinance, okay. If you could bring something using a state law, okay. But then if you did that in Colorado, that didn't have anything to do with anyone here in Arizona, where I happen to live at the moment. And so they would have to do their own thing, based on the laws that they had. And so that's the direction that things are moving, is all of this state jurisdiction and dismantling of the national civil rights apparatus, you see? So it's a very difficult time, I think, to be involved in this. It's a really critical time, and I don't know what's going to happen. It's, well, there are lots of unknowns in civil rights right now, as you know, and well, I don't think I have anything to add to that.

KEVIN WILLIAMS

Alright. And so back to the origins of CCDC itself. So it was you and some like minded people. Tell us, were you getting paid the big bucks? You mentioned this group that came in and started. Did they give you like, billions of dollars to get going? And you had fancy office space in downtown Denver. Am I wrong about that?

JEAN PARKER

Oh, my gosh. When we first started, we had a room in the back of the Community Resource Center that had been vacated by the Domestic Violence Initiative for Women with Disabilities, which I was also involved with. And we had a couple of desks and a filing cabinet, maybe. We had a table. We had great posters on the walls, though and we had some telephones. We started out with three large grants at the time. Large at the time from the Public Welfare Foundation, the Campaign for Human Development, which was the Catholic Church, the peace and justice arm of the Catholic Church, and then, oddly enough, the Developmental Disabilities- oh, I forget what they call it now. Some big, long title. It was a state agency. I don't know. I remember doing their reports. So we had those three grants to begin with, and at the time, ADA was hot. So we did the ADA thing with grants, and we got quite a few other grants, too, going forward. And the first three stayed with us. They stayed with us for quite a long time. Public Welfare especially stayed with us, and they were wonderful foundation to deal with and CRC, one of the things that CRC did in their incubation process was that they would pay for trainings for people who were becoming directors or administrators or running organizations. And one of those things was that they sent me and one of their organizers to the east coast to do fundraising for this new coalition that we were forming. And so we did a lot of funding visits, I learned how to do that; what to say, how to get their attention, what to do when they blow you off, which most of them do, but whatever and how to form those relationships. And so that training and mentoring from CRC was really important at that time.

To be able to know how to do that.

KEVIN WILLIAMS

You mentioned you've mentioned grant funding. Now, my understanding I mean, the ADA, like so many other laws that we've mentioned, are civil rights statutes. And so I assume that at the time that you started CCDC, you and others started CCDC, you had lots of people with disabilities who had lots of money to hire lawyers to fix all the problems with the ADA. Is that how things worked?

JEAN PARKER

No, that's not how things worked. So we had what we called our Earned Income project. By the way, we did move out of that room eventually.

KEVIN WILLIAMS

I know that room well.

JEAN PARKER

You know that room. Yeah, a lot of people know that room. Somehow. That room was like I don't know. Anyway, it's a kind of a funny story, though. That building, that 1245 East Colfax building has someone should write a book about it and all the characters that came through, including the owners. And we outgrew that room, and we moved down the hall to a set of offices that were at the end of the hall, except that we didn't have a lease. ^{2s} And somehow, I don't know, we just sort of squatted there for some time. And the owner came and we said, yeah, we're ready to pay rent stuff. We need a lease and everything. We've moved in, so what gives? And so finally, he did sign a lease with us, but I think it was probably a path of least resistance where it would have probably been more difficult to get us out. And so he just took the path of least resistance and signed a lease with us.

KEVIN WILLIAMS

That actually... funny side story there. There is another, different, wholly unrelated disability rights organization operating out of that now remodeled building once again. So it, it remains in the blood.

JEAN PARKER

It remains in the timbers of the place? Yeah,.

KEVIN WILLIAMS

Yeah apparently so. It's a little nicer than it was back in the day.

JEAN PARKER

Oh, the heat didn't work, and half the time the elevator wasn't working. It was just, there were holes in the walls, and it was... These were not cushy offices, let's just say, we had a lot of used furniture and paint was peeling off stuff.

KEVIN WILLIAMS

So these are all the grand beginnings of how CCDC got started. You mentioned earlier, you mentioned protesting and protests. Can you describe what happened before the ADA was passed or these other civil rights laws? What did people have to do to get things done? Just to demonstrate that even though they had a disability, they were as capable as others of paying the rent, making sure that the office space was taken care of? What did you have to do to be able to convince people that people with disabilities could do what other people could do?

JEAN PARKER

So there were these state and local laws that we could use, and we did have the Rehab Act. If there was one penny of federal money involved, which you'd be surprised that there is often federal money involved in the private sector that you can use to leverage a 504 complaint to our lawsuit. And so it was hard. And what we often had to resort to doing was to make things so difficult for them that, again, their path of least resistance was to give up and accommodate us.

KEVIN WILLIAMS

And can you give me an example of a protest that you recall where that happened? And you mentioned the landlord before, but were you involved you were involved in other protests? Am I accurate there?

JEAN PARKER

Oh, yeah, I mean the first job I had in an independent living center was also in that building, 1245 East Colfax Avenue. I don't know what it is with that place, but anyway, one of the things that people were working on at that time, this was in the mid 80s, people working on at that time was accessible bus transportation, um, lifts on buses. One of the other strategies that groups used at that time, too, and still do, is to is disruption of the public streets or something involving the public to get attention for what the issue is. And so there was a particular complaint that had been filed against the Regional Transportation District. I guess this is a long time ago, Kevin. I don't remember the details. Anyway, the protest was that. Everyone went outside and crossed back and forth and back and forth across Colfax Avenue, which is one of the main streets in Denver, and stopped traffic.

And, of course, it's a main street, so the traffic was stopped for miles around. And they went back and forth, back and forth across the street as a protest on whatever it was. The thing that RTD had done at that particular time, which at that time there were many, they had signs, it was public awareness, that kind of thing, and some certain period of time. Of course, there was also an agenda to get news coverage for things like that. So those were all agitations that led to the realization that a much more comprehensive law was needed.

KEVIN WILLIAMS

So the so could we equate the disability protest community with, say, Black Lives Matter is talked about greatly in the news these days, or the March on Washington back in the it the same kind of protesting or did you just get in the way?

JEAN PARKER

A lot of it was the same kind, except that I think it was much more creative because people could play on their disabilities to get attention and to get visibility. And so there were a couple of times there was one time at the US. Capitol when Adapt orchestrated a protest where people got out of their wheelchairs and hauled themselves up the Capitol steps. And the optics on that you can't replace the optics on something like that. And then we did a similar thing when we filed our lawsuit against the state of Colorado for access at the Capitol. It was a similar kind of thing, but it was I think it was the steps of the house where people got out of their wheelchairs, pulled themselves up to the level where you enter, where lobbyists enter the house and demanded to see their representatives. Only one person came out.

KEVIN WILLIAMS

It is a little hard to contact your state representative when you can't get access to that.

JEAN PARKER

Exactly.

KEVIN WILLIAMS

Although changes have been made, we now have legislators who use wheelchairs. We have legislators with different disabilities who are addressing different issues, and we've seen that change come along. In the time that I've spent, it's easy to that's made a difference as well. I mean, getting involved in all areas that affect our lives is something that's important.

JEAN PARKER

I think it's made a huge difference. And it said to this was not just about the state of Colorado. It was an example to other states, other political systems, that said, look, if you don't make your programs and facilities and processes accessible, this is going to happen to you and you don't want that because it's a real pain in the ass.

KEVIN WILLIAMS

Well, the photo that you referenced, and we've used it in various forms and formats, but they refer to it as the Capitol crawl. And it really is something amazing. I mean, you've got folks who are dragging their wheelchairs up the Capitol steps to demonstrate in the accessibility of the thing in every other form. The photo itself is good. You don't even didn't need video back in those days. A black and white photo was good.

JEAN PARKER

Well, and for some of those people and this was true for so much of the protesting that went on, for some people, it was actually life threatening for them to do these protests. And that sent a message also that, look, this is important, this is vital. If someone is using a respirator and they're choosing to sit behind a bus and the motor is running and there's all kinds of exhaust and stuff coming out of the bus, then that person who's using a respirator is sitting behind that bus so that the bus can't leave as part of a protest for getting lifts on buses.

That's really risky. And so that also sent a message to people that this is worth everything.

KEVIN WILLIAMS

Right? Literally everything. Yeah. And you mentioned Adapt earlier. I think they started out as Americans Disabled for Accessible Public Transportation, and that was what you're discussing here. The bus protest that shut down Broadway for those who know Denver, Broadway, Lincoln, and Colfax during rush hour and continued out long enough to make people realize that something had to be done. And that was also pre ADA.

JEAN PARKER

Well, continued to the next day. Yeah, they stayed there all night. And for some of those people, medically, they were pretty medically compromised at the time, and I think it was 19 people. But you know what? The... The interesting part of that, and this brings in a whole other dimension of activism is the monument that was erected to them and it has all their names on there and tells about that incident. Guess who paid for that?

KEVIN WILLIAMS

That I don't know.

JEAN PARKER

I'll tell you who paid for it. The Regional Transportation District paid for it.

KEVIN WILLIAMS

and it still sits at the Gang of 19.

JEAN PARKER

The gang of 19 and RTD. They had a wonderful now, this is years and years later, this is after ADA and after we could actually sit down and have conversations with them and they had had some leadership changes and all that, but they had this it was a wonderful outdoor oh, it's a beautiful day, too. It's probably one of those Colorado Spring days or something. And they dedicated that. Memorial to Wade Blank and his people who did that protest. So things do change, and things change legally, but things change in people's hearts, too.

KEVIN WILLIAMS

It is true.

JEAN PARKER

And we have to keep sight of that. That's the only thing, really, that gives me any hope.

KEVIN WILLIAMS

Right. Mean, same thing. Here with RTD is a prime example. We had filed several lawsuits over different issues over the years. And sometimes I call it a lawyer issue, sometimes it's a client issue. But in this case, it was really hard to tell. But I can say this with all sincerity. What we've seen is a massive seat change. Both the legal department has changed. We're not as young as we used to be, and I had hair when I started in this business and also the director has changed. They've made it a point to make sure that our issues are addressed, and we're not getting the complaints that we used to get. I mean, an RTD complaint once a day in my email box was pretty common. So that is a shining example of something that started before the ADA through direct Action protest went all the way through the ADA and beyond several lawsuits thereafter. And now we finally got communication between people with disabilities and the people who run the show.

JEAN PARKER

Yeah, it might fluctuate, and it has fluctuated over time. Sometimes you have to bring a lawsuit to get things sorted out. And so the thing that happens in response to the lawsuit is a clearing of the decks and a sorting out of some issue, some question. You know, it's not going to court, but it could. And that's what keeps people at the negotiation table is legal action and protesting. That's what keeps them talking.

KEVIN WILLIAMS

There was a time when I made a joke that Julie Reiskin and our current co executive director likes to cite, which was, it doesn't take a village, it takes a lawsuit. Unfortunately, what I'm seeing now is that there's a lot more entrenchment. I mean, I think that's true just in general, just my observations of what's going on with just how people get along with each other. But people are fighting lawsuits a lot harder than they used to. I mean, the accessibility stuff was pretty straightforward. We literally called them tape measure cases. If it didn't fit what the tape measure said it was supposed to read, we won. Wasn't hard. But some of these other things, like accommodating a particular student with particular disability who might need some extra time to get through school, those kinds of issues get far more complicated.

JEAN PARKER

They're complicated. And I think that there is also a great deal of cavalier thinking and behavior right now because they know that the chances that they will have to comply are actually pretty low just because of the volume of lawsuits that there are and the way that the law is being enforced or not enforced. They're... There's just a lot of arrogance and just disregard for what the law says. And so what they're saying is, yeah, I know, I'm discriminating. So what? Come and get me. What about it?

KEVIN WILLIAMS

Right. Right.

JEAN PARKER

And so all of that goodwill is really gone. And the thing that, um, where the frontier is right now, the the rub is right now for a lot of people is is web accessibility and digital content.

KEVIN WILLIAMS

Truly. I mean, that's one of the big areas. It is strange how things have changed and we've gone from what many of us would call sort of basic wheelchair access into things like does my phone work the way I need it to work? If I can't see right?

JEAN PARKER

Or am I able to complete a transaction on somebody's website or look at what they have or understand what they're talking about in some kind of reasonable way? And increasingly, the answer to that is no.

KEVIN WILLIAMS

Agreed.

JEAN PARKER

So when someone thinks that the internet has solved accessibility, that is incorrect. All it's done is introduced a lot of new accessibility barriers because people won't comply with the law. The regulations, the ADA was passed long before we were all on the internet and this is not my field of expertise, so I might be speaking incorrectly here, but there are rulemaking regulation writing processes going on at the federal level, from what I understand, to try to bring order to this. But in the meantime, people just do what they want. And so as a result of this, you've got these large volumes of lawsuits that are filed, many of them by the same individual. And so at the same time that these lawsuits are necessary, they also become a reason for particularly private industry to say, oh, these are frivolous lawsuits. These people are just filing these frivolous lawsuits so they can get money. That's all this.

KEVIN WILLIAMS

So it is true, that's happened across the board in other fields. I mean, even wheelchair access cases, you know, we've had attorneys who come to Colorado with a client who might live in Colorado or may not, and the attorneys are from some other, you know, and I get mad and say they need to get out of my playground, because we never had that reputation. At least I hope we never had that reputation with the judges I've worked with for many years.

JEAN PARKER

Here's the problem though, Kevin, is that when they do this. It's a double edged sword.

KEVIN WILLIAMS

It is indeed.

JEAN PARKER

But when they do it, we say, oh, God, they're filing all of these mass lawsuits. We're all going to pay for this. There's a lot of backlash, but the reality is we also benefit.

KEVIN WILLIAMS

Well, that's just it. There is still a problem. I mean, if Fred goes in his wheelchair is a very simple example to seven restaurants all in a row, and discovers accessibility barriers at each one and his lawsuit and files lawsuits against each one of those. Are those frivolous lawsuits or were there real access? I mean, if there were real access problems, they weren't frivolous lawsuits and the same is true on the web.

JEAN PARKER

Correct. They're done for a reason. They're done for a reason. And if they would just comply, then there wouldn't be a need for this. It's one of those things that happens that it's a good thing and not a good thing. It's both. And an example I can give you is that someone filed a lawsuit against Western Union. Because their website was horrible, absolutely dreadful. And I'm someone who uses Western Union a lot, and so I was really happy to hear that someone had filed a lawsuit against Western Union. I'm happy to report that, at least as of this day, the website, it's not perfect, but it is usable. You can make a transaction on it. It isn't perfect, but it is doable. And I suspect that without that lawsuit, this would not be the case.

KEVIN WILLIAMS

Sometimes it does take a lawsuit.

JEAN PARKER

I think you have to look at, why are these lawsuits being filed?

KEVIN WILLIAMS

Why was the law enacted in the first place? And why was it so broad? It did cover things that we did not anticipate. And that's a good thing, certainly for me. My hands don't work the way they're supposed to. Everything keeps getting smaller. Telephones are getting smaller. Devices are getting smaller. Well, of course, you can shout in the grocery store, yeah, please change the baby and use X diapers. But that doesn't go over so well. So if I can't pick up the telephone and make the call, those kinds of problems occur too. With technology comes benefits for people with disabilities. And also, I think in many, many ways, it causes problems. I mean, there's no question that the National Federation for the Blind has made great strides with respect to all sorts of telephone access, app access. It just goes on and on. And then there's privacy issues that are associated with all of that. We're giving out numbers to everybody, and if you can't see but you're right. I think it's a combination. All of the things that we've discussed, from the time that you started at CCDC and before all still need to happen in order to keep what it is that was started when CCDC started, 1990. Still need to keep happening in order for us to keep getting done what we need to get done.

JEAN PARKER

But then we have this addition of all of this new stuff that has emerged in the past 20 years or so, 20-25 years, as technology has evolved and everything has become digital. So in fact, the volume of work has increased. We've got to keep what we have. We've got to keep the baseline like the law as it was passed and then amended. We have to keep the gains that we got and make sure that those don't erode and now we've got all this new area scope of work, if you could call it that, with the digital environments. I hate paper and I am very happy to not have any paper in my house, really. For an academic. I have very few print books. All of them are digital. Most academics, they've got huge libraries and they come on zoom and there's books behind them and there's books everywhere. I don't have that because everything is digital. I'm very happy about that. But at the same time as. ^{2s} I don't have to deal with printed paper. I do have to deal with inaccessible documents and inaccessible websites and apps that don't work properly and corporations who just change things at the drop of a hat.

KEVIN WILLIAMS

And we touched on this. I'm shifting subjects a little bit, but it ties together. The award that you'll be receiving is the Paul Bilzi Memorial making Access a Reality Award. And so we've talked about access and how that's changed, and certainly Paul dealt with access issues of all kinds. I met him early on when I was first injured at Craig Hospital back in 1986. And there wasn't anything he wasn't involved in, from gardening at the Botanic Gardens to volunteering as a peer counselor at Craig Hospital. And I think launching CCDC, if I'm not mistaken, I assume.

JEAN PARKER

Yeah, he was part of yeah, he was one of the core group and his area he was a mining engineer and that was his career, was geology and mining. He was in the mining industry, and he had a road accident. He fell asleep at the wheel because he was working too many hours and got fatigued and fell asleep at the wheel and got a spinal cord injury. So he had a lot of views about work and the nature of work, the nature of employment and the role of corporations and a lot of stuff like that that I really benefited from and that I have followed all of these years from the ideas that he developed and learned about. Because of because of what happened. And so his area though area of interest in CCDC was the Earned Income Project. And so they were doing accessibility surveys and trainings and so forth. And that was the beginning of the effort for CCDC to become sustainable without grant income. That was the-

KEVIN WILLIAMS

One of many.

JEAN PARKER

One of, yeah, one of many. The legal program came then, so the idea was that CCDC would diversify its funding streams and it would have as many different kind of funding streams as possible, income streams as possible.

KEVIN WILLIAMS

And I think still it's the ongoing challenge for the nonprofit organization. But is there anything else about Paul you'd like to reference, just in... I think the connection between what he did before he was injured and how he applied it to what he did after he was injured is such a great example. I see that now. I'm sort of a technophobe, so I hire expert witnesses, which, by the way, comes out of our pocket, not our client's pocket ahead of time to figure out how to do these things because I don't know how they work. That's okay. That's what experts are for, right, if you're not in the tech industry, but that's just one example of how people with disabilities must have access to the same good services privileges as everyone else. Well, I don't know about you, but technology seems to be changing faster and faster. At least I feel that way. Me, my grandmother told me that when the airplane was invented and so on and so on, it does seem to change quickly and not always for the better. But is there anything else you'd like to say about Paul?

JEAN PARKER

Yeah, so one of the things that he really did well, and he did many things very well, but one of them was to. To apply the disability experience to a wider context. So I spoke earlier, just now about his views on work. One of his favorite books was this little book called *The Abolition of Work* and it looked at the ways that employment, traditional work and traditional employment exploits people and is devastating for any kind of meaningful economic progress that is centered on well being and people's well being. And so he wrote a lot about that, and he wasn't saying that people shouldn't work. That's not the message at all. At all. The message is that work should be meaningful, and we hear a lot about that. Now, that book was written back in the 80s or something, maybe even before that. And I forget the author's name. It's in my dissertation because, as I referred to it, but it was an attempt to. Get people to understand that this traditional way of working was so destructive to people as groups and as individuals. And so when he got a disability, Paul really came to understand how that played out in, um regarding well being, because he had he was a quadriplegic, and so he he had full time jobs as a quad. It was very difficult. He had no other life. And he finally decided that, look, this is not how I want to live my life. I lived my life this way, and I fell asleep at the wheel, and I became a quad. I'm not doing it anymore. So it was applying disability and this whole notion of, what do we really want our lives to be? To a much wider context. And that allowed me to broaden my thinking. And expand it considerably and I did. And what I did after CCDC was a direct reflection of Paul's influence on me and continued assistance from the next world.

KEVIN WILLIAMS

I often say that having a disability itself is a full time job, and it is. I mean, just figuring out how you're going to get up in the morning is something that takes more steps and requires more of your time than most people spend in their standard, whatever, 8 to 12 hours workday.

JEAN PARKER

So my work right now is I do a lot of work in Resilience. Well, it's a long story, but I do a lot of work in Resilience. And one of the things that I do. A fair amount of work with is looking at the experience of disability and how does it create resilience and how can that resilience be applied society wide? So you're correct that we solve problems all the time. We have to be creative all the time. Well, there are some people who choose not to do that. And disability invites expansive thinking. Whether you take that on or not is a different story. But it invites it.

KEVIN WILLIAMS

Sometimes out of necessity, literally. In order for me to figure out how I'm going to get to court tomorrow, I've got 20 things to plan that the lawyer who's standing at the table next to me is not going to have to think about. I agree with all of those statements and his involvement. It never ceased to amaze me how many different areas Paul would just the Botanic Gardens thing had me fascinated. Just because one, I'm not allowed to be responsible for living things. That is a golden rule that's been handed. We know this. But there was Paul figuring out accessible gardening, teaching accessible gardening, teaching the Botanic Gardens about accessible gardening. I don't know, but I think the program still exists, things like that, where we all have skills, we all have abilities and we all have we all we also all have the ability to train people to. About things related to our disabilities that might make their daily work much easier. So I agree with you. I look forward to reading that book. I'll have to look for it. I'm going to let you go, and thank you very much for your time. I look forward to seeing you on the 28th. And I just wanted to ask you just one last question, which is tell us a little bit about yourself and your connection to the disability community. After leaving CCDC, I know you've moved on to many other things. But have you stayed connected to the disability community?

JEAN PARKER

Not really, no. I suppose in some ways, in an informal sense, I did. I certainly have lifelong friends who are in the disability community and that I worked with and protested with and so forth that are lifelong friends. But no. After Paul died, I eventually relocated to India and I had become a journalist. I had a program called Disability Radio worldwide. In fact, I think I interviewed you for that program one time?

KEVIN WILLIAMS

A while ago. Yes.

JEAN PARKER

But I relocated to India, and it was again feeling confined and so I began doing work as an independent radio journalist on social development and human rights. I filed stories mostly from South Asia, but also from Southeast Asia and southern Africa, a little bit in the Middle East and so forth. That led me at some point cover the 2004 tsunami, Indian Ocean tsunami that killed over 220,000 people. And I said at the time if I ever had a chance to go back to school, I wanted to find out how community radio, community journalism could change how disasters were managed and relief was given and reconstruction was happening and all of that. And eight years after that, I got my chance when I was accepted into the PhD program at the Da Vinci Institute in Johannesburg, South Africa, and I did my dissertation on emergency preparedness education through community radio in North Indian villages. Very, very difficult field work environment. I published my dissertation in 2019 and I wrote a little bit in that about the idea of resilience and how disability and inclusion is so necessary or inclusion of everyone, primarily people with disabilities is so necessary for adequate resilience in a community.

KEVIN WILLIAMS

Well, the final question was, tell us a little bit about yourself and the many things you've done outside of the disability community, but I think you've covered those and we appreciate your work both within and without. And the connection between the two, it sounds like your connection to disability, your work with disability, it all melds together with what you're doing now. Certainly emergency preparedness for people with disabilities is a huge subject matter topic right now nationwide, and something like a tsunami is not easy to resolve for a quadriplegic. So, in any event, is there anything else you want to tell me before I see you on the 28th?

JEAN PARKER

Yeah, well, I think that things kind of come full circle, don't they? But they evolve in a spiral where the circle is evolved from what came before and so I am now back in the federation, and happily so, I don't work in disability. I teach in higher education now, and so I teach other things. But that experience really informs a lot of things. And my contention is that instead of looking at us as only good for being rescued or for being accommodated in various parts of society and emergencies and so forth, we should be doing the planning. Because we get it.

KEVIN WILLIAMS

Agreed. And I think on that note well, and CCDC's motto has now become nothing about us, without us and for good. You can't, you really can't address the needs of a person with a disability. You need the person with a disability at the table in order to have the discussion. And it goes beyond that.

JEAN PARKER

Yeah, it does. And we're the ones who have learned to live with VUCA. And I don't know if you know what VUCA is, but it stands for volatility, uncertainty, complexity and ambiguity. And if you're a person with a major disability who is productive in life, which is not about salary, by the way, it's just about if you're productive, you're doing constructive things. You have to learn to live with those four components on a daily basis all the time.

KEVIN WILLIAMS

Agreed.

JEAN PARKER

Because of that, we're in the position of having the creativity, the forethought, the backup plans. We understand how that works. We understand how it works on a personal level as well as a societal level. And we should be the ones heading up the policy divisions. We should be the ones doing the planning. We have the most to lose. Kids should be involved in this. Older people should be involved in this. And so much of the time, the people who are involved in this are the youth, the guys.

KEVIN WILLIAMS

I take no offense.

JEAN PARKER

People who have the least to lose at the moment anyway.

KEVIN WILLIAMS

Agreed. And then those who are completely unable to cope when they have to..

JEAN PARKER

Yeah. They fall apart. One thing goes wrong for them, and they can't manage.

KEVIN WILLIAMS

Yeah. No, you're absolutely right. Well, once again, I look forward to seeing you and spending time with you on the 28th. I'm so glad that you're receiving this particular award. Access is a broad concept, and I say that all the time. We've talked about it. It covers everything from technology to whether somebody in a wheelchair can get in a building. And I don't think people think about it that way. I mean, I have a case right now involving whether a juror was permitted to sit on a jury because of his hearing impairment. So access to jury service, well, how important is that in American life?

JEAN PARKER

I think the question there, too, though, is. The role of people with disabilities in society traditionally has been as recipient, as beneficiary, as a receiver of this, that or the other. It has not been as the benefit giver or the service giver, or the person who contributes something, contributes money, contributes time, contributes skills and expertise. And until that changes, people have rights to things. They have right to benefits and rights to access and things. People also have the right to contribute. When they're denied that right to contribute it. They're really at half masked, and the society is not benefiting from their skills and wisdom and experience. That's a big loss for society.

KEVIN WILLIAMS

Agreed. I mean, through and through. And I think we're seeing that across the board with the diminishment of what we're allowed to read in this country and so forth.

JEAN PARKER

Yes, you have to have the right to receive things, but you also have to have the right to contribute things. That's I think, where the part of the breakdown is.

KEVIN WILLIAMS

Even if it requires crawling up the Capitol steps to get there in the first place.

JEAN PARKER

Yeah, because maybe somebody wants to run for the legislature and contribute their skills that way.

KEVIN WILLIAMS

Oh, dear God. Why? I'm deleting that portion in any event.

JEAN PARKER

Well, we won't get into that sort of sadistic, sadistic things.

KEVIN WILLIAMS

It's been a pleasure. I hope that we have more time to talk. We will. I mean, you're here for a short time, but we'll have more time to talk. I appreciate your time for doing this.

JEAN PARKER

Thank you.

KEVIN WILLIAMS

Thank you for the inaugural podcast. I have no idea if I was potting or casting, but we'll figure it out.

JEAN PARKER

I think both.

KEVIN WILLIAMS

Alright, thanks a lot. I look forward to seeing you soon.

JEAN PARKER

Thank you so much. Bye.