

UNITED SPINAL^{NOW}

Civilly Disobedient

BY JAMES WEISMAN
CHIEF EXECUTIVE OFFICER



On Sept. 30, 1981, retiring United Spinal board member Denise McQuade made headlines.

The first lift-equipped buses had arrived in New York City. A short-lived rule, implementing Section 504 of the Rehabilitation Act, requiring accessible buses, put out by the Carter administration and promptly repealed by the succeeding Reagan administration, required lifts on half of all new buses.

These buses were ordered pre-repeal and during the pendency of Eastern Paralyzed Veterans Association's (EPVA, now called United Spinal Association) lawsuit against the Metropolitan Transportation Authority (MTA).

Incredibly, the MTA Board, which had been resisting access consistently since the 1970s, had lift-equipped buses driving all over New York City, but would not issue keys to the lifts to drivers or train them in their use. The federal government was requiring MTA to buy accessible buses, but the MTA Board, in its wisdom, refused to allow wheelchair users to board using them. Sounds stupid, but this was their policy.

Back to Denise McQuade. Denise, who was then coordinator of services at Independent Living for Handicapped, Inc. in Brooklyn, was on Broadway at 50th St. in Manhattan. A lift-equipped bus pulled in with just its front end at the curb and its rear end blocking traffic on Broadway.

Denise, a post-polio manual wheelchair user, asked the driver to operate the lift so she could board. When he said he didn't have the key, Denise quickly transferred from her chair to the bottom step of the bus. She said she would not move until she could board.

I received a call to come to the scene and when I arrived, the police were trying to talk Denise off the step and back into her chair. I explained to the police that it is the driver and the MTA violating New York law, which prohibited denials of admission to places of public accommodation (including public conveyances) based on disability.

The stand-off lasted 7 1/2 hours, and eventually, she was boarded to applause from a crowd. Arnold Diaz, now famous for his "Shame on You" TV journalism, was a young TV reporter. He took Denise's side in his coverage. EPVA sued MTA in September 1979. Diaz's 1981 coverage was the first positive reporting about disabled access to mass transit, and it was two years into the suit. Until then, all coverage made mass transit access sound like an expensive folly.

The Disabled in Action Singers immortalized her in a song called "Denise and the MTA," and subtitled, "A true story of a woman in a wheelchair who performed a dramatic act of civil disobedience."

This was not my introduction to Denise McQuade, however. In 1978, I received a call from a disability advocate telling me there was a demonstration on First Avenue near the U.N. The police were refusing to arrest Denise McQuade dog story. I didn't think she needed a lawyer to help her get arrested, but I understood her frustration.

Denise left the independent living center for which she worked and took a job at, of all places, New York City Transit (NYCT) in its paratransit division. She worked for years laboring on behalf of our community, opening eyes at transit and educating and assisting those with problems.

In 2003 United Spinal stopped being EPVA and became a national membership organization. For the first time it was not just a Veterans Service Organization, but was also a spinal cord injury/disorder organization. She became our first female civilian member. It was only right.

She had worked so closely with us on making transportation accessible that we were honored to have her. She has been a board member of our organization for many years. Denise retired from NYCT and our Board of Directors and lives with her husband Larry in Brooklyn.

Denise has accompanied United Spinal on several of our Rolls on Capitol Hill and had led this organization from her board position for years. Her act of civil disobedience, which embarrassed transit officials and hastened the onset of accessible service, remains a significant moment in the N.Y.C. disability rights movement, but her career truly reflects her commitment to protecting and promoting the rights of people with disabilities.