



DISABILITY PARTY

2018

AGENDA



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FOUNDER

I hope we can achieve certain strategic and local goals so that more people with disabilities can move toward “Access & Opportunity” in their lives, with democratic input into the systems that affect them.

DEMOCRATIC INPUT: SERVICE

The most logical way for people with disabilities to have an impact on legislatures is to serve in them. I am pursuing an administrative complaint in Illinois because I was removed from the ballot for Congress in 2016 for not having enough signatures, but accommodations I asked were rejected. I asked for simple things like being able to sign for a person after getting permission over the phone. For a person like me with two broken legs, this makes a big difference, and the Illinois Code does not prevent it. In the future, I hope other disabled people will be able to gather signatures over the phone.

Straw v. Illinois State Board of Elections,
2016-CP-2378 (Ill. Dep. Hum. Rts.)

Similarly, I am trying to get on the ballot for Indiana Secretary of State in 2018 so that Disability Party in that state will be able to put people on the ballot without needing to collect signatures, for the most part. One gets this status, which Libertarians have, by getting 2% of the vote, which ironically is the number of signatures needed to get on the ballot.

Straw v. Indiana, 1:17-cv-1797 (S.D. Ind.)

The Indiana Attorney General was served by the U.S. Marshal, but started objecting that service was inadequate after I said the state was in default. Once the judge says yes to the default, now months overdue, I will be on the ballot without having to collect signatures in 2018. Then, disabled Hoosiers will have more options.

CONSTITUTIONAL REFORM

I am suing both Indiana and Illinois for having state constitutions that discriminate based on disability. Winning these will be a major reform and the impact will be that the ADA is injected into state common law (defamation protections in Illinois), state constitutions, and state supreme court rules. Both states' constitutions, laws, and rules treat disabled individuals badly, with loopholes of discrimination and injustice.

Straw v. Illinois, 1:17-cv-6231 (N.D. Ill.)

Straw v. Indiana, 1:17-cv-4158 (S.D. Ind.)

COURT REFORM

Disabled attorneys are treated awfully by state and federal courts, especially in the 7th Circuit. A few adjustments to federal law would have a big impact.

ADA, Title II – it should be illegal for any ADA Coordinator to hurt a disabled person in any way and if they do, compensation must be due and payable by that person's state government.

Federal Courts – no federal judge should have jurisdiction to ever accuse a disabled person or lawyer of filing something frivolous or making a frivolous argument in an ADA or other disability-related case. This power has been routinely abused, having devastating effects on disabled lawyers in particular (yours truly).

State Courts – any state court that attacks what a disabled lawyer does in a federal court disability lawsuit violates the ADA, Titles II and V. This should be explicit in the law or federal regulations.

Essentially, Disability Party believes it is very rare for a disabled lawyer or ADA litigant to file something frivolous or malicious, and it is very common for courts to retaliate against the ADA and those who use it. Congress explained these court abuses in the ADA Amendments Act of 2008.

DAMAGES

Congress needs to set a schedule of compensatory liquidated damages so there is consistency across the country in Title II cases and both ceilings and floors.

BUSINESSES AND THE ADA

The tax benefits for businesses to become accessible (26 U.S.C. §§ 44, 190) are inconvenient and many businesses do not even know they exist. Congress should pass a new law replacing these credits and deductions with a system of debit cards, issued by the U.S. Treasury, that provide an annual allowance for disability upgrades that refresh each January 1. This should be at least \$10,000 per year for a small business, more for a larger business. It should cover physical access, ASL, services for blind people, and more.

Businesses are paying taxes each year and it is only fair that they be supported in their access endeavors.

HEALTH CARE

If a person has a diagnosed disability, physical or mental, that merits coverage under the ADA or Rehabilitation Act, such a person should be covered by Medicare with no waiting period. Every state and the federal government should have offices that verify a person is ADA-qualified. A doctor should be able to verify it online with a simple form.

SSDI/SSI

The minimum benefit for SSDI or SSI should be \$2,000 per month, untaxed, indexed for inflation. After a year in either program, a disabled person should be allowed to earn up to another \$2,000 per month in earned income, taxable. This will pull disabled people out of poverty.

This can be coordinated with the ABLE act accounts.

EDUCATION

ADA-qualified individuals should be able to go to college using federal loans, and if the disability is permanent, the loans should be forgiven on graduation. Forgiven loans due to disability should not have any impact on the ability to take out more loans for graduate school.

VETERANS

Veterans with disabilities should not have to wonder what their benefits are after their service. SSDI and the VA and other state and federal agencies need to work together so that disabled veterans are presented their benefits and provided a helpful case guide to always be available

to assist. These guides should be provided through the office of the local member of Congress or U.S. Senator.

CHILDREN OF VETERANS

Any child of a veteran who served on a base designated as a Superfund site under the EPA at any time should be given full health coverage under Medicare without questions beyond the veteran's DD-214 and child's birth certificate. Anyone who claims to have been poisoned and disabled by a Superfund site shall have the right to SSDI at \$3,000 per month, untaxed, and the right to 0% interest housing loans up to \$200,000 from any bank, guaranteed by the federal government, and the bank must accept. Education for a poisoned family member of a veteran should be free to any level, at any school. Such a

poisoned child of a veteran shall have the right to SNAP (food stamps) at \$500 per month, untaxed. Public transportation shall be free and such poisoned person shall be given federal vouchers for taxi and air travel.

While these benefits are generous, the amount of suffering has been tremendous over the past 70 years. Any person who died from one of the cancers listed by the VA on the Camp LeJeune Family Member Program shall be given a benefit into their estate in the flat amount of \$1 million. If the person lost wages or demonstrated over a year of pain and suffering, more shall be provided to compensate this. Proof shall be simple and the application form shall be online. DD-214 and death certificate shall be sufficient, with other

information optional to prove pain and suffering and lost wages.

MEDICAL MARIJUANA

Disability Party endorses medical marijuana under the care of a physician like any other drug. Disability Party approves of marijuana as a regulated recreational drug like alcohol and cigarettes, taxed as appropriate.

ENVIRONMENT

Disability Party approves of continued efforts to switch from fossil fuels to renewable fuels to reduce air pollution and control climate change, if possible. Disability Party strongly supports all efforts to reduce pollution of the water, air, and soils of the earth, because pollution causes disability and other suffering.

CIVIL RIGHTS

Disability Party supports the civil rights of other groups and requests others to support disability rights.

STATE CIVIL RIGHTS

It should be an ADA, Title II & V violation for any state or local civil rights law, as applied, to allow obvious discrimination, such as leaving piles of snow in handicap spaces and sidewalks. For instance:



The snow belt of the USA, especially the 7th Circuit, has really been a place of disrespect and violation, and the city sidewalks need attention from Congress:



(Streamwood, Illinois, January 2017)

INTERNATIONAL

Disability Party has branches in several other countries besides the United States and wants to achieve the same type of goals as those proposed in the USA. Disability rights everywhere are the interest of all disabled people.

FB: @DisabilityParty