

ORGANIZING FOR EFFECTIVE ADVOCACY
SPEAKER: JOHN WALDO

JOHN WALDO: Thank you very much. I want to depart a little bit from the prepared text at this point and talk about how we work, kind of in conjunction with the national organization. Cheryl talked a lot about the time they spend in Washington, DC working with Congress, working with the federal agencies and all the stuff that comes through the Department of Transportation, the Federal Communications Commission, and so forth.

I don't do any of that.

I probably know less about television captioning than anybody in this room. The folks at national do a great job with all that stuff. What we do is work on a local level, what I call retail level advocacy, to try to create a more accessible world for all of us.

My title is Advocacy Director and Counsel of the Washington State Communication Access Project. It is a nonprofit membership corporation. We are not yet a 5013(c) although will likely become one shortly. I'll talk a little bit more about that later, specifically about Wash CAP, but I wanted you to know who I am.

So, why am I here? To try to inspire you to organize locally. To implement. I like the word "implement" because it seems to be somehow a kinder and gentler word than enforce. We need to Implement the benefits and protections that are already in place in the Americans with Disabilities Act that applies everywhere. Some of our state laws are actually better than the ADA. The objective, of course, is to build a world that is accessible to all of us.

I will start with this quote from Helen Keller, which I'm sure we've all heard before. "Blindness separates you from things, deafness separates you from people." I think we all realize the truth of that in our own lives. I know I do because I live in a world where I hear a lot of stuff but I don't understand it and therefore it is hard to fully participate. The response from a lot of us is withdrawal and isolation. We kind of pull back and we use the coping mechanism of isolating ourselves from people.

Let's think about an accessible world. We're living in one this weekend at the ALDA convention. An accessible world is where movies and plays are captioned, where we have CART and captions, where the captions on television and public places are turned on, where video monitors display public address announcements, where really high quality assistive listening devices are available. How about quiet corners in restaurants or bars where we could actually hear one another talk and hear ourselves think?

The funny thing is that world exists on the pages of the law books but it doesn't exist in reality. When you see a situation where the way things are supposed to be are not the way things actually are, the first thought that comes to mind is somebody is not doing their job.

Who isn't doing their job? We are not doing our job. The reason for that is that the laws basically are do-it-yourself projects. I mean, the Department of Justice certainly has the authority to enforce the ADA. Sometimes they do. Sometimes they don't. It depends to a certain extent on who is in charge at the Department of Justice. Even with the best DOJ in the world, and right now for people with hearing loss this is the best DOJ we've ever had, or are ever likely to have, there is still a limit to how much they can do. They only have so many people with so much time and a lot of other priorities.

What am I talking about is taking the law into our own hands. Should we do that? Yes, sometimes we should. When we should do that is when the law specifically deputizes us to be ADA enforcers.

I'll tell you why I think the law was set up that way. We're the ones who know what we need, who are motivated to ask for what we need. Yes, and they do it to save money. They recognize they can't pay enough DOJ attorneys to do everything that needs to be done. So basically it's up to us to do the job.

If we're going to build an accessible world, what do we need to make that happen? Like building anything, we need to start out with an objective, what we are trying to do. We need a place to do it. We need a crew of people, a community to do the work. We need tools. In our case, laws and technology are the tools. We always need tools if we're going to build something and then we need to plan what we can agree on.

Let's look at these items one by one.

The part I have referred to earlier is retail level implementation of existing disability laws. That means trying to get the movie, the live theater, and the city councils and so forth actually accessible to us. Concerning the place, there are really two categories under the ADA. One is called government facilities and programs, which are your state governments, your local governments. The other place includes private businesses that are open to the general public. Government facilities and programs are a little bit different from private businesses. First of all, it doesn't matter what kind of government entity it is. Doesn't matter whether it's a state, city, irrigation district, a library board or whatever. Anything that is owned by a tax-supported agency is called a government entity under the ADA and they have to make essentially everything they do accessible. Government facilities and programs is the word that's used and that's been interpreted as meaning essentially everything the government does.

This is a little bit different from what private businesses have to do in their facilities and programs which include the products that they may create. Where this really comes into play, for example, is with Internet videos. Right now a private business does not have to caption a video it puts on the Internet. A government would have to do that. So that's a place you see a difference. The government has to give primary consideration to the accommodation we request. In other words, if we say we want CART, they have to consider whether to give us CART before resorting to other alternatives.

In real life that is not as big a club as it sounds because while they have to at least consider what

we ask for, all they have to provide us with is effective communication. Thus, you may not get what you want. However, if the government entity is going to deny what you want, the denial has to be in writing and it has to be signed by the head of the agency. That's a lot bigger club because it means that at least we can be sure the person who had the power to say yes has been consulted and put in the loop. So if you are ever in a situation where you ask a government entity for something and the person at the counter says, "No, we're not going to do that," please don't accept that as an answer. Insist you get a written denial from the head of the agency.

Private business open to the public is a pretty large category. This means businesses that affect commerce which is virtually everything. There is a small business exemption in the part of the ADA dealing with employment, but not in the part dealing with the need to provide accommodations. However, as we'll see later on, small businesses are going to be able to do less than big companies. Private clubs which are construed quite narrowly are exempted. It has to be a truly private club. If it's one of these country clubs where you have to be able to trace your ancestors back to the Mayflower to get in, that will not be covered by the ADA. But if it's like where I play golf and the criteria for membership are the ability to breathe in, breathe out, and write a check, I suspect they would have a difficult time claiming they are exempt from ADA. Religious organizations are exempt. That exemption is broadly construed. It doesn't matter whether it is the actual church or house of worship or whether it is a business that the church owns on the side. It's still exempt from the ADA. That said, most churches are conspicuously good about providing accessibility. It's the right thing to do and churches are in the business of doing the right thing.

There are some special situations that the ADA does not cover. Airports and other areas of transportation. This is problematic. The Department of Transportation and area access takes over once you get through the security gates. Who has jurisdiction becomes a troublesome area but it sounds from what Cheryl said that the present Department of Transportation might be revisiting that situation. We may get a better interpretation. Right now the problem is you can't use the ADA to require that gate announcements be made in an accessible form.

Congress, of course, exempted itself from the ADA and the federal courts are exempted, oddly enough although they're pretty good about complying. The Rehabilitation Act covers other agencies of the federal government. It's not exactly the same as ADA but so close you don't need to worry about any differences. Public schools are covered by the Individuals with Disabilities in Education Act, K-12 schools. Again, that's a big, important law but not ADA.

So if it's going to work, who does the work? We can't get anywhere without individual efforts. We have to be advocating for ourselves all the time. On the other hand, there are only so many of us and so many businesses out there. If we limit our advocacy to bringing up issues that affect one person with one business, we're not going to get a whole lot done. The reason, among other things, is if you get a satisfactory resolution, it may be made confidential. This makes no sense but it happens often. This actually happened in Seattle. One of the large live theaters looped itself but then required the person for whom it did that for not to tell anybody about it. Why they didn't want to tell people, I don't know. Anyhow, individual efforts can only get us so far.

You can go to the whole other extreme and do class action lawsuits, but that is essentially

starting with the nuclear option. You may not need to go that far.

The alternative we elected in Washington was an organized advocacy group modeled to a considerable extent after the environmental advocates like the Environmental Defense Fund. The way the groups work is if a group has as part of its mission vindicating the rights of its members, then the group can act on behalf of its members to do that. For example, if a logging company wants to cut down a forest and somebody in the Environmental Defense Fund says, I hike in that forest, then the Environmental Defense Fund, not the individual, can go to the business and say, "Don't do it," and go to the government and say, "Don't give him a permit."

We set up the Washington State Communication Access Project pretty much along the same lines. We have about 200 members right now and we work on behalf of people with hearing loss to try to create greater accessibility. It's easier for an individual to be a member of Wash CAP and have the organization file a lawsuit against movie theaters than for one person to file a lawsuit as a named individual. It can also be more effective because you have a structure in place that can monitor continued compliance with the outcome of what you have done. It's more strategic which I'll talk about at some length later on.

Our tools are the ADA and state disability laws. Let's talk a little bit about what ADA requires. The key words for our purposes are "auxiliary aids and services." This is the language the ADA uses. An auxiliary aid and service is our interpreter, our captioner. All auxiliary aids and services are basically defined by example. The objective is effective means of communicating oral information to people who can't hear well or visual information for people who can't see well. A business that provides auxiliary aids and services cannot impose a separate charge on us for doing so. The ADA does permit us to go to court if we are not getting what we need.

The ADA makes going to court possible by saying basically, "Yeah, we understand that folks are not going to launch a massive lawsuit because they can't go see a movie" but the ADA also says if a lawsuit is brought, and if it is successful, the other side has to pay the attorney's fees of the people who brought the suit. This ruling enables folks like me, folks like disability rights advocates in California to go to court, to try to create accessibility without charging anybody anything.

The ADA talks about "ends and means." What are we trying to do is the "end" and how we trying to do it is the "means." The end is we should not be denied full and equal enjoyment of the goods, services, facilities, et cetera, of any person who operates a place of public accommodation or any kind of business. Note "equal enjoyment." How do we get there? The means are auxiliary aids and services.

Discrimination includes a failure to provide auxiliary aids and services unless the entity can demonstrate taking such steps would fundamentally alter the nature of what they're doing or would result in an undo burden. Now, what does it mean in English? Businesses have to provide CART or interpreters unless it's too expensive. Of course, the unanswered question is, how expensive is too expensive? This very quickly evolves into an argument at a playground level of sophistication. We tell a business, "Provide us with auxiliary aids and services." And they say, "Oh, that would be an undo burden." And we say, "Would not." They say, "Would so." The

only way to get that resolved, if you can't settle it, is to walk in front of a judge who wants nothing more than to give you a time out. Then the judge decides whether it's too expensive or not.

The law does offer us some clues as to what to look for when trying to determine whether something is an undue burden. That includes reviewing the size and resources of the organization, the importance of the need to the people that are requesting it, and basically whether it's technically possible to do, which in our case it almost always is. It always comes down to a matter of money.

If you are trying to get a live theater to provide captioning for plays and the question is whether they can afford it, it helps to know how much they have. Surprisingly, this information is widely available. If it is a public corporation like the corporate movie theaters, they file annual reports and quarterly reports for the Securities and Exchange Commission. Nonprofits, which most of the arts organizations are, will file a kind of tax return called a Form 990. Those are available online at foundationcenter.org. There you can find out basically whether they can afford it or not. We used that tax information in the case of one Seattle theater, which said it couldn't possibly afford \$14,000 to caption one performance of each of their seven productions in a season. We looked at Form 990 showing they had a 25 million dollar budget. Over the past year they had increased their travel and convention budget by \$60,000, raised executive pay by over \$100,000 and had \$560,000 in the bank. When we pointed those things out to them, they suddenly agreed they could afford the money to do the captioning. This is helpful information to have.

Government agency budgets are always public. They may or may not be available online, but they'll be available through public request.

Then there is the issue of fundamental alteration. What is a fundamental alteration? That's not defined either, but common sense indicates to me that for an alteration to be fundamental, whatever it is you are trying to change would have to alter the experience for other people and not just for us. Open captioning for movies maybe. I see the argument made a lot that open captioning is a fundamental alteration.

Normally federal law of course prevails over state law except when it says it doesn't. The ADA, thank goodness, says it doesn't. The ADA specifically says that it does not displace state or local laws that are more protective of people with disabilities. In the State of Washington, for example, we have a really great state law, particularly for people with hearing loss because it defines accessible as being usable or understandable. We're in much better shape in Washington than we would be if we had just the ADA. In our work in the State of Washington, we don't use the ADA at all.

In developing an overall strategic plan, what we did, and what you do, first of all is convene a group with all the members and possible allies. Meet with people in your area who are interested in this issue of trying to create a more accessible world and brainstorm about what you want to do. Ask such questions as: Where would you like to go? What is it you wish you could do but you can't because it's not accessible? When we asked those questions, we started grouping the various targets into categories like live theaters, movie theaters, lectures, civic

meetings, and so forth. Again, it's a whole lot more effective to work in a strategic manner on a particular problem than to scatter shot and dissipate your resources.

One cool thing that happens if you are working on a particular category of businesses is you find out who the suppliers are and how much things cost. You become a resource for the businesses that want to do the right thing. You also candidly play them off against each other a little bit. If one says we can't do this, it can't be done, you can say, "Well, the guy across the street is doing it, why not?"

Develop a priority list. Balance what is most valuable to you against what is most achievable. Unfortunately, they can be different things. One of the first things people in our group asked was, How about those boarding gates to the airport? We realized that was probably undoable. You have to complain to the Department of Transportation which is not a situation you can work on your own behalf. Our thought when we were starting out was that we wanted to achieve a measure of credibility both with the people on whose behalf we were trying to work, and with the people whose behavior we were trying to affect. We thought the best way to achieve credibility was to have an unbroken string of successes.

We started out with live theater, not because we thought it was the most important thing, but because there is almost no way that you could not improve live theater access. It could be as simple as providing a penlight and a script. Theaters can do something to make live theater accessible. Once you figure out what group of facilities you want to look at, figure out who is who within that group. Figure out, if you can, who will say yes. That is: who do you know that would want to help? And who can't say no. The people that can't say no are the people that have the most money, and can't really make the undo burden argument.

At this point we have somebody make an initial contact. At Wash CAP, sometimes it was me. We now have a group down in Oregon. In Oregon the initial contact is never made by me because we found, not surprisingly, that a first letter from a lawyer immediately creates defensiveness where an initial letter from one of our board members doesn't. We explain the need. It's not surprising to us but when we talk to a live theater, for example, and say we have an issue of access we would like to work with you on, the response is likely to be, okay, wait a minute, we have the assisted listening devices and we offer sign language interpreted performances, so what is the problem? We explain there is a fairly large hole in that there are an awful lot of people who don't sign and can't hear well enough even with the assisted devices to understand a play or movie.

Offer a solution. I mean, it doesn't help to just go say, "Do something for us." It's much better to go in and say, "Here is what we would like to see done." It can be done. Put them in touch with people who can make it happen. When we started with the live theaters, we didn't know much at the time. The first theater said, "Well, nobody does this." We got online and discovered a number of theaters that do offer captions of a drama performance. We got back with the Paramount Theater in Seattle and said, "Get in touch with these people, they can probably help you figure out how to do it." Paramount explained to us what it was doing so the next time we talk to people we can say, "Here are some people who can help." And, be sure to ask really nicely for what you want.

If at first we don't succeed, the next contact we get a little bit more specific. We explain that business does have legal obligations, that it's not just a matter of its being the right thing to do and a good business practice, it is also the law. Make it clear that you do have some rights. Then if you still don't succeed, you have to make the decision whether you are going to go to court or not. You can find a lawyer pretty easily, I suspect because the other side will pay. You go to court and if you win, the lawyer gets paid, you get what you need and this is really important: Word gets around. The lawsuit option is the kind of card you don't have to play very often for it to be effective.

When we do succeed, here are a couple of things to remember. First of all, accept small victories. The old adage, "take what you can get today" is never truer than it is in this kind of advocacy work. One of the theaters asked, "If we do one captioned performance of each of our plays, what's to keep you from coming back tomorrow and asking for two? We said "absolutely nothing. I can almost guarantee you at some point we will ask for two, but let's start with this one and go on from there." Second of all, give them credit. It's so nice to be able to say that our local little five-screen movie theater, in cooperation with our group, has agreed to implement captioning.

Now, we don't have to say anything. Of course we won't say that we told them if they didn't want to implement captioning, we would be marching off to the courthouse. Everybody is going to be a good guy. Publicize. That's the really important thing. Make sure that the word gets out there. I get aggravated by these theaters, even the ones doing caption performances, because they don't say so. It doesn't come out in their promotional brochures that they're captioning.

Finally, the really most important thing is that when you get it be sure to enjoy it, go, support it, do it. The only way we're going to be able to continue to hold on to our gains is to make it a good business proposition for the theaters.

Let's remember we're not trying to win. We're just trying to get out there and fully enjoy life.

Wash CAP incorporated in 2008 as a nonprofit membership corporation. We did not immediately apply for 501(c)3 status because those corporations are very limited to the degree they can lobby. We didn't know when we started out what we were going to end up doing. So we thought that we might be spending a lot of our time lobbying. We found out we didn't lobby at all so we're going to go ahead and apply for 501(c)3 status. Membership is free. The only thing we ask is people give us an e-mail address so we can keep in touch with them. We have a nine-member board of directors -- I'm not one -- eight of those board members have a life experience of hearing loss. The person on our board who does not have a hearing loss was the Director of the Hearing Research Laboratory at one of the major hospitals in Seattle. So hearing loss is his professional background.

We began when I went to an HLA board meeting and just asked, "Wouldn't it be cool to use our wonderful Washington State law as a tool to create a model of accessible community?" Some of the board members bought into that. They networked, I networked, we recruited our board members, and we incorporated. We created our blog and our website, got the membership roster

and put out a brochure. You probably don't need to do all those things to get going.

When we sat down to brainstorm and prioritize, we came up with seven categories for what we wanted to do. We decided the first year we would tackle live theaters and arenas, second year civic meetings, then movie theaters, and on down the list. We took a couple of things out of order because my board felt movies were just too important. We wanted to get that done as soon as possible. We started with Seattle's biggest live theater, the Paramount, and worked our way down. The second largest theater was the one that said they couldn't afford it. We did have to file a lawsuit there. As I mentioned before, when we got to the Form 990, the theater quickly decided they could afford it.

We tried to learn as we went along; we tried to be a resource. We now have one captioned performance of each production in Seattle's three largest theaters.

The Seattle Arts and Lectures is an outfit that brings in prominent authors for readings and lectures and question-and-answer sessions. These appearances are held in a 3000 seat hall, which sometimes sells out. They go basically top drawer. Last year they were able to caption five of the appearances. This year they said nothing about captioning in either their brochure or in their newspaper advertising. On their website, they printed "Selected performances will be captioned." I got back to them and asked which performances are going to be captioned? Unless we know which ones are going to be captioned, how are we going to know what tickets to buy? Maddeningly enough, for 3 months they have refused to tell me. I really don't understand that. Last year we got a big hand from them. This year it's more like a little finger. The Mariners, the Sounders, our soccer team and the Sea Hawks caption all public address announcements. They have the handheld display devices, which isn't the greatest idea but at least they're trying. We appreciate that.

The Washington State ferry system is a model of *inaccessibility* in terms of on board announcements. When you have a full ferry, you can't hear anything that's being said. Sometimes it's something you need to know such as your car lights are on. Or your wallet has been found in the second mate's office, or your child has been found in the second mate's office. Sooner or later you would miss your wallet, or your child, but it's nice to get the heads up on what is being said. Washington State ferry was undergoing a major examination of its capital and operational needs for the years ahead, so we felt if we didn't stand up now we'd be criticized for not standing up when the time was right. Therefore, we got involved with Washington ferry early on. However, we got no response from them at all until we filed a lawsuit. Once the attorney general's office got involved, things got both easier and smoother.

One thing a lawsuit always does is to get the attention of the person who can say yes. When you are dealing with a government bureaucracy or government organization, finding the person who can say yes is two thirds of the battle. After the attorney general's office agreed the ferry had to do something, they asked us what we wanted to have happen. First, I sat down with a deputy attorney general and we negotiated a verdict, which the judge signed. We did that because like every state, Washington has money problems, so the first items on the legislature's priority list to fund are things ordered by the court. We suggested to Washington State ferries that we make this

a court order instead of a private agreement because that way they could get the money.

We discovered obtaining what we wanted was not an easy technical problem. They have display devices such as big TV monitors where they can show captions. The question was how are you going to capture immediate, on-board information? Do they need somebody on board each ferryboat with a computer to type the information out? The union was a lot less than enthusiastic about that idea. So now we're struggling with exactly how they're going to capture the content and display it.

Back to the theaters. There we did file suit against the major theater owning corporations. We got a court to say yes, indeed, the Washington State law does require you all to do whatever is reasonably possible under the circumstances. We then started getting mail from advocates in neighboring states and we began talking to them. We now have formed a sister organization in Oregon which was a 501(c)3 from the outset. In Oregon we're working with the live theaters in Portland and in Eugene with the University of Oregon's sports facilities. The Oregon Shakespeare Festival in Ashland, Oregon is a hugely popular venue. They produce some 750 odd performances and draw people all over the west but they only caption 11 of those performances. They spread their captioning of performances throughout the season. In Seattle, it's great if they have seven plays captioned on seven different dates. Just take the boat and go see them. But Ashland is remote and people are not going to go to Ashland 11 different times to see 11 different plays. People come for a long weekend or week, overdose on theater, everything that's available, and then go home.

When we started talking to OSF, we learned creating captions for a play is very labor intensive and expensive to create. They can't caption every play. Actually, they do caption just about every play but not every performance. We said we understood it is expensive to do the captions, but asked, once done, they can be reused, can't they? Also, what is required to display them? All you need do is have somebody punch the captions up on the computer and sync them with that night's performance. OSF had no answer there. Looks like OSF may be our next journey to the courthouse.

(Since this workshop was presented, we have had a meeting with OSF and a very, very positive outcome that will essentially make it the most completely accessible theater company in the nation).

A possible spin-off is our collaboration with an outfit in California called Disability Rights Advocates. We're planning on bringing a movie captioning suit somewhere in the San Francisco Bay Area.

(We did file a class-action lawsuit in state court against Cinemark theaters. ALDA is the organizational plaintiff, and two prominent ALDA members are the individual plaintiffs).

We named the theaters in Seattle but think about this. What about the whole state? Does it make sense for us to resolve a suit today for Seattle, and then tomorrow turn around and do it again in Tacoma, in Everett, and all these other places in Washington? We're hoping that very shortly we will get a settlement of some sort with the major theaters across the state.

What are we asking for? We're pretty dog gone ambitious. Those public filings that the theater owners have to put out show at least two of the big chains pay more in dividends every year than it would cost to equip every theater in the country to show captioned movies. Dividends are the money you have left over after you pay the employees, pay the rent, give your executive's bonuses, etc. What is left over you can use to provide access to people with hearing loss.

Basically, let's do it. There are so many of us who have the need. So few of us are willing to recognize the need enough to come to an event like the ALDA convention. The good news is if we organize and we're systematic, it doesn't take many people to create a big change and build an accessible world for all of us.

That's pretty much all I have. I think we have some time for questions.

AUDIENCE MEMBER: You mentioned that just a handful of states have better laws than the ADA. That means most of us are not living in those states. How effective will it be when you only have the ADA?

JOHN WALDO: Oregon is a state without a better law. We only use ADA stuff in Oregon. You just phrase it a little differently. California has a remedy that really gets people to sit up and take notice. You are entitled to damages in California if you are discriminated against and you are entitled to minimum damages of \$4,000 per day. That can bend cost curves rapidly. We told the people in California that this is not about the money for yourself. Don't go shopping for a summer home on the basis of all the times you are going to collect \$4,000 for not being able to go to a movie. However, as the money for damages pile up, it is a good way for a defendant to start seeing it's going to be a whole lot cheaper for them to comply than to fight. They see it's foolish to pay these people all this money and then have to do it anyway. California may have a better remedy but it's still basically the ADA that defines the violation. For the most part those in states without a better ADA are fine. You might be surprised though that some cities have more protective laws and then they would take precedence.

AUDIENCE MEMBER: I was really surprised to see healthcare facilities so low on the list. There is nothing more frustrating for me, or any hard-of-hearing person, than to go for some vital healthcare and have no access. It's frightening and stressful. Why is it so low a priority and what can we do in that realm?

JOHN WALDO: I can't honestly say why we made it so low a priority. But, yes, hospitals and healthcare facilities are a huge problem. The need is obvious and compliance is very, very spotty. I get complaints about this more frequently than about anything else. One colleague of mine was representing a hard-of-hearing person who didn't get an interpreter at the hospital. He sued and collected legal fees and the deaf person got damages. The next time that person went to the same hospital, the same thing happened. Four times, the same hospital, the same plaintiff, same lawyer, and they paid him off. I don't know why they don't learn. It does sort of make you wonder when you see our insurance premiums go up the way they do, why hospitals can't seem to get this right. I would say just keep talking to them. One of our board members in Oregon has been very effective working with hospitals there. I don't know how she does it but she's gotten some good stuff done.

AUDIENCE MEMBER:I just want to add something to this last thing because I have run into that problem so many times and I have found if you start cultivating relationships with individuals as high up in the bureaucracy as you can, you eventually get something accomplished.

JOHN WALDO: (Nodding head.) If you can develop a good relationship with the right people, that's the key to the mint. That's certainly the way we would all like to start.

Okay, thank you all. Feel free to contact me if you have any questions. If you want to see one of our sample letters, if you want to see one of our organizational documents or anything like that, I'm happy to share any of this with everybody. Email me. That's the best way to get in touch with me.

John Waldo combines his professional background as a courtroom lawyer with his life experience as a person with a significant hearing loss to advocate for communication access by implementing the benefits and protections of state and federal law. He is founder of the Washington State Communication Access Project, and counsel to the Oregon Communication Access Project.