

## HISTORY This Week: Fighting for 504

### EPISODE TRANSCRIPT

*NOTE: This transcript may contain errors.*

**Sally Helm:** HISTORY This Week. April 30, 1977. I'm Sally Helm.

At San Francisco's Department of Health, Education, and Welfare, all is quiet on the fourth floor. Normally, that wouldn't be a notable fact—this is a federal office building, and it's a Saturday afternoon. But for the past three and a half weeks, the fourth floor of this building has been alive with activity at every hour of the day. Because... a group of activists has been living inside. Eating breakfast in an office. Washing their hair in the bathroom sink. Sleeping on couches and under tables and on the red-tiled floor. Or sleeping, sometimes, in their wheelchairs. Many of these demonstrators are people with disabilities. And they've been sitting in for weeks to demand enforcement of a law that would make federally funded facilities more accessible to them. It's called Section 504.

And finally, two days ago, in Washington DC, the Secretary of Health, Education and Welfare signed the regulations they've been demanding. The activists rejoiced. They cleaned up their living quarters on the fourth floor. And today, they're finally leaving the building.

They roll and walk out into the sun, carrying signs that say "Victory." They're singing. Drinking champagne. Hugging the guards they've gotten to know. And some of them are crying. "It's become almost like home here," one demonstrator tells a reporter. "We went through a war together." Another protester puts the same feeling differently: "We all fell in love with each other."

Today: the 504 sit-in. What happened when a group of activists with disabilities staged the longest peaceful occupation of a federal building in US history? And how did this protest change accessibility in America?

[AD BREAK]

Before the 1970s, if you're navigating the United States as a person with a disability, you are running into an incredible number of barriers. There's no ramp up to the public bus. No way to get into the library. A lot of places that you just can't go.

**Judy Heumann: When my mother took me to school the principal said I was a fire hazard and couldn't go there.**

**Sally Helm:** That's Judy Heumann. She's a major activist for people with disabilities, and she's been doing this work for decades. She had polio when she was young, and used a manual wheelchair to get around. The school said they couldn't accommodate her, but they'd send a teacher to her house twice a week.

**Judy Heumann: There was an expectation that a family should be grateful for this without really looking at the fact that, why would you be grateful for something that was so clearly inferior?**

**Corbett O'Toole: So that was kind of the lay of the land, you know, disabled people weren't expected to be part of American society and weren't really considered kind of citizens.**

**Sally Helm:** Corbett O'Toole was growing up around the same time as Heumann, in the 1950s. She'd also had polio. She was also barred from attending a local public school. And like Heumann, she remembers what it was like back then if you were a person with disabilities just trying to get around. Mobility wasn't the only issue—oftentimes there would be no braille text on an elevator button. No sign language interpreter in the emergency room. A deaf patient might have to write to communicate:

**Corbett O'Toole: People were trying to scramble notes while they're bleeding to a doctor, trying to get care. You can imagine how well that wouldn't work.**

**Sally Helm:** It wouldn't work very well at all. And that is the world in which both Heumann and O'Toole grow up.

But by the 1970s, some things are changing. There are disability rights movements on college campuses and in some cities. And when these women are in their early twenties, both of them find their way to Berkeley, California. Berkeley had been a center of the disability rights movement for years.

**Corbett O'Toole: It was a place that people with disabilities got to be young people with disabilities. People worked, people had relationships, people fell in love, fell out of love. People got to try out young adulthood in a way that they never would have in communities where they were kind of the only disabled person and the whole world was kind of protecting them.**

**Sally Helm:** Judy Heumann moved to Berkeley to work with a group that Corbett O'Toole was also involved with, called the Center for Independent Living:

**Judy Heumann: Which was the first disabled-run community based organization.**

**Sally Helm:** CIL provided services and advocated for the rights of people with disabilities. At this point, Heumann is very involved in activism. Before even moving to Berkeley, she'd founded a group called Disabled in Action. In 1972, they'd led a protest to shut down Madison Avenue after president Nixon vetoed a law called the Rehabilitation Act. He did eventually respond to pressure and sign that law. And contained within it was a very important section. Section 504.

**Judy Heumann: 504 basically said, if you got money from the federal government, you could not discriminate based on disability.**

**Sally Helm:** That is a major advance, hiding in this little section.

**Judy Heumann: It was like a 42-word piece of legislation within the Rehabilitation Act. Now, there was really no guidance, no definition of disability, no definition of what it meant not to discriminate or to discriminate.**

**Sally Helm:** And that is the rub. Until the government adopted regulations—rules to define what 504 meant—it really couldn't be enforced. Some people at the office of Civil Rights had actually written up

the regulations. They just needed to be signed by the Department of Health, Education and Welfare, or H-E-W. But that task kept getting kicked down the road. Nixon didn't do it. Ford didn't do it. Then in the 1976 election, Jimmy Carter promises that he will. And he wins.

So activists think, great. These regulations are finally going to get signed. But then, HEW starts saying that they're reviewing things. And pretty soon:

**Judy Heumann: We were beginning to hear from people inside that they were looking at doing more than reviewing the regulations, but there was also serious discussion to weakening the regs.**

**Sally Helm:** HEW worried that forcing schools and hospitals and libraries to make their buildings accessible was all going to cost too much money. But the disability community?

**Judy Heumann: The disability community did not want to compromise anymore.**

**Sally Helm:** Heumann and her fellow activists decide, enough. We want those regulations signed. Strong regulations, not some watered-down version. And we want that to happen by a specific date. April 4th, 1977. This keeps the government accountable. And it also gives the activists a few weeks to organize rallies across the country. DC. New York. LA. And, of course, San Francisco.

**Archival: Sign 504!**

**Sally Helm:** The plan was to rally at HEW buildings in various cities. Put pressure on these officials to sign the regulations. On the day of the rally, Heumann and a few other activists met with the HEW representative in San Francisco. They were hoping he'd say, yup. These regulations are about to be signed. But according to Heumann:

**Judy Heumann: We were asking him questions. What did he know about 504? What did he know about when the regulations were going to be signed? On and on. And he knew nothing about 504. That really astonished myself and many of my colleagues**

**Sally Helm:** Astonished them, and made them think...they'd better turn up the heat. This rally was planned as a one day thing. But they had considered another option.

**Judy Heumann: We would encourage people to stay if we felt that the staff were non-responsive and that was totally true.**

**Dennis Billups: I think it was like somebody flipped a switch and said, 'We're not going to leave. We're staying here.'**

**Sally Helm:** Dennis Billups was one of the demonstrators outside the HEW building in San Francisco. And he was not prepared for an overnight sit-in. He'd left the house that day telling his mom he'd be back by evening. Next thing she knew, he was on the nightly news.

**Dennis Billups: I think it was my sister and my brother that saw me. He said, 'That, there's Danny.' She goes, 'What? What are you talking about, Danny? Where's he at?' He said, 'On TV.'**

**Sally Helm:** His mom and sister ran to the building that night to drop off a bag of clothing and some cigarettes. They asked him, are you going to leave?

**Dennis Billups:** I said, 'No, I'm not leaving.'

**Sally Helm:** The same thing was happening at other HEW buildings across the country. That night, hundreds of demonstrators spread out on office floors to go to sleep. In Washington, D.C., a demonstrator and organizer named Debby Kaplan remembers finding a spot on a gray carpet in the hallway.

**Debby Kaplan:** We were determined not to leave, but then by the next morning it was clear they were playing hard ball.

**Sally Helm:** "They" being security. Occupying a government building is no joke. The guards sprang into the action, no coming or going. Which meant, no one could bring the demonstrators extra resources.

**Debby Kaplan:** At one point, there was a man who worked at HEW who went out and bought a bag of food and security people wouldn't let him through. And so he started throwing like bananas and muffins and things over their heads to us.

**Sally Helm:** That guy got in trouble. As the Associated Press put it the next day, the D.C. demonstrators were "Faced with Starving or Leaving." When people started running out of their medication, it was clear the sit-in couldn't last. After 28 hours, the D.C. group decided to leave.

**Debby Kaplan:** We all left shouting, 'We will be back!' Which felt kind of stupid, but, what are you going to do?

**Sally Helm:** The protests in New York and LA met the same fate. But not San Francisco.

**Corbett O'Toole:** We were young and arrogant and it really inflated our egos. Yay! We lasted longer than everybody, aren't we the baddest?

**Sally Helm:** Corbett O'Toole was one of the demonstrators in the HEW building in San Francisco. Alongside Judy Heumann, who was one of the people leading the whole thing.

**Judy Heumann:** We took a vote with the people who were in the building that we were going to try to stay because we were really the last group standing.

**Sally Helm:** Within a day, they'd formed committees on food, entertainment, security...

**Corbett O'Toole:** There was a lot to do, you know, there was work to be done to communicate between what was happening inside the building and outside the building. Is everybody getting the support they need in cleanliness or food or whatever. And then twice a day, we'd have these meetings and people would report back and say, 'Oh, okay. Here's, what's happened with press relations and here's what's happening with fundraising.'

**Sally Helm:** People could ask for targeted support: Blind demonstrators need help finding the bathrooms. Can someone help set up beds for people in wheelchairs? Let's figure out how to translate what's happening on the radio for deaf protestors.

**Corbett O'Toole:** We were like, learning about each other. You know, something would come up in a meeting and then afterwards people would have conversations about, 'I didn't know that that was an issue for you guys. Tell me more.'

*Archival Dennis Billups: The more we learn about our own handicap inside of our own coalition, learning about all of our disabilities, we would become a tighter and firmer group.*

**Sally Helm:** That's a young Dennis Billups being interviewed inside the building. He says his job was to boost morale. He went nights without sleep just talking to people, reassuring them that they wouldn't be arrested, writing protest songs.

**Dennis Billups: (singing)** We are 504, we can't wait some more, we are far more and more. Hold on, hold on, and then it would go on from there.

**Sally Helm:** There were card games, wheelchair races. Easter Sunday comes and there's an egg hunt for the kids who were there.

**Corbett O'Toole:** It was like being at camp, you know, you just kind of played cards and told stories and told jokes and told lies, people flirted and, you know, people tried to strategize like where can we find like a quiet place to have sex?

**Sally Helm:** Inside a US federal building! There were still employees coming to work each day. Some of them befriended the protestors occupying their offices. O'Toole says when the phone would ring, one of the demonstrators would pick it up.

**Corbett O'Toole:** 'Hello, 504, sit in?' And then would hand the phone to the actual person who worked in the office.

**Sally Helm:** Until the phone lines got blocked. Security started limiting communication between the protestors and people outside the building. But the demonstrators found a way to get around that. O'Toole remembers someone said:

**Corbett O'Toole:** 'I bet we could have somebody sit on the window sill, somebody deaf and sign out to the interpreter outside what's going on here.' And, my job was to hold the guy's pants belt, while they leaned out. You know, they had no defense against us signing out of windows from the fourth floor but it worked great for us.

**Sally Helm:** The demonstrators were solving all kinds of problems. Like, when they needed a refrigerator to keep people's medicine cold, they made one out of an AC unit.

**Corbett O'Toole:** We've always learned to kind of hack life. How do you live in a world where there's no accessible public transportation? Well, what are you going to do when your wheelchair breaks

**down and you're a mile from home? We kind of have always been dealing with that kind of stuff. So it was a luxury to be going through them with each other, as opposed to just going through them alone.**

**Sally Helm:** But there was only so much they could do without outside help. And as the days go on, things are getting tough. Some sit-in participants have begun a hunger strike. One night the activists are told there's a bomb threat in the area, and they might have to evacuate. But no bomb goes off. HEW had cut off hot water to the building. The activists are getting food donations sort of piecemeal, but it's never clear that there's gonna be enough. But then:

**Corbett O'Toole:** I think the first turning point was the commitment by the Panthers to give us food. Cause that's when we really knew we could stay.

[AD BREAK]

**Sally Helm:** A few days into the sit-in, the 504 movement gets a crucial infusion of support from the Black Panther Party. The Panthers were a revolutionary political organization based in Oakland, California. They advocated for Black Power and broad systemic change, sometimes through armed self-defense. They were also famous for social programs, like Free Breakfast for School Children. And now, they were bringing up to three meals a day to the protesters at the HEW building.

Corbett O'Toole was a white woman who only knew the Panthers from inflammatory news reports. She says she couldn't imagine why the Party would throw its support behind the demonstrators. So one day, she asked.

**Corbett O'Toole:** 'Why are you doing this?' And they just looked at me like I was like a kindergarten kid and very gently said, you know, 'This is part of a bigger struggle.'

**Sally Helm:** There were a few 504 protestors who were also Black Panther Party members. One of them in particular, a man named Brad Lomax, had been working with Berkeley's Center for Independent Living for years. And when he said the protestors needed food, the Party delivered. The Panthers also made connections with other Black demonstrators with disabilities, like Dennis Billups.

**Dennis Billups:** They came up to me and they said, 'Hey, do you know who the Black Panthers are?' And I said, 'Yeah, I know who the Black Panthers are.'

**Sally Helm:** They asked him, do you want this Black Panther tee shirt?

**Dennis Billups:** I said, 'What are you asking me?' He said, 'Do you want to be a Black Panther?' I said, 'Yeah!'

**Sally Helm:** Community groups other than the Panthers also showed up in droves.

**Dennis Billups:** What I thought was going to happen is that everybody was going to say 'Well, you know, the Black Panthers, we don't want to be with them,' but it was just the opposite.

**Sally Helm:** The Glide Memorial Church promoted the movement in its sermons. The Teamsters Union donated money. Other local groups brought food and walkie talkies. The groundwork for these community connections had been laid by disability rights organizers well before the sit-in began. In fact, before the protest, César Chávez had sent Judy Heumann a personal mailgram of support.

**Judy Heumann: Chávez's communication with us demonstrates the fact that we were trying to reach out as broadly as possible. Farm workers have disabilities. This wasn't something that people saw as only affecting a small group of people.**

**Sally Helm:** And all this community support is crucial. It brings TV cameras and government attention to the sit-in. And some officials are in support. Those regulations the protesters were demanding still haven't been adopted, and people begin paying attention. The mayor of San Francisco sends mattresses into the building and tries to get permission to install portable showers in the sinks. Some California congressmen get involved.

**Judy Heumann: We had really great congressional delegation who had been engaged with the disability community for many years and were willing to hold these informal hearings.**

**Sally Helm:** The hearings. They decide to hold a US Congressional hearing in the occupied HEW building. The congressmen declare one room a "satellite office of Congress." And they arrange for an HEW rep to fly in from Washington DC to listen to the protesters' testimony.

The room is packed with people. When the hearings start, the HEW rep has a chance to present his argument into the congressional record. He says: we don't have enough funding to make everywhere accessible. So he lays out some changes that HEW wants to make to these 504 regulations before they're adopted. That includes stuff like letting colleges provide one accessible facility where all students with disabilities would be educated, rather than adapting all their facilities. He admits that these facilities might be called "separate but equal." When Judy Heumann hears this:

**Judy Heumann: I felt tired. I felt angry.**

**Sally Helm:** And she gets up to testify.

**Archival Judy Heumann: I can tell you that every time you raise issues of separate but equal, the outrage of disabled individuals across the country is going to continue. It is going to be ignited. There will be more takeovers of buildings.**

**Sally Helm:** As Heumann testifies, the HEW rep is nodding his head.

**Archival Judy Heumann: And I would appreciate it if you would stop shaking your head in agreement when I don't think you understand what we are talking about.**

**Judy Heumann: I just felt that this nodding of the head was not genuine. But also really the bigger point was, we believed that most people did not understand the types of discrimination that we were**

**facing and didn't necessarily view it as discrimination, but viewed us as people who were not equivalent to them.**

**Sally Helm:** Heumann's speech had a big impact. One disability studies scholar we talked to, Susan Schweik, called it one of the great moments in the history of communication.

After the hearing, on sit-in day fifteen, a group of demonstrators, including Heumann, fly to D.C. to keep up their lobbying. They hold a candlelight vigil outside the HEW Secretary's house. They go to confront Jimmy Carter at church. Back in San Francisco, demonstrators are still holding strong. And finally, on April 28, after nine days in D.C., and over three weeks after the sit-in began, the HEW Secretary relents. Without much fanfare, he picks up a pen and signs the 504 regulations as the activists had wanted them. For the demonstrators, it is a huge victory.

The San Francisco demonstrators wait for the D.C. group to return, so that they can all leave the building together.

**Dennis Billups: Oh man, you like parties?**

*Archival: (applause)*

**Dennis Billups: People were yelling and screaming and being extremely happy and getting out of the building, knowing that if they never did anything else in their life, that they accomplished one thing to make sure that disabled persons were heard.**

*Archival: Did we show power? (applause)*

**Sally Helm:** The demonstrators leave the building victorious. The Black Panther newspaper, which covered the protest very closely, notes that they're singing "we have overcome." These new regulations will mean that any organization that receives federal funding has to be accessible to everyone.

In her victory speech outside the building, one of the movement's leaders, Kitty Cone, calls out the groups that supported them, saying "there's no way to thank everybody."

*Archival: The Panthers, the machinists' union, the gay sisters and brothers, everybody. To all of you who fought with us in so many ways. Thank you.*

**Sally Helm:** This collaboration was built on alliances that had been forged long before April 1977, and that lasted long after. But it wasn't always perfect. Dennis Billups told us, for years, he didn't want to talk about 504. He felt like his contributions, and those of other people of color, had been written out of this history.

**Dennis Billups: There was a lot of people of color who balanced the sheet and held their own and should be recognized for it.**

**Sally Helm:** He said the cross-movement collaboration was powerful. But he wishes it had born more fruit than it did.

**Dennis Billups: We had a coalition, we had faith. If we would've kept together all of the things that we had put together in that building, even half of it, or even a quarter of it I think this society would have moved ahead at least another 10 years.**

**Sally Helm:** Corbett O'Toole agrees.

**Corbett O'Toole: Even though the 504 sit-in absolutely depended upon being fed by the Black Panther Party, there was no commitment after the sit in to work with the Panthers or to make a commitment to even dealing with racism and barriers to Black leadership inside white-led disability organizations. We just missed that opportunity. I mean, we had it in '77.**

**Sally Helm:** The 504 sit-in laid the groundwork for a landmark Civil Rights law that was signed in 1990: the Americans with Disabilities Act, the ADA. The sit-in also helped usher in a mindset shift. Because after 504, the law required that public spaces accommodate people, regardless of ability. Not that people with disabilities try to fit themselves to the space. But Judy Heumann thinks, in terms of mindset, there is still a long way to go.

**Judy Heumann: I really do believe that 504 and ADA are making important advances, but fundamentally the hearts and minds of the general public are not yet bought into what is wrong with what exists today and what needs to be happening.**

**Sally Helm:** For example, things like segregated group housing are still the norm, but Heumann says people should be able to live in their communities, alongside their family and friends. In housing that's accessible, and not separate.

That doesn't mean though we can't appreciate the 504 movement for what it was: a powerful assertion of the voices of Americans with disabilities. One that brought meaningful change to the law. And that brought different people across disabilities together, for a common cause. For Corbett O'Toole, whose daughter has cerebral palsy, that does make a difference.

**Corbett O'Toole: Part of the legacy of 504 is that people like my kid and other people's disabled kids get to go to school and they get to go to the library and they get to go to the movie theater and they get to be in the movies and they just get to be in American society in a very different way that was not possible before 504. And that's, that's a nice legacy to leave.**

**CREDITS:** Thanks for listening to History This Week. For more moments throughout history that are also worth watching, check your local TV listings to find out what's on the History Channel today.

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