

March 17, 2021.

To: Members of the House Transportation and Local Government Committee

From: Patricia Yeager, Ph.D., CEO, The Independence Center

RE: Issues to consider Before Adopting HB21-1014

I am writing as the CEO of a Center for Independent Living in Colorado Springs, The Independence Center. While we are not opposing this bill because there are rural dDeaf individuals, we are told, who do support it, we have grave concerns.

This bill allows people with disabilities (not specific about which conditions) to voluntarily request a mark on their drivers' license indicating the presence of a disability to law enforcement. Alternatively, they can request information be placed with their license plate number. This information will come up when the license plate is scanned by the police. As I understand it, the proponents of this bill believe that this mark will cause police officers to slow down and ask for information from the individual if they are acting strange or cannot respond in the event of being pulled over or stopped. I understand that some dDeaf individuals would like this "protection" as well as some persons with autism.

I wonder if there is research that has been done in Alaska or Ohio, where the bill has become law, that validates this solution as one that works? My fear is that putting such a mark on a drivers' license will not accomplish the goal of protection from police officers. Rather, it may cause discrimination in other areas. It is likely that the public will come to know what that mark symbolizes. We use our drivers license when we write checks at businesses, when we open a checking account or get a loan, get on an airplane, or buy liquor or pot, to name a few instances. It would be very easy for the person checking the ID to raise a question about whether that person with a disability should be doing any of those things.

The Disability Civil Rights Movement has fought long and hard to remove labels, but this seems to be taking us back to a time of stigma and more discrimination. People doing disability work focus on helping individuals to speak out independently about their disability and not rely on a government stamp of "I'm disabled." Could a separate card be used if one feels the need to disclose a disability?

I ask the committee to see if there is evidence this solution works before putting it in statute. Public policy changes usually focus on making change that benefits the largest group of people. I am not sure this falls into that category. Ultimately, training police officers to ask questions first, is the best solution.

Thank you for your consideration.



Mr. Chair and members of the House Transportation & Local Government Committee,

I am writing to ask for your support and “yes” vote for HB21-1014, the Disability Symbol Identification bill in hearing today, on March 24, 2021. This bill provides for a voluntary symbol on a government issued ID and/or registration in the license plate database that allows law enforcement to know that someone being pulled over may need some accommodations or help in the interaction.

This bill also begins the process for creating new training for Peace Officers, which educates them about better ways to interacting with people with disabilities or neuro diversities that will be addressed in another bill HB21-1122, for which I also ask for your support.

It is a very stressful situation when being pulled over by a Peace Officer, or during an encounter, and even more so when there is an invisible disability involved. It can create misunderstanding between the Peace Office and the individual, which can lead to unnecessary escalation of the situation.

As a person with hearing loss, I worry that I will misunderstand instructions because I don't hear them correctly. Of course, I would do my best to cooperate, but I also know that when I respond with an incorrect response, or I am stressed that I might not hear correctly, it could create an impression that I am being dishonest, when in fact I just plain didn't hear something correctly.

Having the symbol and/or registering in the database is completely voluntary, so if someone is worried about discrimination, they will not need to get the symbol. But, for those who really want this type of support, such as the Deaf and Hard of Hearing, IDD, Autistic and people on the Spectrum and neurodiverse communities, I ask that you support having the ability to obtain the symbol.

I thank you for your support of Colorado HB21-1014.

Sincerely,
Deborah Mohnney
Boulder, CO

House Transportation & Local Government

03/24/2021 1:30 PM

Testimony - HB21-1014 Disability Symbol Identification Document

First Name	Last Name	Position	Representing	Text of Testimony
John	Kelty	For	MEAction Colorado	Remotely
Jess	Stainbrook	For	Invisible Disabilities Association	Remotely
Rebecca	Zickerman	For	Invisible Disabilities Association	Remotely
Ali	Thompson	For	Self	Remotely
Wayne	Connell	For	Self	Remotely
Brandon	Meyer	For	Self	Remotely
Jennifer	Morgan	For	Self	Remotely
Timothy	Bishop	For	Self	Remotely
DeAnna	Rumsey	Neutral	The Independence Center	Remotely
Patricia	Yeager	Amend	Independence Center	Remotely

Support for this bill will be a win for those who have disabilities that are not necessarily visible. Many are keen to voluntarily disclose their disability, avoid being misunderstood and potentially avoid unnecessary confrontation. The symbol is powerful as a step in reducing discrimination on the grounds of disability and allows those who choose to do so, to have a new line of communication.

Sue	Stevenson	For	Invisible Disabilities Association	§ Please vote for the bill.
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Witness Signup List

Dear House Transportation & Local Government Committee Representatives,

I am writing to ask for your support and "yes" vote for HB21-1014, the Disability Symbol Identification bill that provides for a voluntary symbol on a government ID and registration in the license plate database.

I want this legislation to pass on behalf of my autistic son Danny, who just turned 13. He looks normal and any officer would look at him and assume he is neurotypical and approach the situation accordingly. But, he is anything but neurotypical. Complex conversation can fluster him and he may miss words in instructions that are too complex and too much force in a situation can cause him to get unnecessarily angry or just to completely shut down. With the foreknowledge to de-escalate the situation, law enforcement officers would have much better outcomes, with less risk of dangerous outcomes.

The training program and foreknowledge can help officers avoid situations like the case of the 11 year old in Douglas County schools in handcuffs then in a police car for two hours. I do not want this for my son when he is a minor as a passenger in the car who sometimes is having anger control issues on the road, and I do not want this for him when he is an adult and driving on his own. He deserves to be treated with respect and in ways that are fitting for his mental condition, and any police officer most certainly deserves to go into the interaction knowing what will work best.

Getting the symbol or registering in the database is completely voluntary. People who are worried about discrimination or tracking do not need to use this program. But please do not stop it for those who really want this type of support because of any number of invisible mental or physical disabilities.

Julie Kelty For Self

S I thank you for your support of Colorado HB21-1014.

Witness Signup List

My name is Barbara Johnson and I was born in Sept. 1948. I had polio when I was one year old, and it went into my brain instead of down into my spinal column. I have lived my life with myalgic encephalomyelitis (ME) and have all the problems that go with it, with a lot of muscle weakness and pain all over. I also have brain fog and can't smell or taste very well. Since I look normal, no one believes I had polio, and think I have mental and emotional problems.

Because of arthritis pain also, I take pain medicine under one pain doctor who will back me up I don't have an addiction problem. I could never pass a sobriety test since I can't walk well, and I could not pass a drug test. I have not had a problem with police yet, but a lot of problems with doctors who don't believe me because I don't have braces or crutches and they don't know anything about polio or ME. I would love to give my story and have identification I could show to doctors and in case I ever had to show police.

Barbara Johnson For MEAction Colorado

S Thank you!

Dear Members of the Committee:

The Colorado Cross-Disability Coalition is not taking a position on this bill. There were serious concerns but no one had the time to meet with the proponents to address the concerns. The proponents did make the offer but there were competing priorities. The disability community is divided on this topic. Some people with invisible disabilities like the idea and many others do not. Because it is voluntary we will not oppose it and would urge temperance of expectations and very clear communication about what this will and will not do should it pass. We do appreciate the sponsor being very available to meet with people throughout the process.

Julie Reiskin Neutral Colorado Cross-Disability Coalition

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VISUAL ACCESS FOR LINGUISTIC INCLUSION,
DEVELOPMENT, EMPOWERMENT, ADVOCACY, AND FREEDOM

March 24, 2021

Testimony in support of Colorado HB 21-1014

My name is Lisa Weiss and I am the director of advocacy programs for [VALIDEAF](#), a national non-profit with a mission that serves the diverse deaf community. I am a proud native and resident of Colorado who has invisible disabilities myself. I am also a juvenile and disability rights attorney and education policy expert who has worked in public service for the last 22 years. I am writing in support of Colorado HB 21-1014 that will make a difference in helping save lives and raise awareness of people who are deaf or are living with disabilities, particularly those that are invisible or misunderstood.

As a person with invisible disabilities myself, I am concerned about others like me who may at times need accommodations related to physical access even though we may not appear to have a physical limitation to others. Living with a persistent medical condition does not always look like what people assume. It remains an unfortunate myth that all people with physical disabilities require a wheelchair. I have seen this in action when airlines pull up to the gate to assist my deaf colleagues with a wheelchair. I have also seen this in action when my friends with invisible illnesses are harassed for parking in spaces assigned specifically for them when they don't exit the car with a wheelchair. The truth is that the person themselves is in the best position



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to determine the accommodations and access that they require for their daily living, work, and community needs. Sometimes a person simply needs to park closer to the entrance of our workplace so that person doesn't exhaust themselves before they start their workday. I worry about all of these people every day.

And as the mother of a young adult who is deaf, I cannot tell you how many people still ask me if deaf people can drive. This is another persistent myth that is based on a cultural misunderstanding that hearing is necessary to be safe. It is not. But there are laws in place to ensure that peace officers take appropriate steps to communicate effectively with deaf people because access is the issue for safety. This obligation does include providing sign language interpreters and auxiliary aids, but beyond this there is a clear need for peace officers (and the general public) to understand how to communicate with members of a diverse deaf community.

This is where it gets tricky and I have found this problem to be twofold. One is based in a general misunderstanding about what it means to be deaf. I have found over the last 16 years as a hearing mother navigating the world with a deaf child that there is a persistent myth that all deaf people only communicate using visual language. This is simply not true. The truth that some deaf people only communicate with visual language. And these people need access to communication in the visual language that they prefer and are able to understand. The second is due to the lack of awareness about how





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prevalent deafness really is. I often wonder who in our world doesn't know someone who is deaf (or going deaf) since I know that EVERYONE is going deaf. It is difficult for me to imagine knowing this and knowing that approximately 15% (or 37.5 million) American adults aged 18 and over report some trouble hearing and that one in eight people in the United States (13% or 30 million) aged 12 years or older has hearing loss in both ears, based on standard hearing exams.¹ I worry about all of these people.

My point is, this bill is intended to promote awareness, to provide training, and to ensure the protection of our community. Not just a few people, but most people. It is important that the public servants who are called on to serve our community are able to do so and that means being able to identify needs and provide appropriate accessibility depending on the person, the circumstances and the setting. I hope that this bill will move forward with due diligence and without undue interruption.

Peace and solidarity always,

Lisa A. Weiss, Esq.
Director of ValidADVOCACY Programs

¹ U.S. Department of Health & Human Services, National Institutes of Health

