

J. Robert Hester, Jr.

Graduate of UT Arlington and member of the Arlington Mayor's Committee on People with Disabilities

*Interview conducted by
Zachary Tarrant
in 2014 in Arlington, Texas*

Disability Studies Minor
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Biography

J. Robert Hester, Jr. was born in 1941 in Washington, D.C. Around the age of three, he was diagnosed with Cerebral Palsy. Hester attended a school children's rehabilitation institute for handicapped children near Washington D.C. for six years. His family then moved to Miami, Florida where he received corrective surgery and attended a Catholic parochial junior high school until his senior year, at which time his family moved to Arlington, Texas where he finished his high school education.

J. Robert Hester Jr. then went to Arlington State College, now University of Texas at Arlington. After graduation he sought to become a lawyer, but he flunked out of law school. He worked a variety of jobs until he returned to law school, graduating in 1970. Upon graduation he received his license one year later in 1971. As a lawyer he worked nine years in private practice and twenty-two years with the Tarrant County District Attorney's office. He retired in in 2002.

While working as a lawyer he became involved with disability organizations such as United Cerebral Palsy and Disability Rights Inc. Currently he serves on the Arlington Mayor's Committee on People with Disabilities.

Topics discussed

- Access at Arlington High School in the 1950s
- Diagnosis with Cerebral Palsy

- Fighting for access to schooling in the 1950s
 - Access at UT Arlington
 - Interest in law
 - Attitudes toward people with disabilities in the 1960s and 1970s
 - Discrimination and accommodations in the workplace in the 1960s and 1970s
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 - Getting involved with United Cerebral Palsy and mentoring
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 - Jim Hayes, the Movin' Mavs, and Sam Provence's disability rights work
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 - Access and accommodations in the Boy Scouts
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Tarrant

This is Zachary Tarrant interviewing Robert J. Hester, Jr. for the U.T. Arlington Texas Disability Oral History Project. Today's date is March 8, 2014, and I'm at 935 Freshwood Court, Arlington, TX. I'm here today to talk with Robert J. Hester Jr. about his participation with disability rights in Texas.

Hester

Okay the J. goes first, it's J. That's who I am, my name.

Tarrant

Okay.

Hester

All right and we're both recording yeah?

Tarrant

Yes sir.

Hester

Okay, where I was born: Washington D.C. [in] 1941.

Tarrant

And when did you move to Texas?

Hester

Nineteen fifty-six. I was a senior, moved here in time for my senior year in high school, yeah.

Tarrant

And what was it like growing up in Texas during the fifties?

Hester

<topic>Access at Arlington High School in the 1950s</topic>

Actually you're skipping a...a decade of my life, but, because I grew up in a different environment. But when we did move to Texas I was a senior and went to Arlington High School. It was the first year they'd opened the, what is now the Arlington High School. It was the first year for the faculty to have—we were the first graduating class. I understand they have an elevator now but they have no...had no elevator then. Ah but I...I've used crutches most of my life so just a matter of going up and down stairs with the railing and the crutch.

Tarrant

<topic>Diagnosis with Cerebral Palsy</topic>

So you developed Cerebral Palsy while you were in Washington D.C.?

Hester

Yeah. Now, yeah let me, maybe maybe let me back up and you can always cut it out what you don't need. By 1941 Cerebral Palsy was almost a foreign term or phrase and at some point, I don't know exactly what age, pre...pre-age three my folks realized I was not moving normally. From that age they took me doctors, several of whom scratched their heads saying, We don't know what's wrong with him but it may be he's retarded. And fortunately there was a navy doctor who knew of a Dr. Winthrop Phelps, who's a specialist, and this navy doctor said, "I think this is that Cerebral Palsy I've heard talked about. Go see him."

And so we did and Dr. Phelps ran a...or was I say ran...particularly involved in a school children's rehabilitation institute school for handicapped children right outside Washington [D.C.] and Maryland. So I, they admitted me there at age three and a half and I was there for about the next six years. And so it was institution with none of the negatives. What I mean it just it was a boarding school, and then we moved to Florida.

All that time, in fact I'll back up to time I was in Washington [D.C.], I didn't use crutches. I walked without them. And I don't know if you're familiar with Cerebral Palsy and CP walking, but CPs [people with Cerebral Palsy] when they walk unassisted they tend to sway from side to side. Frequently, and I was one of eh...have to walk faster to keep from falling on their face and eventually they can't speed up anymore. They're running and so they have to pick a target: a door, a desk, or something to run to or eventually they'll fall on their face. So that's what I did until we came to Florida and then in Florida doctors set me up for

surgery. And once I came out of the hospital I was on crutches and I used forearm crutches really the rest of my life. About five to ten years ago I ended up in this power chair but I still use crutches to transfer to the bed and things like that.

So but Cerebral Palsy is a result of either primarily injury prenatal or at birth. There's some—in fact my case they said that, I had pneumonia when I was six weeks...six months old. Maybe that was the cause. Every once in awhile there were adults with head injuries. I've heard stories, never met any, about veterans who were injured with a head injury and the diagnosis was Cerebral Palsy. I can't vouch for that story but I've I've heard that story. So I'll bet, yeah brings up...I was using crutches by the time we came to Texas.

Tarrant

Were there many schools like the one you went to, to help you learn to how to live with this?

Hester

<topic>Fighting for access to schooling in the 1950s</topic>

No that was the only one and I was fortunate there were students there from all over America and in fact from foreign countries. I had one friend from South America that we kept in touch, casual contact, until about five years ago. This was obviously way before the days of ADA or any of that and I went to a parochial school in Florida.

We...I spent my first year in Florida in a Roosevelt School for Crippled Children, I think was the name of it, and then after that junior high. Went to a parochial Catholic parochial junior high and they were very accommodating in that you know flexibility. You can't make it from one class to another in the three minutes allotted. This sort of thing was very casual.... and then public junior high and then I got ready to go to high school. My parents went, I didn't know anything about this till years later, my parents went to the local high school to enroll me and check it out. The officials there said, "No, it was a two story building with no elevator." My folks said, "Hey with his crutches he can climb stairs." They said, "Yeah but the hallways and stairs are too crowded between classes. He wouldn't be able to get from one class to another on time; danger for him being hurt in crowd and so forth."

So my folks went to a Catholic high school in Miami, two bus rides away, and talked to the principal there. And the principal, let's see, he said, "We got a two-story building with no elevator; he can't make it between the classes" and whatever they call that period between classes in the three minutes or five minutes. He said, again I was told this years later, and he said, "So what we need to do is arrange for the teachers to let him out a couple minutes early or teacher (clock on wall ringing) let him come in a couple minutes late; that way he can be careful not to be in the stairway during the rush moments." That's all it took—and in two more years at that parochial school—with that I got very minimal accommodation. But there was no—there were no laws to govern public school so the public school was able to deny it. And that's why obviously the I've been interested, although I've not worked in the field, but been interested in the equal access for handicapped in the public schools.

<topic>Access at UT Arlington</topic>

And then when I graduated from Arlington High, I went to Arlington State College, here UTA. And I don't know is there a building called Preston Hall?

Tarrant

Yes sir.

Hester

Is that a classroom building or what?

Tarrant

Right now yeah it's a—

Hester

Is it a old building?

Tarrant

. . . yeah, old yellow building.

Hester

Yellow? Okay but very old and I can't remember the second between...I can't remember where it is but I'm sure it's the same one and it had no elevator. Does it have one now by the way?

Tarrant

No it does not. [Preston Hall has one elevator]

Hester

And I had classes on the second or third, does it have a third floor or maybe its second floor? But—

Tarrant

There's a third floor.

Hester

...okay, I can't be sure but I had upstairs anyway. I had classes there and so obviously the only way to get up there was on the stairs. They didn't have a railing for some reason. I have no idea why. I'm sure it has a railing now doesn't it?

Tarrant

Yes sir.

Hester

Well I'm pretty sure and as I recall it may have—I have theorized—as I recall there was a fairly narrow stairway and seemed very steep to me at the time. But the only way to get there was up and down those stairs and I'm pretty sure they had no railing cause the railing would've been no problem. And I talked to someone in the history department one time just casually, probably in signup time, what can I do to avoid going upstairs? It never dreamed of me to ask for them to move the class and it didn't occur to them either cause the answer was schedule classes that are held on the ground floor. The class you want is on the second floor, wait and maybe next semester it will be on the ground floor.

Tarrant

So they expected you to readjust your life.

Hester

Exactly. There was no, other than handicapped parking, they had handicapped parking around there, other than that I cannot remember any disability accommodation. You were another student and other than the handicapped parking—

Tarrant

So then what made you go to Arlington State College if you had to go through all that?

Hester

Number one it was state school, tuition was dirt cheap. It was about maybe two miles...mile and a half from my house, and it was gonna be true in any other college also. It didn't occur to me to explore other colleges because...they call it UTA disabled student now [Office for Students with Disabilities] anyway organizations and projects and offices didn't exist back then. We're talking about 1957 through 1961. So it would have been like that in any other college that I know of and that's probably the only one my folks could afford to send me to.

Tarrant

Was there, did you or any other students with disabilities kinda start a movement or at least organize on campus?

Hester

No I cannot—I'm sure there must have been some other people but I honestly—there had to have been or there wouldn't have been handicapped parking. But I honestly can't recall any other disabled students whether I didn't associate with them or memories have faded I don't know. But I can't think of any...but no I was not involved. In fact I was never involved at Arlington State or UTA itself with disabled students' programs. This is probably the closest...my involvement with disability field was out away further and later on.

Tarrant

And what degree did you get at Arlington State College?

Hester

<topic>Interest in law</topic>

Bachelor of Arts, history major. English I'm pretty sure was a minor not a second major. But I knew from preteens that I was gonna go to law school so this degree worked fine for that. I was, in fact I belonged to the pre-law club and knew everyone in there was a history major.

Tarrant

Why'd you want to become or get into law?

Hester

I don't know. I remember when I was thirteen or fourteen in high school one of these essays, you know what do ya wanna do, and my aunt told me that I was talking about it even younger. I suspect back when I was a kid FBI agents were my heroes. I suspect that it started by wanting to be a FBI agent. Back then you had to be lawyer. Law degree was—I'm not even sure if an accounting degree got you in back then I might—but the law degree was the only way to get in the FBI. And I think that's probably where it started. Then at some point the reality finally dawned on me that no, a guy walking around on crutches is not gonna be an FBI agent. But by then the law idea was pretty firmly fixed and I wanted to be a criminal defense lawyer.

Tarrant

Did you go on to get a graduate education to become a lawyer?

Hester

Well yeah, it's a, it used to be BLLB [bachelor of the letter of the law] and just about the time I graduated from law school they changed it to a JD [Juris Doctor]. So technically I have a doctor's degree. The change was mainly made I think because of the academic community. So that you're Doctor Tarrant, you have a doctorate and you have approximately seven years college and post college, and I'm lawyer Hester I also have seven years college and post [example to prove idea]—I think that's why they did it so that lawyers in the academic world could hold their own with PhDs. That's what I'd heard.

Tarrant

And what did you do after you left Arlington State College?

Hester

I flunked out of law school. I went [to] one year of law school by then I was in love and graduate school and love don't always work too well. But so I flunked out of law school, came back home, and settled down to try and earn a living and worked in different different things um: store manager, police dispatcher, telephone salesman, deputy sheriff for Tarrant County. I don't know why. Dispatcher and deputy sheriff because...back in those days started to say they counted your arms and legs but now I don't even think they did that. When I went in and applied for the job on crutches they saw me having trouble walking up the steps of the side steps of the old courthouse. But when they moved into a more accessible building the sheriff called me one day and said, "If you want that job be here this afternoon." And so I went in and I'm still on my crutches and then was hired, Here's your badge and garb and sworn in, go buy a uniform, you'll have to provide your own gun, go for it [expression of person or persons within police department]. So I worked for about two years as a deputy sheriff in Fort Worth as a dispatcher. And then office manager for a company till it went under.

Kept trying to get back in law school, the dean when I finally did try and go back he said, "We're full up." I said, "Hey when I when I flunked out you said I had to lay out a year and I could come back." He said, "Yeah that was then, that was true but now the Vietnam thing is heating up and we've got a lot of guys that are all set and decided they would rather be lawyers than soldiers." And so they were filling up the law school. Well anyway I went back the next year and applied again and a few weeks before opening day they sent me a notice that okay you come back. I was working for the *Star-Telegram* then and I worked as copy editor so I bounced around. I mean talking about six years out there between flunking out and going back. And so I started back in law school and accelerated through law school to get out. Felt like I had wasted enough time. I graduated from law school in '70 [1970], got licensed in '71.

Tarrant

<topic>Attitudes toward people with disabilities in the 1960s and 1970s</topic>

Do you think attitudes changed from the time you left Arlington State College to when you finished with law, with law school?

Hester

Attitudes, where?

Tarrant

Towards [people with] disabilities.

Hester

Of course I very seldom ran into hostility. There, now but obviously you...to accommodation... accommodations maybe...how much it through legislation? How much of it through just social conscience? I don't know. But yeah attitudes improved. Accommodations obviously have improved. But still I went to law school. They had classes on [the] second and third floor and they gave me access to the elevator, things like that. There was some accommodations there that early...Back as I look at...back on it...student more disabled students...have no idea if some of it was veterans from Vietnam. I have no idea what but the number of disabled students at colleges and universities seems to have grown, for example UTA is Movin' Mavs. Good lord you couldn't have filled, in my day I don't think you could've fielded a table tennis team. There so yeah attitudes have changed. How much was forced? How much of it social consciousness? I don't know.

Tarrant

<topic>Discrimination and accommodations in the workplace in the 1960s and 1970s</topic>

How hard did you have to look to find those that variety of jobs in which you worked at? Was it a hard process?

Hester

Yeah that's a good question. Good point. It just depends—I said the sheriff's office they—I'm convinced personally that the only reason they didn't hire me when I first applied, well a couple of reasons was a set of steps, not long ones, but set of steps to get in that building. And they were...they would have been a bitch. And it was within months after they moved into the new building, which had much more accessible entrances that they called me and said, Come on in and get hired. *Star-Telegram*, no I don't think I had any problem getting hired there.

On the other hand I remember going and applying for a job with the IRS as an auditor. God I must have been desperate for a job. And they very wisely, but it was sorta demoralizing, said, "How would you carry the stuff in and out, you have to go to people's offices to audit them?" I said, "Well what are we talkin' about? This guy says, "Well there's my briefcase over there" and he tells me—it wouldn't a briefcase it's a satchel, it's a suitcase and it was all I could do to pick it up. But as far as walking with it no way, no um—

Another company I applied with, it's a small company, and they talked to me. They were interested and I heard them talking. One of them said look said, "A vocational rehab would choose a name of TRC [Texas Rehabilitation Commission] maybe, but anyway, vocational rehab will pay half his salary for the first six months. That way even if it doesn't work out we'll get him for six months." And I just left. [Zachary laughs] I didn't bother to even say goodbye to them. But some...some, of course I cannot recall how many no's (clock on wall ringing) I got, but then if you been out in an working environment you've heard a lot of no's to I'm sure—

Tarrant

Yes sir.

Hester

I mean everyone gets "No's." How many of them I got? How many of them were because of my handicap? How many of them were because of my personality? I don't know. No idea.

I don't remember anyone ever saying, "We don't hire cripples" or something like that but—and some people made—well like the Catholic high school some people made some, I'd call reasonable accommodations, for example jumping ahead in my chronology when I went to work for the district attorney's office in 1980—so this was ten years before the ADA—and ex-partner of mine actually was one who recruited me but—I told him in time I'm going to physical therapy three times a week in the morning, you know. He said, "Okay I understand that." There was never a handshake. There was never a formal thing. Tim Curry was the DA [District Attorney]. Why, he knew it, in fact his office looked down on Belknap [Street] where I usually parked on the meter. So he knew I was coming in ten o'clock in the morning three days a week. I worked over in the evenings to so the county got its forty hours. There was early—they call it flex time now. I'm not sure what they call it but . . .

Tarrant

Overtime?

Hester

. . . where you adjust your hours, the employee's hours?

Tarrant

I'm not sure.

Hester

I think it's called flex time but they did it informally and with no—it was not required at all, there was no obligation to do it at all. I'm sure if I hadn't...was leaving on time with everyone else and coming in two hours late that at some point my boss would've taken me aside and said, "Look you owe the county a little more time." But it was just a reasonable accommodation before it was ever required by any law. And it made it possible for me to keep the therapy up and work.

Tarrant

So you managed to do all this by yourself without any assistance from any programs or you paid for it all yourself?

Hester

I had vocational rehab paid for. Let's see, best I recall my first year college law school they paid the tuition, which was a joke in those days. It was fifty dollars a semester, which is basic tuition in college, and then fees and so forth were less than that much more. Big difference I understand today. And then when I, after my first year of law, I had some money saved up. We got married and then she worked full time. I worked part time. Went to work for a newspaper in Austin and worked there and so we—and then borrowed student loans. And so we came out with relatively light student loan and today I think—well you would laugh, but my total student debt was \$5,000. And I've heard stories like that's a semester or part of a semester or something like that. So I...but no, vocational rehab picked up the tab for a little bit but...but from the time...off-hand I was safe from the time I had my surgery, orthopedic surgery, when I was pre-teen. From then on I'm not aware of any, other than the vocational rehab, of any governmental assistance or foundation assistance or anything like that. Nothing comes to my mind.

The surgery, yes I remember I found out years later. My father was a very proud man. I can't imagine what I must have cost him. But we lived in Miami, Florida or outside Miami and he had to go to the Dave County judge and basically have the county pay for the surgery because he couldn't afford it. So what the county did was a welfare surgery and that, like I said he never told me that until years and years later, but that from then till now—vocational rehab picking up the tuition one semester or maybe one year and then the student loans—that's the only thing I can remember.

Tarrant

Okay and so you—so you worked for, as a, with the district attorney and during the 1980s?

Hester

<topic>Law career</topic>

Yeah actually when I got out of law school and got licensed in '71 and I heard a lot of no's then too, but I don't think, I don't have any reason to think it was my handicap. I just that I was not what they were looking for and didn't impress them enough. But I ended up hanging out my own shingle in '71. And then I was very fortunate that three lawyers were opening up a practice and they—I met them and we were using a couple of law libraries—they came to me and said, We're going into practice, new building, there'd be four offices, and there's only three of us you wanna be the fourth? And I said, "Well pretty good, what do you figure costs?" And they showed me the figures and I said, "Guys no, I'm not even making that kind of money working out of my house" And they made me the most incredible offer, said, "We understand we all remember, hadn't been that long ago when we started." And they said, "Here's what it's gonna cost per month for your share. How much do you need to take home to you know eat on?" And I figured it out and told them. They said, "Okay each month that much, first of that much you earn you keep, fifty percent of everything you earn above that goes towards your share of the expenses until you've paid your full share for the month. And then anything above that you keep. And month to month if you don't make your quota one month it's over with, you start over the next month." That's an incredible opportunity and so I took it and I went to work for them with them.

And then nine years later—eight years later—1980 one of the lawyers had gone to work for Tim Curry after Tim's... Were you raised here? I mean when you know this area?

Tarrant

No, I'm from East Texas.

Hester

Oh, okay. Tim Curry was the DA from 1972 until his death a couple years ago, three years ago I believe...et a record for tenure and...so they...my former associate came in recruited me, talked me into it literally, and hired me. And I started February of 1980 and I retired in on April Fool's day of 2002. So I'm nine years in private practice on my own and then twenty-two years with the DA's office.

Tarrant

That's pretty good.

Hester

And it was...it was good...in private practice I did like most lawyers did then, a variety of I...my love was criminal law; criminal law, divorce law, and general practice. I mean I did a bankruptcy. I'd never done bankruptcy before but one of the others in the office had. I did a real estate closing—well another one, you know this type of thing—cause back then we didn't...we weren't big on specialties. Now nearly every lawyer has a specialty of some kind. But nine-ten years of that and then like twenty-two years with the DA's office working a desk job every bit of it. I mean I was understanding it. When he recruited me he said, "Did you decide that you're not gonna be a Clarence Darrow and you ready to settle down behind a desk." And I said, "Yeah I'm not a trial lawyer."

<topic>Getting involved with United Cerebral Palsy and mentoring</topic>

Okay so he hired me to work in the intake section to review incoming cases and it was really more back to your, what...what your interview—I think it was after I, yeah, it was after I got licensed as a lawyer somewhere about 1974—I saw a PSA [Public Service Announcement] on TV for United Cerebral Palsy of Tarrant County. And I don't even remember all of it but it was typical fifteen-thirty second pitch; if you need services or you know somebody or you would like to volunteer whatever, contact us. I got to thinking, "You know what I'm a lawyer. If I could be around young CPs where they could look and say, You know what that guy ain't the brightest one in the world but he he's a lawyer; I can do what I want to do too." You know be a sort of...I...the term "model" is not quite right but something that they can see that yeah you could do it and so I went to UCP [United Cerebral Palsy] and volunteered.

Unfortunately they found, they put me on the board and found more use for me as a board member. And so I was—I'm some of their board of directors and then their later president of the board and as with most such groups after you're through being president you make chairman, you know. So I went through that cycle—United Cerebral Palsy Tarrant County appeared years ago was absorbed or melded with the Easter Seal so it doesn't exist as such anymore it's part of the Easter Seals. But I ended up on their board they felt like I was more use in the dog and pony show when we'd go to United Way for funding. I was always one of the trio that would go to United Way so yeah you'd—without ever saying a word, they could sorta say see he's one of them, you know, that kind of thing.

Tarrant

Like a poster boy?

Hester

Yes. Well the thing is it's funny because I have this but I have no idea where it is—before she died my mother gave me some pictures and stuff and one of them was the Easter Seal Miami Florida poster boy picture. But that's where I first started getting involved a little bit in disability field other than my personal involvement. There's a group called Helping Restore Ability here in Arlington. I don't know if you're familiar with them?

Tarrant

I'm not familiar with them.

Hester

<topic>Helping Restore Ability and John Dycus</topic>

Okay used to be known as HRA and before that they were Arlington Handicapped Association. I went to some of their meetings. I was not a founding member, never did serve on their board or anything, but they were they were founded by several people. John Dycus was one. John Dycus was a CP, little bit younger than I am, who worked for the *Star-Telegram* and more importantly taught at UTA for a number of years in the journalism department and the Shorthorn—

Tarrant

Well that's still there.

Hester

Yeah I would get phone calls at the DA's office periodically about where had been some crime on campus, "Mr. Hester, 'John Dycus said, Mr. Dycus said to call you; did it for information.'" But John Dycus is one. Another one named Sammy Provence and Sammy, I forget his problem, but he was on a respirator. And Sammy, don't remember what year he died, but Sandy...Sammy did not live to be an old man. But they were two of the founders of Arlington Handicapped Association, which is now HRA or Helping Restore Ability, which provides: personal attendants, grants, does variety of that type of work. But I served the UCP of Tarrant County and they sent me as a delegate to the state board; so I served on the UCP of Texas board and they had a shortage of CPs I guess because they elected me president and then I cycled through the chairman of that board. I am...I getting ahead of you?

Tarrant

No, you're doing fine.

Hester

<topic>Involvement in the Protection & Advocacy system, Disability Rights Inc., and the Arlington Mayor's Committee on People with Disabilities</topic>

I think I may be getting more to what you were wanting to know from the beginning. While I was—ok in 1975 Congress passed the, I can't remember the exact name, Advocacy and Protection Act—

Tarrant

The Developmental Disabilities and Bill of Rights [Act of 1975]?

Hester

It wasn't that particular unless the P&A [protection and advocacy] system was part of that. But then Congress mandated protection & advocacy organizations in every state and to operate—basically [clock on the wall ringing] independent state authority—and so I was on the UCP of Texas board at that time and when this advocacy P&A protection advocacy system started up they turned to, as they did in many states, turned to the state bar and said, "Well it's a legal thing so your lawyers set one up." So the state bar did and really—I mean they didn't run that they set it up—it was started...funneled the money to it and I was one of them that was appointed. I do not even recall the original guidelines...were representatives from UCP, epilepsy, autism, and Arc or what was then, I'm not even sure if it was called Association for Retarded Citizens or if it had an earlier name, but representatives of those four groups and then a certain numbers of lawyers et cetera. So I was appointed to serve on that, on the startup committee, I don't remember what you'd what you'd call those things but this startup committee. And then a year later when Advocacy Inc. was actually, which is now Disability Rights Inc. [now called Disability Rights Texas], when it started up a year later why I was on the first board and I served out a couple of terms on that board. And then somehow, and my years—I don't remember the years very well but somewhere after that—we could probably put it in the early 80s [1980s]. But anyway I was appointed to the DD council which was then the Texas Planning Council for developmental disabilities. They later changed the name because it said that it sounded like they were planning developmental disabilities, in fact I think I've got their changed name. But anyway I was appointed to that board and served on that board for a couple of terms and to...now the Texas Council on Developmental Disabilities is the today's name. And on both Advocacy and the DD Council I did not serve in any officer or leadership positions.

I guess far as formal, well, I meant of course after I retired, I got involved locally with the Arlington Mayor's Committee on People with Disabilities which is how I met Doctor Rose. She came and spoke to us and her...our chairman is big fan of hers (phone ringing) and in fact, well, her our chairman's daughter is a (J. Robert Hester, Jr. answering phone) sorry...well that's...that's yeah I do legally work but that doesn't, that's not disability related at all. So yeah I think the only regret, the only regret I have in the whole area, I got very little opportunity to try and serve as a role model. The CP young CPs, I'd say young, not necessarily the little kids, I was thinking more in the teens and high school-college age; they didn't know me, they never saw me, or ever seldom saw me. So I wouldn't able to serve in that role. And likewise I served on a number of boards and committees I hope I, I hope I contributed, but actually I regret that I can't point to any one thing and say I carried that bucket to the well; I, you know, I virtually single handedly accomplished this for

disability rights. No. Back in the, I'm digressing a little bit but back in the 70s (1970s), it's almost an aside; Sammy Provence was a fire raiser. He...he voiced his thoughts. For example he berated the city council in a couple of buildings back because the tours; he couldn't get in and out of the doors of the city council chamber to go to meetings. They ended up putting in electric doors, things like that I mean he made himself heard. I remember this fellow by the name Jim Hayes; you've probably heard the name—

Tarrant

I've heard of the name but I don't know too much.

Hester

<topic>Jim Hayes, the Movin' Mavs, and Sam Provence's disability rights work</topic>
Jim was coach of the UTA Movin' Mavs for a number of years. He was in the, what do they call it, handicapped students' association over there over in UTA?

Tarrant

I, I couldn't tell ya I'm I'm not involved with the...

Hester

Okay but anyway he worked in the, I know—and then he may well have founded the Movin' Mavs, I honestly can't recall, maybe he didn't know. But I remember one time the Arlington Police chief called and I don't remember if Coffee (?) called Jim...how we ended up...but anyway Jim and I wanted to talk to...Jim and I went in Arlington Police Department in the...not the building they're in now but the one before that. They were gonna add a second story and somehow Sammy had gotten wind of it and raised some hell because where was the elevator gonna be? And the city's side of the story was, and even now that I look back on it I have a little bit of suspicion, but anyway they said, "The building wasn't designed for two floors and therefore even though they could put a second floor on it wasn't designed, it wouldn't be able to handle an elevator." I just like I say, I now, I have so much suspicion about why not an outside elevator, you know. But nevertheless we were told they couldn't put it in an elevator.

So the chief agreed and Jim and I agreed that if they would give their personnel some sensitivity training, or whatever it was called back in those days, and—and devote an office on the ground floor. They would be reserved for when people came in—we were thinking of handicapped people but I think logically elderly would have been the same thing—that the desk officer would simply call up and say, "Detective there's someone down here to see you, should I put them in your office down here?" Hopefully being little bit subtle. Detective Jones would grab his file and meet them in that office. That was the game plan. I don't know how well it worked except a few years later when I was with the DA's office we used that office on weekends and it looked more like a store room than an office. I don't know how well it worked.

<topic>Ensuring access to handicapped parking</topic>

But Sammy...I used to relate it to back in the desegregation days when Huey Newton and the Black Panthers, I don't know if you know them but very radical groups, and I've always been in the opinion with all respect due respect to the reverend that people like that made

Martin Luther King look good because he was a man of moderation and peace and so forth. And these guys were hell raisers I mean some of them were ready to burn buildings—and I used to think that was somewhat the role that Sammy played with the rest of us. That he raised enough hell that those of us who were more moderate were able to get things done that we wouldn't have gotten done if Sammy hadn't raised hell first. If we'd gone in and said, chief you really ought to do something, I think the chief would have said, Well yeah goodbye. But Sammy raised hell like I say he got...well another thing he accomplished apparently—police calls are prioritized...one of the priorities, I think its four, but one of the lowest priorities is barking dogs. Understandably so, I mean you start off with burglary in progress or armed robbery and work your way down. You know barking dogs is pretty close to the bottom of the list. Parking in a handicap parking space was one priority above barking dogs, so it would have been if I remember my numbers, it would have been a priority three. Somewhere after Sammy died it went back down to being a priority four. So when you called the police to report someone parked in the handicapped space you can almost bet they will be gone before the police arrive cause its gotta be a really slow time for them to send a car out for that violation.

Think the Mayor's Committee has tried unsuccessfully to get a program going. The police were willing but just couldn't have civilian volunteers writing tickets for parking in a handicap space and we may try it again to see if we can get it off the ground—

Tarrant

So that's something you support?

Hester

Oh yeah, yeah the problem is—and I'm in the minority in that I see the police side of it—what you would do if you were? Okay if I was a volunteer I'd go down to the police station. I would check out the packet which would include the ticket book, some signs, and so forth. I'd have to go through training course, most of its common sense things like if you see the driver coming leave, don't get into an argument, don't try and hand him the ticket, if you got the ticket put on there great if you didn't too bad but back off. Just mostly common sense things but also a little bit what the law really is. So I would go through the course and then I'd go down and say, "Okay I'm gonna do it." I would sign this packet and I'll package out for two to four hours, I can't remember, and tell them where I'm going, "I'm going to the Kroger parking lot at Norwood and Bowe"; which not big enough but that's an example where there's a lot of abuse. And that way they know that they get a call of a disturbance and it smacks of that then they know what's the start of it.

The problem is the volunteers wanted to basically keep the packet with them, or the package, and write the ticket when they saw such an occurrence. You could see think for yourself on the way back to your dorm or your campus. You go by and you start to go by 7-11 and there you'll see a non-handicapped vehicle parked there, no sticker, no tags, you write tickets. That was what they wanted and the police objected for several reasons...almost like having—they would have no control—almost be like vigilantes running around. In case of trouble the police would know that I was there trying to write a ticket and so forth. My sympathies are with the police on that particular one but that's why the programs never gotten off the ground. We'll try again probably next year; see if they wouldn't figure out a way to make it work.

Tarrant

Are there any other, well let's just say what other things do you think Arlington needs to do?

Hester

<topic>*Frame v. Arlington* case</topic>

I wanted about ten years ago, when I got involved with the Mayor's Committee, I wanted to write—actually made a few notes—I wanted to write an article and publish it in some disability magazine, "Arlington the Least Wheelchair Friendly City in America," which is not true it would have been an exaggeration.

But the *Frame v. Arlington* lawsuit, I don't know if you're familiar with that, it dragged on for forty-six years. And Richard Frame and then some others sued the city of Arlington on accessibility, primarily sidewalk curb cut, that type accessibility—they threw in a few—this handicap parking lot—pardon me this parking lot doesn't have enough handicap spaces and few things. But main thing—for example he would come out of the hospital (clock on the wall ringing) over off of Mayfield I believe it is and Matlock and when he was going anywhere to the—away from the hospital grounds west—the sidewalk was torn up. I mean just damaged. And he would have to sooner or later either go across...go out on the grass and risk getting stuck, go across the broken sidewalk and risk getting stuck, or go out in the street and risk getting run over. There were a number of places like that. There were places where the telephone utility poles were in the middle of the sidewalk. Arlington finally got smart and if they couldn't move the pole they built sidewalk curbing around the pole.

But so Frame filed this lawsuit and it went up and down and around, lasted for several years, and eventually it was settled. I think it was settled when the Fifth Circuit sent it back to the trial court with instructions this is how you try the case. And I think at that point my personal opinion is the city said, "Damn that gun's pointed at our heads now." So the city settled and agreed to do a good bit of work and if you go and look in some places...while I don't know that they would admit it's a result of Frame's lawsuit but—where is Matlock? South Matlock is last one of them—but anyway they're tearing up curbs and putting in curb cuts for wheelchair access. But that's one of the things that Arlington badly needed.

A...I think and it's not a disability issue necessarily but I think mass transit is something Arlington could definitely use.

Tarrant

<topic>Handitran</topic>

Like a those...

Hester

Buses.

Tarrant

. . . those special buses.

Hester

Buses, well we have a para-transit it's called Handitran—I don't know if you've seen the red and white—reminds me in some ways of the I think the UTA—isn't there a UTA shuttle or something? And Handitran runs a fleet of ten or twenty, I don't remember, buses; all of them equipped with wheelchair lifts. And because of their funding sources which are federal, state, and local and the little bit of passenger revenue, not much; they can't expand it under those grants and guidelines. And apparently if they tried to expand it and move into the bigger category they would be competing with all the big cities and the city would have to put up some—I understand real heavy dollars—so we're stuck with a very functional but limited size and no room for growth transit system.

Other things Arlington is—okay example—these sound so petty but the city hall which I don't remember the year was built but it would've been in the 80s [1980s] and the the restrooms—and they modified them—putting grab bars and so forth to try and make them handicapped accessible. But the bathrooms are what were built then. I went through a couple of them with specialists. What do they call them? Said, "Professional engineers that are certified didn't certify drawings of plans and buildings as yes they meet the guidelines under ADA and so forth." And he agreed said—now these bathrooms, for example, my wheelchair I could get into one stall, a public bathroom, one stall in city hall. But I couldn't get all the way up to the toilet and that's all I could do is just head into the toilet. Well I don't know if you notice handicapped accessible bathrooms. There's room always room beside the toilet because most paraplegics with spinal cord injuries they would move one arm from the manual chair, grab the bar over on the far side of the toilet, and laterally transfer onto the toilet. None of the bathrooms had anywhere near that kind of room. That kind of thing—well this is city hall—about two to three years ago they did some remodeling and they redid the men's and women's room. I talked with some of the women. They said, Yeah it's the same. The men's room has plenty of room, good sized toilet stall, booth, and so forth. But here we are twenty years after the ADA. The library last time I was in it couldn't use the bathroom in a wheelchair. You got your phone ringing or...

Tarrant

No, I was just checking it.

Hester

. . . yeah go ahead. You wanna take a bathroom break or anything?

Tarrant

Oh no I'm fine.

Hester

<topic>Access and accommodations in the Boy Scouts</topic>

Um, let's see here, [J. Robert Hester, Jr. checking notes] oh yeah I got in fact growing up as a CP—I had forgotten something and that is I was in the Boy Scouts. So I'm in the Boy

Scouts and then went on to fourteen explorers. I had the most accommodating scoutmaster and explorer advisor. I was wearing braces, hip to ankle braces, leg braces. When we'd go out camping back in the Everglades there's some walking involved. You couldn't just drive right—there wasn't a Boy Scout camp just drive the car right up there. The scout master explorer advisor, and I remember the advisor particularly was a marine old marine sergeant, would pack on their back with these metal braces on their sides. I mean they had to have gone home with bruised ribs and never heard a word from them. But they did their own accommodations. And when I was working my way up like every Boy Scout or most of them I wanted to make eagle. One of the badges, first or second class I believe first class, have to do a five-mile hike. That wasn't possible. So the scout master or explorer advisor, I think yeah it would have been scout master, contacted district headquarters to see what waiver, and their answer was "Yes, we'd give him a waiver, give him a cooking merit badge or something you know some requirements instead; but that will then bar him from making Eagle. If he doesn't do the hike and get first class that way he can't won't be eligible to make Eagle." Well I've always sorta felt like don't burn any bridges behind ya. So I balked at that and the scout leader agreed with me. And what he did when we'd go out camping is he would stake out what he claimed was a quarter a mile, I got doubts. I don't know but the scout leader wouldn't lie, but anyway he would stake out that much. Ok hit the trail. I'd get out my crutches, walk to the end of that stretch, walk back, and do that however many times I could on that campout. He'd make note of it. Next month when we went out camping he'd stake out another section, start walking. Finally after couple of months he said, "You've done your five mile hike," and sign off. He sure the devil didn't tell scout headquarters (Zachary Tarrant laughing) I had taken two months to do it. But he did it. He did that accommodation.

And interestingly or not I never did go for Eagle. I married the wife um—we moved to Texas. I was fifteen going on sixteen and became I don't know I think junior citizen scout master, something like that, and I discovered girls. I decided I'd rather scout out girls than be a boy scout so that ended my scouting career. But yeah there was another example of accommodation that someone just did on their own. The scouts I'm sure they have procedures now they got to but back then that was the best they could offer with like I said do the requirements of the cooking merit badge. Yeah anything else?

Tarrant

No I...

Hester

I realize that I've wondered way away from you're your questions, I've got into a narrative.

Tarrant

No you've answered all of them. Well I appreciate your time and for participating in the University Oral History Program.

Hester

I hope it helps. Maybe every little bit helps someone or somewhere.

End of interview