



NEW WORLD

For Persons with disAbilities

July 2015

Californians for DisAbility Rights, Inc.

ADA Fest Edition

PRESIDENT'S MESSAGE

By Susan Chandler

The ADA was passed 25 years ago on July 26th!! What have we gotten from this historic legislation that granted the largest minority in the world their **Civil Rights**? We have gotten lots of awareness about people with disabilities (PWD) from the general public. It has also gotten us lots of disdain from those in power who **say** that they care about PWD, but show that they don't give a damn by their actions. Governments - federal, state, and local continue to disregard the laws they pass on our behalf. Architects, builders, inspectors and businesses continue to disregard the very basic access laws, regulations and standards that we helped set and that would so easily make a difference in so many people's lives!!

When my husband was in Architecture school, had his accident, and then returned, one of his professors commented that "We do not have disabled architects". That tells me that we know where some of these attitudes come from! Fortunately, his dean wrote him a letter welcoming him back any time he was ready!

This disregard has the same effect as flying the confederate flag or calling a person of color the "n" word. This allows many to refuse to think of people of color as human beings worthy of respect and keeps fueling their Jim Crow thinking which keeps racism alive. The same thing happens when people use the "R" word and other derogatory words about people with disabilities. Ignoring the SIMPLE rules of the game to make the BUILT ENVIRONMENT ACCESSIBLE has the same effect! What most people do not get is that, for almost all of us, we will have a permanent or temporary disabling life event or have a close family or friend who will. Some of us are born disabled, some instantly become disabled, and others slowly become disabled from diseases; no matter how it happens, we all experience similar access problems in our environments.

As I read HolLynn D'Lil's book "**Becoming Real in 24 Days**", it brings home the extent of the discrimination that one experiences as a person with a disability as soon as they become disabled! I know

(Cont'd on page 4)

"NO" ON SB 251

SB 251 is a Notice and Right to Cure Bill

By Susan Chandler, HolLynn D'Lil & Tony Goldsmith

"This bill creates a slippery slope..." testified HolLynn D'Lil, on July 7 at the Assembly Judiciary hearing. She continued "...opening the door with this bill to create more circumstances and making discrimination okay for future bills that will add on to this bill's list of "non-damaging" access code violations. Access laws have been around for decades and there is no excuse for noncompliance. I am against the ingrained bigotry society has against PWD that we all face every day."

CDR's position was an "oppose unless amended, with a reservation of concern." However, this position, which was in line with (but more negative) than the oppose unless amended positions of the ACLU, DRC, and CFILC was still conditioned upon Sen. Roth's acceptance of all the amendments proposed by the Assembly Judiciary Committee. CDR Legislative Committee member Ruthee Goldkorn noted that our position was not a "support" position and is more negative than a purely "neutral" position. Tony Goldsmith, Ruthee and the CDR Legislative committee had worked diligently with DRC, CFILC, and ACLU to try to make this bill less dangerous for people with disabilities. They worked in conjunction with other stakeholders and the hard working Assembly Judiciary staff

HolLynn, who opposed the Bill regardless of whether it was amended, continued with her testimony stating that she felt that "someone from our community had to say the TRUTH -- when prejudice and discrimination is experienced, under any circumstance, vital and deep damage is inflicted. PERIOD!

We believe that "minor matters", etc. treats people with disabilities differently than other protected classes. NO other protected classes face these additional procedural barriers. The reality is that no matter how narrowed the circumstances, the bill will codify that it is "okay" to discriminate against PWD. This law will ruin and destroy California disability civil rights laws!"

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Californians for DisAbility
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www.disAbilityrights-cdr.org

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**CDR's Mission - To Improve the
Quality of Life for All Persons with
any DisAbility Through Education
and Training - By Working to
Remove Barriers Through Advocacy
and Change in Public Policy.**

Originally organized in 1970 as CAPH (the California Association of the Physically Handicapped) --with five members, CDR has grown to become an effective and widely respected cross-disAbility advocacy force.

SHARE YOUR ACCESS' STAND STORY

By Kathleen Barajas

This is a follow up to the article I wrote for the last New World regarding Access Stands. For those of you who did not read it, here is a brief recap.

On two different occasions, I got stranded by Access Services at Cal State Long Beach. Both times it was due to Access' drivers not knowing where their own pick-up stands are.

After the first incident, I addressed this issue with Access. They assured me that they would look into this issue and address it with their drivers to avoid a repeat of my situation. When I told them that I would be at CSULB again in May and would need a ride home, they assured me that they would go to extra lengths to make sure all would go well.

Thankfully I had a backup plan of bus and train, in case I would get stranded again, and unfortunately I did. I was told that Access had even instructed the driver not to leave without me; if only he had gone to the correct Access Stand, I would not have been stranded a second time. To make matters worse, both times I was at an Access Stand which is a major bus stop on campus, thus this stand should have been very easy to find.

After my second incident, I met with the General Manager of Global Paratransit, which is Access' provider in the southern region. We went over the details of the latest incident, and the GM discussed how he planned to make this a major topic in their summer training for their drivers. He also said that when I use Access again, which is very rare, he would offer me the ability to text someone in Customer Service, should I encounter any issue with Access.

The GM also offered to allow me to collect stories about Access Stands and related issues from the disability community. A good friend of mine just had a related incident at LAX, and got left stranded because, again, the driver had no idea where the Access Stand was. Shame on Access for not training their drivers better, and/or for not developing a better way to get the exact location of the Access Stand to their drivers.

If you have experienced an issue with Access Stands, please share your story with me at kdbarajas@aol.com, and I will forward it on to my contact. Access Stands were meant to be designated pick-up locations for large campuses, however if Access drivers do not have a clue of where they are located, these Stands are serving absolutely NO purpose, and are actually a detriment to Access riders.

SOCIAL MEDIA – ARE YOU SAVVY?

CDR's Facebook page, **IHSS CONSUMER'S UNION 2**, has helped a lot with people with issues regarding In Home Supportive Services. **Nancy B. Kennedy** has been the driving force of this group since it started a few years ago. She reports that there are over 1800 members on the site. Issues range from hours assigned to late payments, dealing with unions, helping people keep out of nursing homes, etc. Please visit the site at:

www.facebook.com/groups/IHSSConsumersUnion2/ to join. Keep reading the posts and adding comments and helping out with information if you can. Thank you, Susan and Nancy.

(Nancy's email is nancybkennedy@aol.com).

SB 128 HELD BACK

By Susan Chandler

Just today the CA legislature has held back the Death with dignity bill. Even though CDR did not take a position on it this time, many other people expressed their opposition to it so it had been put to bed for this year!

"NO" ON SB 251 (Cont.)

In its current form, the bill would create excuses for building and business owners to put off dealing with so-called "technical violations" which, though limited in number, might still impact people with disabilities. Our community is under assault by business lobbyists and the Legislature. Though **all the disability rights lawsuits comprise only a fraction of 1% of the litigation in California**, we are attacked over and over again as the cause of a "**litigation crisis**"! No other protected classes face limitations of their rights and remedies when their civil rights are violated.

Roth, a democrat, refused to accept the amendments! After about an hour the judge tabled the hearing until July 14 and said he would have a talk with the Senator.

WE HAVE A WEEK TO MAKE CALLS TO MARK STONE, (D-29) at (916) 319-2029. Please thank him for his help with trying to protect our rights.

Despite the intense opposition by all disability rights groups SB 251 has already passed through the Senate Judiciary Committee and the entire State Senate unopposed! We had 9 people testify against the bill, we need many more to come on the 14th, please try to come to Sac.

He cannot override his Committee if they decide to pass SB 251, without amendments to make the law less dangerous. So, you also need to call other members of the Committee and remind them that they if they pass this bill (as well as your own legislators) they are taking a sledgehammer to the rights of people with disabilities! We want them to know that the attacks on our community need to stop. Just because business lobbyists and the news media say we are in a "litigation crisis" does not make that lie true.

Please ask everyone you know, family and friends, to make the calls and just simply say **please oppose SB 251!**

The judiciary committee members can be found at: <http://ajud.assembly.ca.gov/membersstaff>.

IHSS 7% RESTORED!

By Ruthee Goldkorn

You did it! WE did it!!! Advocacy, activism, united in our call for the Governor to keep his promises.

Thank you everyone for your tireless efforts, never giving up, never just calling it in and showing up time after time after time in social media and in person when able to. People with disAbilities carry each other and we stand on each other's shoulders. We know that we stand on the shoulders of giants and the legacy of our foremothers and forefathers whose tireless work gave us our right to live free and equal.

It is Official! The California Department of Social Services has recently posted the following document(s) on its Internet website: www.cdss.ca.gov/lettersnotices/entres/getinfo/acl/2015/15-57.pdf.

Restoration Of The Seven Percent Reduction In IHSS Program Recipients' Authorized Service Hours Pursuant To Senate Bill (SB) 97: www.dss.cahwnet.gov/lettersnotices/default.htm.



DRA
DISABILITY RIGHTS ADVOCATES
A non-profit corporation

**Striving to ensure dignity,
equality, and opportunity for
all people with disabilities**

DRA represents groups of individuals with the full spectrum of disabilities in complex, system-change class-action cases to advance equal rights and opportunities for people with disabilities nationwide.

www.dralegal.org

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C/O Kathleen Barajas

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RETURN SERVICE REQUESTED

If you would like this newsletter in Word or PDF format, please contact Kathleen Barajas at kdbarajas@aol.com

PRESIDENT'S MESSAGE (Cont'd.)

there are many times that I have not been included or invited places because I use a wheelchair. It makes me sad.

If you think about it, **with just a few simple, easy, inexpensive design changes**, houses can be built universally visitable. This can make it so that anyone who uses a wheelchair can visit now and the home can be converted if needed in the future. What a concept I love it!

As for businesses and government buildings, I find most of the newer ones are pretty good, but there are still those architects and designers who put stairs at the main entrance forcing us wheelchair users to scratch our heads to try to figure out how to get to the front door. Sometimes there are huge, tall, too-heavy doors to try to open, huh? Or the polling place at a model home garage that had a concrete curb in front of the opening! Or model a home with a 4-1/4" step to get into it? What were they thinking? They were not and the neither were the inspectors. What are we to do? There needs to be a paradigm shift in **EVERYONE's** thinking.

On top of all this, the California legislature keeps trying to push the "right to cure bills" in addition to 90 day notification bills. This is all because the businesses do not want to be punished by access lawsuits because of refusal by all to follow the access laws! The authors of SB 1521 (Roth) and SB 52 are both pushing their agenda to get these bills passed. The newly elected representatives of **YOU & I**, PWD's and Seniors, keep trying to make it more and more difficult for PWD's, especially wheelchair users, to function in society. WE need to keep telling them that the problem is that existing laws and

standards are not being enforced by architects, builders, and inspectors, and that this is the main problem, **not the lawsuits!**

JOIN OR RENEW WITH CDR TODAY!!!

Become a member of California's oldest and largest membership organization of persons with disabilities!

Membership applications can be done online at: www.disabilityrights-cdr.org/memberform_elec.html

*Payments can be made via PayPal or mail.

For more information, contact Kathleen at kdbarajas@aol.com.

ADA 25th Anniversary Celebration with Paul Longmore Institute

Sunday, July 26th - 9:00 AM - 9:00 PM
Reception from 2:00 - 4:00 PM

At the Ed Roberts Campus, 3075 Adeline, Suite 220, Berkeley, CA 94703.

Exhibit runs for 6 months

For more information, call 510.225.6300 or send an email to info@edrobertscampus.org.