



Advocating for  
disability civil rights  
since 1979

March 10, 2009

**Via Fax: 617-727-9725**

The Honorable Deval Patrick  
Governor of Massachusetts  
Boston, MA 02133

**Re: Policy Forgoing Disability Access Reviews for Stimulus Projects**

Dear Governor Patrick:

The Disability Rights Education and Defense Fund (DREDF) strongly opposes the Massachusetts proposal to halt accessibility reviews for construction projects that the state plans to undertake using federal stimulus funds. While we appreciate and understand the need to launch construction projects quickly, the State of Massachusetts is not free to ignore federal disability rights laws such as the Americans with Disabilities Act and Section 504 of the 1973 Rehabilitation Act that require accessibility when federal funds are involved or when the project is undertaken by state or local authorities.

We oppose the proposed policy because we know that these laws are not self-executing. In particular, the accessibility requirements for new construction and alteration of existing facilities require monitoring, review and oversight in order to ensure that the promise of accessibility is realized when the projects are completed. By waiving accessibility reviews, buildings and facilities will inevitably be constructed with barriers that will prevent people with disabilities from entering or utilizing the facility and that will be costly to remove later.

Moreover, this proposal is especially disheartening in light of your civil rights track record on behalf of people with disabilities with the US Department of Justice and in Massachusetts. Perhaps what is most disturbing about the proposal is the specter of inaccessible buildings and facilities being constructed in 2009 with the full force of state approval, thus sending the message to the disability community both in Massachusetts and around the country that hard won disability civil rights gains over the past three decades are expendable.

The United States has shown the world that accessibility is both possible and practicable. The proposed policy of halting accessibility reviews would begin a reversal of that historic record. We therefore ask you to withdraw this proposal.

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**DISABILITY RIGHTS EDUCATION & DEFENSE FUND**

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Governor Deval Patrick  
March 10, 2009  
Page 2

Founded and managed by people with disabilities, DREDF is a national disability rights law and policy center dedicated to strengthening and protecting the civil and human rights of people with disabilities. For three decades, DREDF has promoted the equal and full integration of people with disabilities into the mainstream of community life through training, technical assistance, policy monitoring and development, advocacy, and litigation.

We look forward to your reply.

Sincerely,

A handwritten signature in blue ink that reads "Susan R. Henderson" followed by a horizontal line.

Susan Henderson  
Executive Director

cc: Kareem Dale, Special Assistant to the President for Disability Policy  
Bill Henning, BCIL  
Paul Spooner, MWCIL