

May 3, 2012

The Honorable Noreen Evans
Chair, California Senate Judiciary Committee
California State Capitol Building
1303 10th Street, Room 2187
Sacramento, CA 95814

Via Facsimile (916) 445-8390

RE: **DREDF Opposition to SB 1186 (Dutton & Steinberg)(2012)**

Dear Senator Evans and Members of the Committee

On behalf of the Disability Rights Education & Defense Fund, Inc. (DREDF), I write in opposition to SB 1186 which is scheduled to be heard in the Senate Judiciary Committee on May 8, 2012.

Headquartered in Berkeley, DREDF has been dedicated to protecting and advancing the civil rights of people with disabilities and parents of children with disabilities since our founding in 1979. For over two decades, DREDF has received funding from the California Legal Services Trust Fund (IOLTA) Program as a Support Center providing consultation, information, training and representation services to front-line legal aid offices throughout the state as to disability civil rights issues. DREDF is nationally recognized for our expertise in the interpretation of federal and California disabilities rights laws; and over three decades, we have become intimately familiar with issues related to the implementation of these important civil rights protections.

California civil rights law and policy has long favored the full integration and inclusion of all Californians in all aspects of the civic and economic life of the state. In accord with this foundational vision, the Legislature has recognized the civil rights entitlements of people with disabilities to full and equal access to places of public accommodation and other businesses to which the general public is invited. These statutory provisions are appropriately modeled on similar critical protections offered to other minority and diversity communities. Any potential amendments to disability rights laws must be carefully evaluated in light of our cherished civil rights history and goals.

The SB 1186 proposal for a 30 day “notice” requirement imposes additional procedural requirements on people with disabilities that are in conflict with California’s highest and best traditions of civil rights protection. While SB 1186 purports to address and remedy legitimate business concerns, it nevertheless circumvents the California Commission on Disability Access (CCDA), which must be a part of any thoughtful consideration of relevant issues.

Based on many years of careful and nuanced consideration, the Legislature has established a current law structure that contains the minimum standards needed to provide full and equal access to Californians with disabilities. This structure includes appropriately balanced rights, defenses and remedies that would be compromised by the new provisions detailed in SB 1186. We strongly urge your opposition to this bill.

Sincerely,



Linda D. Kilb, Esq.
Director, DREDF California Legal Services Support Center Program