



25 Years After ADA Passes, Thousands of Seattle Curbs Still Inaccessible

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SEATTLE – A class action lawsuit filed today in the United States District Court for the Western District of Washington alleges that the City of Seattle has failed to comply with the Americans with Disabilities Act, Rehabilitation Act and state law, which require the City to provide people with mobility disabilities full and equal access to Seattle’s pedestrian right of way through a system of usable and accessible curb ramps. People with disabilities are the largest minority group in the country; census figures estimate that 56.7 million, or 1 in 5, Americans has a disability. Many of those individuals use wheelchairs, walkers, scooters, or other mobility devices to get around. Missing, broken or poorly maintained curb ramps, however, prevent people with mobility disabilities from using city sidewalks, crosswalks and other walkways to participate in daily activities.

“I was born just a couple years before the ADA was passed,” said Conrad Reynoldson, one of the plaintiffs bringing the case. “I grew up being told I could live in an inclusive community, but there are public places I cannot safely go because they don’t have curb ramps.”

David Whedbee, another plaintiff, explains "the problem with the lack of curb cuts, or their current orientation, is that I have to swing out into lanes of on-coming bus and car traffic to make it up or down the sidewalk where I frequently travel on my way to work and other places downtown. You should try that in an office chair and see how safe you feel."

“A lot of attention is being paid to making Seattle more walkable, but not enough has been put into making it more roll-able” said David Carlson Director of Legal Advocacy for Disability Rights Washington. “As a cyclist and parent who uses a stroller, I certainly know how convenient it is to have proper curb ramps. However, for people with disabilities, this isn’t a matter of convenience. It is a matter of basic civil rights to safely and equally access one’s community.” “Federal and state disability access laws were enacted to provide persons with disabilities an equal opportunity to fully participate in civic life,” said Linda Dardarian attorney with Goldstein,

Borgen, Dardarian & Ho. “The ADA and the Rehabilitation Act have long required cities to install and maintain accessible curb ramps to ensure that people with disabilities can travel independently throughout their communities. Before these federal laws, Washington law also required installation of curb ramps at intersections and crosswalks as early as 1973.”

Seattle is required by law to provide compliant curb ramps in places where they are necessary to make public parks, public buildings and other public programs accessible to people with disabilities, to install compliant curb ramps when it puts in new roads or repaves or alters existing roads, and to maintain existing curb ramps in useable condition. Plaintiffs allege that numerous corners around Seattle are in violation of these requirements.

“There are thousands of curbs throughout the City that do not have ramps. This is an urgent problem for the City’s residents and visitors with disabilities,” said Timothy Fox co-founder of the Civil Rights Education and Enforcement Center. “The proposed transportation levy shows that the City is paying attention to the need to fix its infrastructure, and we are hopeful the City will come around to developing a plan to address the lack of curb ramps. But we cannot justify continuing to wait for such a day to come, given it has already been over a quarter of a century since the ADA was passed to address this issue.”

About Goldstein, Borgen, Dardarian & Ho

GBDH is one of the oldest and most successful plaintiffs’ public interest class action law firms in the country. GBDH represents individuals against large companies and public entities in complex, class and collective action lawsuits in the firm’s three primary practice areas: employment discrimination, wage and hour violations, and disability access, as well as in other public interest areas. The firm is in Oakland, California, and has a national practice, litigating cases in federal and state courts throughout the United States. To read more about GBDH, visit: www.gbdhlegal.com

About the Civil Rights Education and Enforcement Center

CREEC is a nonprofit organization based in Denver that has the goal of ensuring that everyone can fully and independently participate in our nation’s civic life without discrimination based on race, gender, disability, religion, national origin, sexual orientation, or gender identity. CREEC attorneys have successfully litigated numerous class actions brought under state and federal disability rights laws, including actions addressing private and public transportation services, provision of Medicaid benefits, stadium accessibility, and accessibility of services to deaf and blind individuals. To learn more about CREEC, visit: www.creeclaw.org

About Disability Rights Washington

DRW is a private non-profit organization with offices in Seattle and Spokane that protects the rights of people with disabilities across Washington. DRW works to pursue justice on matters related to human and legal rights. DRW provides free services to people with disabilities to promote its mission to advance the dignity, equality, and self-determination of people with disabilities. To learn more about DRW, visit: www.disabilityrightswa.org