



STATE OF CONNECTICUT

OFFICE OF PROTECTION AND ADVOCACY FOR
PERSONS WITH DISABILITIES
60B WESTON STREET, HARTFORD, CT 06120-1551

Testimony of the Office of Protection and Advocacy for Persons with Disabilities
For the Task Force to Study Converting Legislative Documents

Submitted by James McGaughey
Executive Director
November 18, 2010

Good afternoon and thank you for considering these comments. Due to a prior commitment I am not able to attend the Task Force's public hearing today. However, I want to make you aware of our Office's concerns.

The Americans with Disabilities Act requires government programs, services and activities to be accessible to people with disabilities. This would include people who are deaf or hard of hearing being able to benefit from reviewing the public record of legislative public hearings. It is difficult to conceive of how a person who is deaf or hard of hearing can access the public hearing record via MP3 audio files.

In addition to the record of public hearings, I urge the Task Force to make concrete recommendations to address the needs of people with disabilities to be able to access all legislative documents. For example, people who are blind or have low vision should be able to request legislative documents in alternative format—such as Braille or large print.

According to the United States Department of Justice, Americans with Disabilities Act website (www.ada.gov):

ADA Title II: State and Local Government Activities

Title II covers all activities of State and local governments regardless of the government entity's size or receipt of Federal funding. Title II requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (e.g. public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings). (www.ada.gov/cguide.htm#anchor62335 retrieved 11/17/2010)

ADA Information Line

The U.S. Department of Justice provides information about the Americans with Disabilities Act (ADA) through a toll-free ADA Information Line. This service permits businesses, State and local governments, or others to call and ask questions about general or specific ADA requirements including questions about the ADA Standards for Accessible Design.

ADA specialists are available Monday through Friday from 9:30 AM until 5:30 PM (Eastern Time) except on Thursday when the hours are 12:30 PM until 5:30 PM.

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State and local governments are required to follow specific architectural standards in the new construction and alteration of their buildings. They also must relocate programs or otherwise provide access in inaccessible older buildings, and communicate effectively with people who have hearing, vision, or speech disabilities. Public entities are not required to take actions that would result in undue financial and administrative burdens. They are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided.

Complaints of title II violations may be filed with the Department of Justice within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the Department. The Department may bring a lawsuit where it has investigated a matter and has been unable to resolve violations. For more information, contact:

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Disability Rights Section - NYAV
Washington, D.C. 20530

www.ada.gov

(800) 514-0301 (voice)
(800) 514-0383 (TTY)

Title II may also be enforced through private lawsuits in Federal court. It is not necessary to file a complaint with the Department of Justice (DOJ) or any other Federal agency, or to receive a "right-to-sue" letter, before going to court.

(<http://www.ada.gov/cguide.htm#anchor62335> / www.ADA.gov)