



For Immediate Release

Contacts:

Christine Chuang, Senior Staff Attorney

Disability Rights Advocates

cchuang@dralegal.org

(510) 529-3457

Dan Brown, Sheppard Mullin Richter & Hampton LLP

dlbrown@sheppardmullin.com

(212) 634-3095

Sid Wolinsky, Director of Litigation

Disability Rights Advocates

swolinsky@dralegal.org

(510) 665-8644

Susan Dooha, Executive Director, CIDNY

sdooha@cidny.org

(646) 442-4163

NEW YORK CITY AND DISABILITY ADVOCATES REACH HISTORIC AGREEMENT PROVIDING FOR COMPREHENSIVE IMPROVEMENTS TO NEW YORK CITY'S DISASTER PLANNING

New York, NY – As the two year anniversary of Hurricane Sandy approaches, disability rights advocacy groups and the City of New York announced the settlement today of a longstanding federal class action that will result in the most comprehensive disaster plan in the country. The historic plan includes City disaster preparedness enhancements aimed at improving the lives and safety of nearly 900,000 New Yorkers with disabilities. Read the full agreement at www.dralegal.org.

The lawsuit was brought by Disability Rights Advocates, a non-profit legal center specializing in impact litigation on behalf of people with disabilities, and Sheppard Mullin Richter & Hampton LLP, which together represented Brooklyn Center for Independence of the Disabled (BCID), Center for Independence of the Disabled, New York (CIDNY), Gregory D. Bell, and Tania Morales on behalf of all New Yorkers with disabilities.

The settlement was reached in response to a 119-page ruling by Judge Jesse M. Furman issued on November 7, 2013 that found the City failed to provide people with disabilities meaningful access to its emergency preparedness programs and services.

The agreement includes the following:

- **Shelters:** By September 2017, the City will have a minimum of 60 accessible emergency shelters to accommodate approximately 120,000 people with disabilities.
- **Disability Coordinator:** The City will hire a Disability and Access and Functional Needs Coordinator to ensure that the City's emergency plans meet the needs of people with disabilities.
- **Canvassing:** By August 2017, the City will have a fully operational Post-Emergency Canvassing Operation where canvassers go door-to-door after a disaster to assess needs and request critical resources for people with disabilities (e.g., food, water, electricity, medical care,

and medical equipment).

- **Transportation:** By August 2017, the City will develop revised and improved accessible transportation plans through an inventory and analysis of its transportation assets and by fostering partnerships with transportation providers. The City will also develop plans for the effective deployment of accessible vehicles during emergencies.
- **Evacuation Task Force:** A High Rise Building Evacuation Task Force will be assembled consisting of subject matter experts and representatives from City agencies and disability organizations. The task force will create and implement a high rise evacuation plan by September 2018.
- **Disability Community Advisory Panel:** The City will establish a panel to gather expertise and feedback from the disability community.

Susan Dooha, Executive Director of CIDNY, commented: “Nearly 25 years after passage of the Americans with Disabilities Act, we have achieved a landmark decision to end exclusion of people with disabilities from the planning for emergencies and disasters. Finally, New Yorkers with disabilities will be able to evacuate to accessible shelters. They will get timely, appropriate information in ways they can use. No one will be left on the side of the road because of a lack of accessible transportation. We look forward to working with the Mayor and the City’s agencies to take these agreements from the page to the real world.”

Joan Peters, Executive Director of BCID, commented: “We are very pleased that the City has collaborated with the disability community to develop this comprehensive plan, which includes access to the shelter system, accessible transportation, and assistance with evacuation from high rise buildings. This agreement recognizes that all New Yorkers should benefit from the City’s disaster planning.”

Christine Chuang, Senior Staff Attorney at DRA, said: “This case was about saving the lives of New Yorkers with disabilities. As a result of this agreement, New York City will now have one of the most integrated emergency plans in the country. Most importantly, the lives and safety of New Yorkers with disabilities will no longer be put unnecessarily at risk during disasters.”

Dan Brown of Sheppard Mullin commented: “Judge Furman’s detailed and thoughtful decision provided a roadmap for the parties to reach this agreement on comprehensive emergency plans that will protect the lives and safety of hundreds of thousands of our most vulnerable citizens before, during, and after emergencies.”

This action comes on the heels of other successful emergency planning cases litigated by DRA in Los Angeles, Oakland, and Richmond, CA as part of DRA’s National Emergency Preparedness Initiative, which strives to change the face of disaster planning to incorporate the needs of people with disabilities nationwide. DRA recently filed a lawsuit against the District of Columbia for its failure to adequately plan for the needs of people with disabilities in its emergency planning. For more information, please see www.drlegal.org.