



## **NEWS RELEASE** **FOR IMMEDIATE RELEASE**

**November 9, 2011**

### **CONTACTS:**

**Mary-Lee Kimber Smith, Disability Rights Advocates – 510-665-8644**

**Shawna Parks, Disability Rights Legal Center – 213-736-1477**

**Paula Pearlman, Disability Rights Legal Center—213 736-8362**

**Joseph Sorrentino, Disability Rights Legal Center – 213-736-8307**

### **CITY OF LOS ANGELES ORDERED TO HIRE EXPERTS** **TO REVISE EMERGENCY PLANS TO ADDRESS** **NEEDS OF PEOPLE WITH DISABILITIES**

LOS ANGELES –Today, a federal judge ordered the City of Los Angeles to hire independent experts to review and revise the City’s emergency plans to address the safety of people with disabilities. The City must complete review and revision of all emergency plans within three years, and provide bi-annual reports on its progress. Although the Court allowed for the three years to *complete* the process, the Court further ordered that “the City begin this review and revision without delay, and that it proceed as expeditiously as possible in this process.”

The injunction follows an order issued by Judge Consuelo Marshall in February 2011 in the class action lawsuit *CALIF. et al. v. City of Los Angeles et al*, brought on behalf of all people with disabilities in Los Angeles. See Case No. Cv-09-0287 CBM (RZx). In her February 2011 decision, Judge Marshall held that the City of Los Angeles violated the Americans with Disabilities Act by failing to meet the needs of its residents with disabilities in planning for disasters, and granted the plaintiffs’ motion for summary judgment. That landmark decision highlighted a national problem made evident during Hurricanes Katrina and Rita, when people with disabilities were left behind to die because of a lack of disability planning. The Court held that “[b]ecause of the City’s failure to address their unique needs, individuals with disabilities are disproportionately vulnerable to harm in the event of an emergency or disaster.” The Court further noted more specific deficiencies, including in such areas as plans for sheltering, evacuation and communication during major disasters. The decision was the first of its kind in the country.

In this most recent order, Judge Marshall ordered the City to perform a comprehensive review of its emergency plans to revise them to address the serious deficiencies she had previously identified. Judge Marshall ordered the City to use nationally recognized experts in this process, explaining that “[t]he expert will evaluate the City’s current plans and develop revised emergency plans as to all components of the City’s emergency preparedness program to address the needs of persons with disabilities.”

In evaluating and revising the City’s emergency plans, the expert will review documents, meet with city personnel, emergency planners at all levels of government, disability community groups and

other stakeholders. The City may also receive technical assistance from the U.S. Department of Justice, who previously filed a statement of interest in the case in support of Plaintiffs. At the end of the three-year period, the expert will submit a final report to the court describing the work completed.

The plaintiffs are represented by two prominent non-profit legal centers that specialize in civil rights cases for people with disabilities: Disability Rights Advocates (“DRA”), headquartered in Berkeley, California and Disability Rights Legal Center (“DRLC”), located in Los Angeles.

###