

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

1700 K STREET
SACRAMENTO, CA 95811-4037
TDD (916) 445-1942
(916) 322-2964



DATE: JULY 28, 2008

TO: DUI PROGRAM SERVICE PROVIDERS
CALIFORNIA COUNTY ALCOHOL AND DRUG PROGRAM ADMINISTRATORS
DUI COUNTY COORDINATORS

SUBJECT: ACCESSIBLE SERVICES TO PEOPLE WITH DISABILITIES

The California Department of Alcohol and Drug Programs (ADP) has recently received several complaints from individuals mandated to attend a licensed DUI program who were refused services either because they were hearing impaired or in need of a sign language interpreter. Departmental investigations into these allegations revealed that these unlawful practices took place.

Please be reminded that the *Unruh Civil Rights Act* (California Civil Code sections 51 through 51.3), provides protection from discrimination by all business establishments in California. California Civil Code section 51(b) describes the protections found under the *Unruh Civil Rights Act*.

All persons within the jurisdiction of this state are free and equal, and no matter what their sex, race, color, religion, ancestry, national origin, disability, or medical condition are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever.

Since DUI programs are licensed by ADP, all programs must comply with Section 504 of the Rehabilitation Act of 1973 (as amended) and the American with Disabilities Act (ADA) in providing services for participants with disabilities, including reasonable and effective accommodations.

Every DUI program license is issued on an initial application requiring "...that the DUI program will not discriminate in employment practices and in provision of benefits and services on the basis of race, color, national origin, religion, sex, or mental or physical disabilities pursuant to Title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, California Government Code section 11135, et seq., and other applicable state and federal laws." [Title 9, California Code of Regulations, section 9804(b)(11)].



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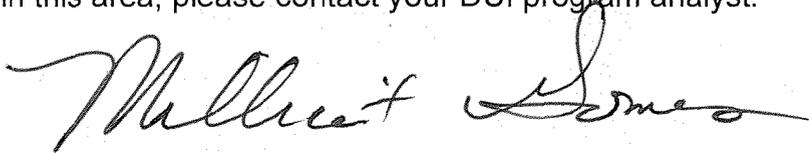
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It is ADP's expectation that all licensed DUI programs will provide any and all reasonable accommodations for effective communications to hearing impaired individuals needing such services. In addition, all DUI programs are required to take corrective action on any deficiencies identified in a complaint investigation and/or a license program review. Failure to correct compliance deficiencies requires ADP to assess civil penalties, and possible suspension or revocation of licensure.

Should you have any questions, need further information, or need technical assistance in this area, please contact your DUI program analyst.

A handwritten signature in black ink, appearing to read "Millicent Gomes". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

MILLICENT GOMES
Deputy Director
Office of Criminal Justice Collaboration

cc: Morgan Staines, Chief Counsel
Office of Legal Services