



WASHINGTON LAWYERS' COMMITTEE
FOR CIVIL RIGHTS & URBAN AFFAIRS

D.C. AND ITS LOTTERY BOARD ACCUSED OF DENYING PERSONS WITH DISABILITIES EQUAL OPPORTUNITY

WASHINGTON, D.C., November 14, 2006—The District of Columbia and its Lottery and Charitable Games Control Board is under scrutiny for allegedly denying equal access and opportunity to persons with disabilities attempting to play the D.C. Lottery.

Based on complaints and a subsequent investigation, the Equal Rights Center, a non-profit membership organization, and two D.C. residents who use wheelchairs, all represented by the Washington Lawyers' Committee for Civil Rights and Urban Affairs and McDermott Will & Emery LLP, today filed a lawsuit against D.C. and its Lottery Board for alleged violations of the Americans with Disabilities Act, the Rehabilitation Act, and the D.C. Human Rights Act.

According to the complaint, the District of Columbia and D.C. Lottery have issued and renewed licenses to lottery sales agents whose businesses are not readily accessible or usable by persons with disabilities despite federal law and D.C. Lottery eligibility requirements that require licensee applicants to operate lawful establishments that are open to the public and are readily accessible. As a direct result of these alleged violations, persons with disabilities throughout the District have been excluded from participating in D.C. Lottery, and from the enjoyment and benefits it provides.

Plaintiffs Katie Savage and Lewis Starks, like many who live in the District, take pleasure in playing the lottery. They claim however that they are unable to purchase tickets at the sites nearest their homes. Allegedly, of the 20 closest lottery sites to Ms. Savage only five have accessible entrances, and none of those five provide internal access to lottery sales.

"I think being able to play the lottery can be part of the pursuit of happiness for people with disabilities," said Katie Savage. "We should be able to pursue happiness like everyone else."

The ERC recently surveyed the entrances of 450 licensed lottery agents and, according to the complaint, found that citywide there were barriers to entry at over half of these sites. Further, almost one third of the lottery agents surveyed had one or more steps at the entry of their store. It was also revealed that of the 64 agents randomly assessed in a related ERC survey, less than 10 percent provided both interior and exterior access to their D.C. Lottery sales counter and equipment.

"Were the D.C. Lottery rules created to intentionally exclude participation by people with disabilities, a huge uproar would resound through every quadrant of the city," said Rabbi Bruce E. Kahn, the ERC Executive Director. "Well the rules were written properly, but the city then failed to enforce them. The D.C. Lottery is an instrument of discrimination. The time is long past when city officials should recognize that any person with disabilities must have the same rights and opportunities as anyone else. Why is this moral still so hard to grasp?"

Since its inception in 1982, the D.C. Lottery has licensed hundreds of agents to sell lottery tickets. Currently there are approximately 475 lottery sales agents throughout the District.

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Originally established in 1983 as the Fair Housing Council of Greater Washington, the Equal Rights Center is a private, not-for-profit, civil rights agency that is the product of mergers with the Fair Employment Council in 1999, and the Disability Rights Council of Greater Washington in 2005. It is dedicated to identifying, challenging, and eliminating discrimination in housing, employment, public accommodations, and government services through education, research, testing, counseling, enforcement, and advocacy. For more information about the Equal Rights Center, please go to www.equalrightscenter.org or call the Equal Rights Center at 202-234-3062.

The Washington Lawyers' Committee for Civil Rights & Urban Affairs was established in 1968 to provide pro bono legal services to address issues of discrimination and entrenched poverty. Since its founding, the Committee has handled more than 5,000 cases on behalf of individuals and advocacy organizations in the areas of equal employment, fair housing, public accommodations, public education, asylum and refugee rights, and disability rights. For more information about the Committee, please see www.washlaw.org. The Committee can be reached at 202-319-1000.

McDermott Will & Emery LLP is an international law firm with more than 1000 lawyers worldwide.

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