



WASHINGTON LAWYERS' COMMITTEE  
FOR CIVIL RIGHTS & URBAN AFFAIRS

**For Immediate Release**

## Equal Rights Center Files Suit Against National Clothing Retailer Filene's Basement

WASHINGTON, D.C., November 24, 2008 – The Equal Rights Center (ERC), a non-profit civil rights organization, has filed a federal lawsuit against retailer Filene's Basement, alleging the national clothing store chain of discriminating against people with disabilities.

Filene's Basement, which operates 36 department stores in 10 states and the District of Columbia, is alleged to have violated both the Americans with Disabilities Act (ADA) and the D.C. Human Rights Act, by failing to provide people with disabilities equal access to its stores. The ERC filed the complaint on behalf of individual plaintiffs Charla Ramsey and Marsha Johnson, who both use wheelchairs.

“The ERC's goal is to ensure that places of public accommodation, like Filene's Basement, are accessible to people who use wheelchairs and other mobility aids, so that these individuals can freely shop for goods and services,” said Don Kahl, Executive Director of the ERC. “There is simply no legitimate reason for a retailer, by its actions to say, ‘people with disabilities are not welcome here.’”

After receiving complaints that three Filene's Basement stores in the District of Columbia failed to meet the accessibility requirements of the ADA and D.C. Human Rights Act, the ERC performed accessibility surveys at Filene's Basement stores in the District of Columbia, Maryland, Virginia, New York, New Jersey, and Pennsylvania. The surveys found numerous violations of the ADA both in terms of architectural barriers, and in terms of policy and practices.

“I thought it was unfair how horribly I was treated,” said Johnson. “And given the fact that ADA has been around for a while, I could not understand the justification from Filene's Basement for not being ADA complaint.”

The architectural and structural barriers to accessibility found by the ERC varied from store to store, but they resulted in merchandise departments, display counters, fitting rooms, restroom facilities and elevators and lifts being inaccessible to persons in wheelchairs.

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The barriers to accessibility present in the Filene's Basement stores are not limited to architectural and structural violations. The operating policies, practices, and procedures of the stores also create an environment in which it is difficult for people with disabilities to experience full and equal enjoyment of the goods and services. These policy violations include the pervasive failure to maintain accessible paths of travel, and the failure to maintain adequate aisle width between merchandise displays.

The ERC is represented in the lawsuit by the Washington Lawyers' Committee for Civil Rights & Urban Affairs.

This year the ERC is celebrating 25 years of protecting civil rights. Originally established in 1983 as the Fair Housing Council of Greater Washington, following subsequent mergers with the Fair Employment Council of Greater Washington and the Disability Rights Council, the ERC is today dedicated to identifying, challenging, and eliminating discrimination in housing, employment, public accommodations, and government services through education, research, testing, counseling, enforcement and advocacy.

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, see [www.washlaw.org](http://www.washlaw.org). The Committee can be reached at 202.319.1000.

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