

The Equal Rights Center

2011 Annual Report



Advancing civil rights for all



The Equal Rights Center (ERC) is a national non-profit civil rights organization dedicated to promoting equal opportunity in housing, employment, public accommodations, and government services. With 5,000 members across the country, the ERC has worked for nearly 30 years to identify, address and remedy both individual instances of discrimination, as well as large-scale, systematic discrimination nationwide.

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From the ERC Board President

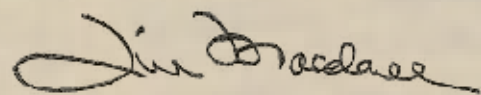
The growth and evolution of the Equal Rights Center (ERC) continues to be an amazing thing to witness. As the methods of discrimination have changed since our founding nearly 30 years ago, and as new laws have been put in place to help protect civil rights, the ERC has adapted and expanded, using both tried-and-true methods as well as innovative new techniques. One example of this can be seen in the ERC's fair housing initiatives.

When the ERC's founding board came together in 1983, we had a vision of protecting the civil rights of those being turned away from housing—an aspect of life that has far reaching effects on an individual's life and well-being. In the years since we founded the organization, I continue to be amazed by the organization's ability to evolve while remaining true to our mission and founding principles. While the ERC still fights blatant instances of housing discrimination—"I don't want people like you living here," "Not in my backyard," "This isn't your kind of neighborhood"—new housing issues are being addressed today that we did not imagine at our founding.

One of the most successful new initiatives of the ERC has been in protecting individuals against source of income discrimination—landlords and property managers simply refusing to accept government subsidies in payment for apartment rent.

In recent years, the growing population in the District of Columbia and surrounding areas, combined with the real estate housing crisis, the tight economy, and the high cost of living, has created a real emergency situation regarding the availability of sufficient affordable housing. In D.C., it is estimated that approximately 20% of D.C. households experience severe housing

Best,



Rev. Dr. James G. Macdonell
Equal Rights Center Board President

affordability problems, spending more than half of their income on housing. Buying a home is not possible for many, leaving renting a home as the only option.

One of the valuable tools designed to ameliorate this crisis is the Housing Choice Voucher (HCV) Program, initiated by the federal government back in 1994. The HCV Program assists low-income families, the elderly, and people with disabilities in affording decent housing by using vouchers to pay for rent. Local laws across the county—including D.C., as well as Howard and Montgomery Counties in Maryland—protect residents who desire to pay rent by using Housing Choice Vouchers from discrimination.

For the past eight years, the ERC has conducted ground breaking investigations that uncovered shocking levels of illegal discrimination against voucher holders. The ERC has been addressing this problem through a series of education, outreach, and enforcement initiatives, successfully producing more than 20 agreements with D.C. landlords and property managers to open more than 17,000 apartments to HCV holders.

This innovative fair housing initiative continues even today, as, sadly, source of income discrimination persists. Much still needs to be done before the goals of equal rights and opportunity for all are guaranteed.

The Equal Rights Center, staying true to our mission to advance civil rights, will continue to fight the good fight as it has since it was founded nearly three decades ago. The past is prologue, and the future is a challenge we accept with excitement, dedication and promise!

From the ERC Executive Director

Innovation, collaboration, and impact were the guide words for the Equal Rights Center in 2011. Marshaling the voices of our nearly **5,000 civil rights-minded members, located in all 50 states and the District of Columbia**, during 2011, the ERC accomplished much.

Building on its ground-breaking proactive collaborations with some of the nation's largest housing developers to promote accessible housing, at the end of the year, the ERC created an entirely **new program—Corporate Partnerships & Training** to work with the private sector to prevent discrimination before it happens. Read more about this program on page 12.

As the groundswell to recognize and **expand the rights of lesbian, gay, bisexual, and transgender (LGBT)** individuals continues to grow, the ERC's work continues to evolve. Collaborating with LGBT advocates, the ERC is conducting cutting edge testing investigations to identify and document discrimination against the LGBT community.

Because the best sentinel of civil rights is a well-informed public, the ERC continued to expand its **education and outreach** programs in 2011 by:

- Launching our **civil rights blog, For Civil Minds** (www.forcivilminds.org);
- Conducting more than **126 education and outreach activities and trainings**, teaching civil rights and responsibilities to thousands;
- Issuing **10 publications**;
- Conducting a well-received **public service campaign: "What is WRONG with these pictures?"** to educate the public about accessibility issues; and
- Earning the HUD's endorsement of our efforts through **two education and outreach grants and a Limited English Proficiency Initiative grant, totaling more than \$300,000.**
- In 2011 the ERC continued its **Fair Employment** work, educating hundreds on equality in the work place.

Because the opportunity to live where you want affects so many aspects of a person's life, the ERC continued to prioritize **fair housing** efforts in 2011 by:

- Conducting **386 Civil Rights Tests** to identify and document housing discrimination;
- Continuing our initiative to make multifamily housing more accessible for people with disabilities with agreements to **retrofit hundreds more housing units (55,000+ total units through 2011)**; and
- Opening several hundred additional apartments in the nation's capital to families using **Housing Choice Vouchers.**

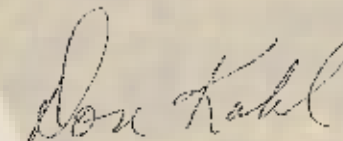
With nearly 55 million Americans with disabilities, the ERC worked throughout 2011 to be a major national force in advancing **disability rights** by:

- Conducting **142 disability-related civil rights tests** to identify and document discrimination; and
- Reaching several remediation agreements, raising the total number of places of public accommodation remediated as a result of ERC efforts to **more than 51,000.**

As the debate over immigration reform grew ever uglier, the ERC continued throughout 2011 to protect our **immigrant communities**:

- Conducting **dozens of "Know Your Rights" seminars** to educate immigrant communities;
- **Partnering with the District of Columbia Office of Human Rights** to assess compliance with the D.C. Language Access Act; and
- **Joining the National Council of La Raza and HUD** to bridge the knowledge gap between housing advocates and immigrant rights advocates through focused training.

Despite these advances, the need for continued action to protect people's rights remains critical. Through our comprehensive approach of education, research, testing, counseling, advocacy and enforcement, the Equal Rights Center is committed to a leadership role in advancing civil rights—Join us as we move forward.



Donald L. Kahl
Equal Rights Center Executive Director



The ERC Advancing Civil Rights for All

The ERC employs a multifaceted approach to promote equal opportunity in housing, employment, access to public accommodations and government services that relies on its nearly 30 years of experience. Through education, research, testing, advocacy, collaboration, and enforcement, the ERC works with all vulnerable populations, and has dedicated programs and activities in immigrant rights, disability rights, and lesbian, gay, bisexual and transgender (LGBT) rights.

Through innovative thinking and a commitment to making a lasting impact, the ERC combines both time-proven and ground breaking approaches to advancing civil rights.

ERC MEMBERSHIP

Since becoming a membership organization in 2006, the ERC has exponentially expanded its ability to identify discrimination at the earliest possible moment. The ERC recognizes the tremendous value of its members. As the “eyes, ears, and voice” of the ERC, our enthusiastic members help expand outreach and education to new communities, identify issues of discrimination as they develop, assist in the implementation of investigations, and provide much-needed financial support for the ERC.

ERC membership had a truly banner year; in 2011, ERC membership grew by 130%. At the close of the year, the ERC had 4,000 members from all 50 states, the District of Columbia, Puerto Rico, and eight foreign countries. Much of this success comes from our inaugural membership drive in the fall of 2011. As part of our “50/50 campaign,” the ERC recruited more than 500 new members from all across the country.

INTAKES AND ADVOCACY

Receiving and responding to complaints from individuals who experience discrimination is pivotal to the work

of the ERC. These intakes not only document individual incidents of discrimination, but often provide anecdotal information about patterns of more widespread, systemic discrimination. In 2011, the ERC nearly doubled the number of intakes addressed, responding to 477 complaints from individuals raising issues of discrimination.

In addition to advising individuals on their rights and the avenues of relief available to them, the ERC actively advocates on individuals’ behalf to resolve the problem, through measures such as: communicating directly with the discriminating party; helping prepare filings with the appropriate administrative agency; investigating the extent of the problem; advocating for systemic policy change; or— as a last resource—taking enforcement action. The majority of intakes are resolved informally, through information and advocacy provided by ERC staff. The ERC has also identified and begun several new systemic investigations as a result of patterns identified through intakes.

EDUCATION AND OUTREACH

Working across all our program areas, the ERC’s Education and Outreach Program raises public awareness about discrimination, helping to create positive change

often before a complaint is made. These efforts take a variety of forms, including trainings and workshops, publication of informational materials, earned media, and online outreach.

TRAININGS

Through workshops, symposia, networking events, and trainings, the ERC reaches thousands of people each year, educating individuals on their civil rights and empowering them to take action. The ERC distributed thousands of informational materials at these events, often in a variety of languages to further reach traditionally under served populations. In 2011, the ERC conducted and participated in 126 outreach events, educating more than 7,000 community members.

MEDIA AND ONLINE OUTREACH

Reaching new communities is often achieved through the use of traditional and new media. Through letters to the editor, media interviews, published reports, and press releases, the ERC brought pressing issues of discrimination into the public debate and reached millions of individuals through television, radio, and print journalism.



Following the 2010 launch of the ERC's new integrated website, the ERC also significantly increased its online outreach. In July of 2011, the ERC launched its blog, For Civil Minds (at www.forcivilminds.org). The blog is updated several times each week with timely and informative posts on the latest civil rights issues. Additionally, in conjunction with the D.C. Office of Human Rights, the ERC launched an online public service campaign, entitled "what is WRONG with these pictures?" focused on educating the public about basic housing accessibility issues for people with disabilities.

As a result of these efforts, online communications grew dramatically. In 2011, the ERC witnessed an 86% increase in website traffic, 108% growth in Facebook fans, and 1,000% growth in Twitter followers. As our society is increasingly connected through social networking and online forums, the ERC is dedicated to engaging members and supporters in these media to discuss important topics.

TESTING AND RESEARCH

At the core of the ERC's success in promoting civil rights is our three decades of experience in civil rights testing. Through a variety of innovative testing techniques, the ERC has become a national leader in identifying and documenting differences in the quality, quantity, and content of information and services provided to individuals based on individual factors and characteristics. Through this process, the nature and extent of illegal discrimination can be ascertained.

In 2011, the ERC increased its testing activities by more than 30%, completing nearly 800 civil rights tests to uncover systemic discrimination. In order to achieve this, the ERC's Testing Program doubled its pool of active testers to more than 200 individuals who have been vetted and trained to serve as testers in a wide range of ERC investigations.

Based on its testing investigations, in 2011, the ERC documented rates of discrimination for District of Columbia residents using Housing Choice Vouchers (see page 9), as well as the barriers to accessing doctor's offices, pharmacies, and hospitals for individuals with disabilities (see page 17).

COLLABORATIONS

The ERC regularly partners with government entities, allied organizations, for-profit businesses, and others to address established and emerging civil rights issues. Indicative of this commitment to collaborative work, in 2011, the ERC launched its Corporate Partnerships and Training (CPT) Program (see page 12). By training employees, reviewing policies, advising on best practices, and providing quality control testing for compliance with civil rights law, the ERC encourages the private and public sectors to be active participants in preventing discrimination.

In the private sector, the ERC engaged with a diverse group of for-profit and non-profit entities. In 2011, the ERC established new relationships with partners including The Community Partnership, Panera Bread Company, Archstone Apartments, WHH Trice, and Concrete Change. We also continued established collaborations with NVR, Inc., the Metropolitan Council on Governments, the Morris & Gwendolyn Cafritz Foundation, and others.

The ERC is equally proud of its strong relationships with federal and local government agencies. In 2011, the ERC received four grants from the U.S. Department of Housing and Urban Development: two Education and Outreach Initiatives grants; one of the inaugural Limited English Proficiency Initiative grants; and a three-year performance based Private Enforcement Initiative grant, the first multi-year grant of this kind awarded in the Washington, D.C. metropolitan region. In addition, the ERC conducted testing and outreach for the D.C. Office of Human Rights, conducted training for staff at the Montgomery County (MD) Office of Human Rights, and established a strong working relationship with Fairfax County (VA) Office of Human Rights and Equity Programs.

The ERC's ground breaking Multifamily Housing Resource Program (MHRP), a membership program for housing industry leaders within the ERC's CPT Program, continues to grow. Four new members joined the MHRP in 2011, and the program's members have helped make more than 60,000 units of housing across the country more accessible for people with disabilities. Read more about this collaboration on page 14.

ENFORCEMENT

In some instances, civil rights violations can only be effectively addressed and redressed through enforcement. When education and outreach, collaboration, and advocacy efforts are not sufficient to end discriminatory practices, the ERC collaborates with the Washington Lawyers' Committee for Civil Rights and Urban Affairs and major law firms to secure needed change through administrative agencies and the courts.

In 2011, the ERC resolved twelve enforcement matters: two Accessible Design & Construction (housing) matters, four ADA public accommodations cases, and six source of income (housing choice voucher) matters. These efforts have caused nearly 60,000 apartment and condominium units across the country to be made more accessible for people with disabilities (see page 14); more than 50,000 retail stores, restaurants, and hotels nationwide to be made more accessible to people with disabilities (see page 18); and more than 15,000 apartment units to be opened to voucher holders (see page 10).

To assist with these efforts, in 2011, civil rights minded law firms and attorneys donated nearly 2.5 million dollars in services to the ERC's activities.



The ERC Fair Housing Program



An individual's ability to obtain adequate and safe housing of their choice affects all aspects of daily life – employment and educational opportunities, proximity to friends and family, availability of public transportation, and access to both commercial and government services. In addition to limiting these important measures of quality of life, housing discrimination degrades individuals and harms society by denying all residents and potential residents the opportunity to live and learn in a culturally diverse community. Yet housing discrimination continues to be a pervasive problem nationwide.

As the ERC's oldest program area, the Fair Housing Program is at the forefront of addressing housing discrimi-

nation. To address barriers to equal housing opportunity, the Fair Housing Program conducts education and outreach, individual and systemic investigations, and advocates on behalf of its members and others who have experienced housing discrimination. Special attention is made to identify and reach emerging vulnerable populations, such as lesbian, gay, bisexual and transgender (LGBT) individuals, Housing Choice Voucher holders, and immigrant populations.

FAIR HOUSING ADVOCACY

In order to continually advance equal housing opportunity and create a movement with like-minded advocates, the ERC engages with government and community stakeholders, encouraging additional education, resources, and implementation of fair housing laws.

Continued Partnership with the U.S. Department of Housing and Urban Development (HUD)

Due to our successes in advancing fair housing, the U.S. Department of Housing and Urban Development (HUD) awarded the ERC four grants in 2011, totaling \$1,290,000. These grants included two Education and Outreach Initiative (EOI) grants (totaling \$215,000), a three year performance based Private Enforcement Initiative (PEI) grant (\$975,000), and a Limited English Proficiency grant (\$100,000, see page 22 for more details). These grants have created a strong foundation for the ERC to expand its fair housing outreach, connect with new communities, increase intakes and referrals, and expand our testing initiatives.

The District's 10th Annual Fair Housing Symposium

In 2011, as in prior years, the ERC joined with the D.C. Office of Human Rights and the D.C. Department of Housing and Community Development to present

the District of Columbia's 10th Annual Fair Housing Symposium—"One City, One Community." Held during April—Fair Housing Month—the event provided attendees with a glimpse into the current state of fair housing, and included breakout sessions covering specific issues and challenges faced by under served communities, such as LGBT individuals, individuals with disabilities, homeless populations, and people with limited English proficiency (LEP). D.C. Mayor Vincent Gray opened the day with an official proclamation of Fair Housing Month in the District and with comments on the state of housing in the District. Assistant Attorney General for the Civil Rights Division of the United States Department of Justice, Tom Perez, delivered the keynote address to a capacity crowd.

Still in Search of Decent Housing—Source of Income Initiative Continues

For more than eight years, the Fair Housing Program has investigated housing providers in the Washington, D.C. metropolitan area to determine compliance with local civil rights protections prohibiting discrimination in housing based on source of income. In 2011, the ERC released a report highlighting a 45% rate of discrimination against individuals attempting to use Housing Choice Vouchers (HCV) to rent an apartment in the District of Columbia. The report, "Still in Search



of Decent Housing,” was issued as a follow up to a 2005 ERC report documenting a staggering 61% rate of discrimination against voucher holders in the District.

In 2011, the D.C. Housing Authority reported that 10,596 families in the District were being served by the Housing Choice Voucher Program, with nearly 35,000 more on a waiting list. The federal voucher program is critical in helping low-income families find safe and affordable housing, enabling them to rent an apartment anywhere in the city so long as the cost of rent is within an approved range. Voucher holders unable to timely secure an apartment lose their vouchers and must go to the end of the wait list—relegating victims of source of income discrimination to unsafe or overcrowded housing, a shelter, or the streets. While the ERC has reached compliance agreements with dozens of District housing providers, the fact that significant levels of discrimination remain demonstrates the need for continued advocacy and enforcement.

U.S. Commission on Civil Rights Report Released

In 2011, the U.S. Commission on Civil Rights issued its report on affirmatively furthering fair housing in the District of Columbia. Based in part on testimony from the ERC, the report advised that while the District government has made progress in furthering fair housing, serious impediments still remain, particularly with respect to Source of Income discrimination and accessible housing for people with disabilities, the very issues highlighted by the ERC’s testimony.

FAIR HOUSING ENFORCEMENT

Protecting the right to equal housing opportunity sometimes requires enforcement of fair housing laws through

administrative or judicial avenues. When education and advocacy efforts do not work, the ERC collaborates with federal enforcement agencies, the Washington Lawyers’ Committee for Civil Rights and Urban Affairs, and the private bar to hold those who discriminate in housing accountable.

In 2011, HUD awarded the ERC a three-year performance-based Private Enforcement Initiative grant in the total amount of \$975,000. In 2011, the PEI grant helped support the ERC’s intake program, as well as many civil rights testing investigations, and the referral of complaints to HUD and the D.C. Office of Human Rights for enforcement action.



Throughout 2011, the ERC continued its accessible design and construction initiative, resulting in agreements with two major multifamily housing developers to make nearly 3,700 apartment units more accessible to people with disabilities. Since beginning our accessible housing initiative just six years ago, the ERC has reached agreements with 16 national, regional and local multifamily development companies, resulting in the alteration

of nearly 60,000 apartment and condominium units at more than 200 complexes in 18 states and the District of Columbia, to make them more accessible to people with disabilities.

The ERC’s Source of Income initiative underlying the “Still in Search of Decent Housing” report, highlighted the reality that many housing providers continue to refuse to rent to voucher holders in the District, in violation of the D.C. Human Rights Act. In 2011, the ERC resolved six source of income matters, resulting in hundreds of apartment units being opened to Housing Choice Voucher holders.





The ERC Corporate Partnerships and Training Program

The ERC's impact expanded in 2011 with the creation of its newest program, the Corporate Partnerships and Training (CPT) Program. The CPT Program builds relationships with corporate and industry leaders to make equal access and opportunity for all an integral part of the corporate culture. Building on the success of the ERC's Multifamily Housing Resource Program (MHRP), the CPT Program broadens our reach and impact with the corporate sector and exemplifies the ERC's goal of engaging with all stakeholders in proactively addressing civil rights.

The ERC's corporate partners have a profound effect on the everyday lives of millions of people, and include large national companies such as apartment

developers Trammell Crow Residential, Avalon Bay Communities, and Camden, the nation's largest single family home builder NVR, Inc., CVS Pharmacies, and Panera Bread.

Knowledge is critical to effectively promote civil rights, and training initiatives are an integral part of all CPT partnerships. Training sessions are tailored to the individual partner's industry and needs, and may focus on the Fair Housing Act, the Americans with Disabilities Act, fair housing basics, accessible design and construction requirements, and sensitivity and diversity issues. In addition to traditional in-person training sessions, the CPT Program utilizes new and innovative technology, such as e-learning segments and webinars,

to convey information.

Training is just one aspect of the ERC's approach to working with corporate partners; CPT staff also review partners' policies, protocols, advertisements, and online materials to ensure that they are effectively and efficiently compliant with civil rights laws and promote equal opportunity for all. In 2011, CPT staff led 30 in-person trainings, reaching thousands of individuals in the corporate sector to enhance their compliance with civil rights laws.

By working collaboratively, the ERC helps its corporate partners improve existing policies, adopt "best practices" consistent with each partner's business model, employ effective com-

munication strategies that accurately reflect the diverse consumer market, and prevent discrimination before it occurs.

The activities and services of the Corporate Partnership & Training Program are critical for the advancement of civil rights, and are "value added" for all companies. By strengthening our relationships with the private sector, the ERC promotes equal opportunity in ways that make good business sense.



THE MULTIFAMILY HOUSING RESOURCE PROGRAM

The CPT Program's earliest and largest project is the Multifamily Housing Resource Program (MHRP). The MHRP is a collaborative membership program dedicated to assisting multifamily housing developers in complying with accessibility laws, and to increasing the number of accessible apartments and condominiums in the United States. MHRP members are industry leaders in the areas of multi-family housing development, construction, and management, as well as architectural firms with design expertise, and product or service vendors and subcontractors. Since embarking on the innovative initiative in 2008, the MHRP has grown to include 11 members representing nearly 600,000 apartments and condominiums across the country. These industry leaders serve as a model for other development companies, and give thousands of families across the nation the opportunity to live where they choose to live.

NEW MEMBERS AND MEMBERSHIP STRUCTURE

In 2011, the MHRP welcomed four new members, Mill Creek Residential Trust, Lerner Enterprise, Gables Residential, and the MHRP's first architectural and design firm, Steven Winter Associates, Inc.

In addition to increasing the number of members, the ERC has prioritized engaging new type of partners in the MHRP. Recognizing the different needs of different housing industry groups, the ERC established a three-tiered membership for the MHRP:

- Executive members include companies that engage in multi-family housing development, management, and/or construction and make a multiple year commitment to the project.
- Advisory members are housing industry members and professional services firms with distinct acces-

sibility expertise.

- Associate members are smaller non-developer/non-management housing industry members, including vendors and subcontractors.

By providing different membership options, the ERC is better able to engage the full range of housing industry players who recognize the great importance for increased accessible housing.

MEMBER TRAINING, E-LEARNING, AND WEBINARS

Educating members on fair housing principles, and keeping them abreast of the latest developments in the Fair Housing Act, the Americans with Disabilities Act, and local accessibility laws are key components of the MHRP's work. The MHRP training model uses participatory designs such as videos, role plays, and group activities, and turns knowledge into practical compliance utilizing real life examples, lecture, discussions, and a participant handbook.

In 2011, the ERC led nine in-person trainings for its members at various

locations across the country including Texas, Atlanta, Virginia and Washington, D.C. In addition to its commitment to in-person training, the MHRP utilized new technologies to offer a range of training options that can reach even more members.

In August 2011, the MHRP launched its new e-learning facility. The training, "A Guide to Multifamily Housing Accessibility," provides individuals with a basic overview on maintaining compliance with federal, state, and local accessibility laws. The course is offered exclusively to MHRP members through the MHRP password-protected website and allows for MHRP companies to provide staff with training that can be completed at the time and location most convenient for them.

In October 2011, the MHRP also conducted its first on-

line webinar. The webinar, entitled "Plans to Practice," was presented by Mark Jackson, an accessibility expert with MHRP member Steven Winter Associates, Inc. The one-hour course highlighted common issues and difficulties encountered when incorporating accessibility into multifamily plan development, followed by typical issues that arise in the field during construction.

CORPORATE PARTNERSHIPS

The ERC's approach of proactively working with businesses to incorporate civil rights laws and values into their corporate policies, practices, and culture has made our services increasingly sought after by more and more companies. In 2011, the ERC began new partnerships with Panera Bread Company, apartment developer and management company Archstone, and The Community Partnership for the Prevention of Homelessness, a non-profit corporation that coordinates the District of Columbia's Continuum of Care.

Drawing on the extensive expertise of the ERC's Disability Rights Program, the CPT Program worked with these partners to strengthen their policies regarding services for people with disabilities, and to secure improvements that will make their facilities more accessible to all. Continuing its multi-year collaboration with NVR, Inc., a national home building and mortgage lending leader with more than 4,200 employees serving 12 states, the ERC provided fair housing trainings to NVR employees, and assisted the company in quality control through by conducting fair housing compliance and accessibility testing.



The MHRP has its own Annual Report, with further details about the program members, activities, accomplishments and structure. To view this Report, visit the ERC's website: www.equalrightscenter.org





The ERC Disability Rights Program

The right of all people with disabilities to have equal access in all aspects of their lives is the driving force behind the ERC's Disability Rights Program (DRP). From medical and government offices to restaurants, transportation, and housing, DRP staff works to ensure that buildings and services are accessible for all individuals.

Despite federal, state and local civil rights laws that protect people with disabilities from discrimination, members of the disability community continue to encounter barriers in a variety of everyday settings. In 2011, the ERC continued its cutting edge and comprehensive approach to eliminating these barriers.

EDUCATION AND OUTREACH

Transportation

In addition to providing frequent trainings and "Know Your Rights" presentations in the D.C. metropolitan area, the ERC greatly expanded its outreach in 2011 by hosting its first national teleconference. In collaboration with the Muscular Dystrophy Association, DRP staff provided information on the Americans with Disabilities Act and the Fair Housing Act to almost two hundred people across the United States.

In 2011, the ERC also continued to be a leader in demanding transportation accessibility, particularly with respect to taxicabs and public transportation in the District of Columbia. Following a 2010 ground breaking testing investigation and report on discrimination by D.C. taxi drivers against blind individuals using service dogs, in 2011, the ERC provided testimony to the D.C. Taxicab Commission advocating for:

- The application of anti-discrimination requirements to all independently operated taxicabs;
- Requiring civil rights training for taxicab operators and management;
- Requiring that a statement of non-discrimination be included in the license and certification application and be posted in all taxicabs; and

- Increasing the penalties for non-compliance with antidiscrimination provisions.

In addition to working to end taxicab discrimination, the ERC also launched a campaign to raise awareness on accessibility in the Metro train service of the Washington Metropolitan Area Transportation Authority (WMATA). In 2011, the ERC published letters and blog articles, participated in a live radio interview, and held multiple presentations regarding Metro accessibility. The ERC also served on a transportation panel at a Maryland Disability History and Awareness Month event hosted by Independence Now in Silver Spring, MD. The ERC's ongoing collaborations with other disability rights groups, such as Independence Now, further elevate the ERC's visibility within the disability community, facilitating new collaborations with advocacy groups, notable disability rights activists, and for-profit businesses.

PSA Campaign: "What is WRONG With These Pictures?"

To raise awareness of accessibility issues in housing and public accommodations, the ERC collaborated with the D.C. Office of Human Rights to launch a popular and effective PSA Campaign entitled "What is WRONG with these pictures?" The campaign appeared online

and on buses and bus shelters throughout Washington, D.C. Using photos of inaccessible features such as steps at entrances, stairs, crowded bathrooms, and narrow hallways, the campaign prompted individuals to take a quiz at www.disabilitygame.org to test their accessibility knowledge. The website also allowed visitors to read testimonials from individuals with disabilities who had faced these barriers. This campaign attracted more than 4,000 visitors to the online quiz and ERC website, and was lauded by the disability community.

INVESTIGATIONS AND REPORTS

Each year, the ERC receives numerous complaints from individuals with disabilities who lack access to appropriate medical care, and experience substantial disparities in the quality of medical services they receive. In order to investigate these issues, DRP staff initiated a three-pronged series of testing initiatives focused on structural barriers in health care facilities, inaccessible medical equipment, and policies and procedures that create access barriers for patients with disabilities.

In November 2011, the ERC released a report based upon this investigation, documenting staggering levels of violations of federal accessibility requirements at hospitals, doctors' offices, and pharmacies across the



nation. The report, “Ill-Prepared: Health Care’s Barriers for People with Disabilities,” found that less than 25% of medical service providers tested were compliant with accessibility standards required under federal law.

This ERC investigation found:

- Only 20% of optometrists’ offices tested were able to perform a complete eye exam on someone who uses a wheelchair;
- Only 23% of doctors’ offices and hospitals tested offered patient information in large print, and only 24 % offered patient information in an accessible format; and
- Only 1%of pharmacies tested offered any information in Braille, and only 1% offered audible prescription bottles. In fact, 86% of tested pharmacies would not accommodate the use of an audible prescription bottle, even if provided by the customer.

PARTNERSHIPS, ADVOCACY, AND ENFORCEMENT

The ERC strives to prevent and eliminate discrimination proactively, through collaboration, advocacy, and where necessary, enforcement of civil rights laws.

In conjunction with the ERC’s new Corporate Partnerships and Training Program, DRP staff collaborated with housing providers The Community Partnership for the Homeless and Archstone Apartments, as well as restaurateur Panera Bread Company, to ensure that their locations, goods and services are more accessible.

The ERC provided feedback on resolving accessibility barriers, developed checklists to ensure structural accessibility, reviewed and revised employee policies to ensure that accessibility is maintained on a day-to-day operational basis, and provided guidance on improving website accessibility and complaint processes related to accessibility issues. By providing accessibility guidance to local, regional, and national entities, the ERC helps to incorporate accessibility into the corporate culture and encourages businesses to recognize that the disability community is an important customer sector. (The Corporate Partnerships and Training Program is discussed further on page 12.)


When a testing investigation uncovers discrimination, the ERC responds by reaching out to the discriminating person or entity with information about the problem of

discrimination and advocating for a change in their policies and/or practices. As a result of its advocacy efforts in 2011, the ERC entered into accessibility agreements with Eye Care Centers of America, one of the nation’s largest optometric retailers, and the District of Columbia Lottery and Charitable Games Board, which has agents in 450 convenience shops, groceries, and other stores across the District.

Eye Care Centers of America owns and operates more than 500 eye care centers throughout the United States under several brands. The nationwide agreement includes the removal of physical barriers in their store locations, improved accessibility of their testing room, the installation of more accessible eye-exam equipment, and disability rights training for Eye Care Centers of America staff.

The agreement with D.C. Lottery and Charitable Games Board included several steps to ensure that D.C. Lottery locations are accessible to individuals with disabilities. As a result of this agreement, a multi-year remediation plan was put into place, as well as a commitment secured to only license new Lottery locations that are accessible.

Finally, in 2011, the ERC initiated a federal enforcement action against McDonald’s Corporation and seven franchisees in the District of Columbia for violating the ADA, and failing to provide adequate access to their goods and facilities to people with disabilities in the District of Columbia. After receiving several complaints about McDonald’s from ERC members with disabilities, the ERC conducted an investigation confirming that many McDonald’s restaurants in the District were inaccessible to people using wheelchairs. Inaccessible features included inaccessible routes into the restaurants, inaccessible parking, inaccessible public restrooms, and internal restaurant configurations that prevent wheelchair passage.

A photograph of a man with a prosthetic lower leg walking on a beach. He is carrying a large blue surfboard under his arm. The background shows the ocean waves and a clear sky. The man is wearing dark shorts and is barefoot.

“I owe a great deal to the ERC; it was the difference between me giving up in life, and me claiming my role as a wife and a mother, and as a professional.”

*-Rosemary Ciotti
ERC Member*





The ERC Immigrant Rights Program

Continuing a disturbing trend, dozens of states and localities adopted anti-immigrant legislation, and the federal government pursued its “Secure Communities Program” to engage state and local law enforcement in federal immigration enforcement. While purporting to target undocumented immigrants, the anti-immigrant fervor underlying these efforts makes life more difficult for all immigrants and perceived immigrants in the United States, regardless of legal status. Immigrants and non-English-speaking citizens across the country endure discrimination every day.

In the face of this adversity, the ERC’s Immigrant Rights Program (IRP) conducted extensive education and out-

reach to immigrant communities in a variety of languages, initiated testing investigations to identify discrimination based on national origin, and strengthened partnerships with local and federal government agencies. Recognizing that “English only” rules and similar barriers for people with limited English proficiency (LEP) often serve as proxies for national origin discrimination – and that LEP immigrants may be unaware of their rights and how to seek redress when they experience discrimination – the ERC gave special attention to LEP communities.

COMMUNITY OUTREACH

Throughout 2011, the ERC led dozens of educational “Know Your Rights” workshops, presentations and trainings in a variety of languages to immigrant communities. Through these events, the IRP staff connected with over 400 individuals and distributed thousands of brochures, self-advocacy toolkits, reports, and newsletters. Through this proactive educational outreach, the ERC informed individuals about their civil rights, resources available to them, and how to advocate for themselves when faced with unfair treatment.

In collaboration with the National Council of La Raza, the Poverty and Race Research Action Council, and the U.S. Department of Housing and Urban Development’s Office of Fair Housing and Equal Opportunity, the ERC co-sponsored a fair housing and immigrant rights training as the kickoff to NCLR’s annual national conference in Washington, D.C. The conference drew 4,500 individuals from across the U.S, and ERC Executive Director Don Kahl co-led this pre-training, which aimed to educate immigrant advocates about:

- The Fair Housing Act (FHA);
- Title VI Limited English Proficiency guidelines for federally funded programs;

- National origin discrimination and its relation to immigration status and language; and
- The FHA’s affirmatively furthering fair housing requirement.

The ERC also collaborated with the D.C. Office of Human Rights and several other immigrant advocacy groups to organize a community forum addressing employment rights and access to government services. This forum, designed for Limited English Proficient and Non English Proficient (LEP/NEP) speakers, involved a series of small group and informational sessions. Nearly 100 individuals attended the forum, the majority from the LEP/NEP community, and attendees were given the opportunity to provide direct, honest feedback to D.C. government officials about the barriers they face in seeking employment.

Reaching even more community members, the ERC also appeared on Panorama Latino, a Spanish-language community television show, aired locally in the City of Manassas, Manassas Park, and Prince William County, Virginia. Through this program, IRP staff provided crucial information to the Latino community about fair housing and civil rights laws.



LANGUAGE ACCESS TESTING

The ERC's relationship with the D.C. Office of Human Rights (DCOHR) extends beyond education and outreach to include testing investigations in the District of Columbia. In 2011, the ERC collaborated with DCOHR to assess District agencies' compliance with the D.C. Language Access Act. The Language Access Act, one of the most progressive laws in the country, requires D.C. agencies to provide information and services in seven languages that are most commonly spoken in the District. DCOHR is charged with monitoring compliance with the Act, and the ERC tested District agencies to assess their willingness and ability to respond to individuals who speak one of the protected languages.

LIMITED ENGLISH PROFICIENCY INITIATIVE

In September 2011, the ERC was awarded one of the first Limited English Proficiency Initiative (LEPI) grants by the U.S. Department of Housing and Urban Development (HUD). With this grant of \$100,000, the ERC is able to significantly expand its education and outreach to immigrant community members who speak Spanish, French, Mandarin, Vietnamese, Amharic, and Korean, and better ensure that these individuals have equal access to HUD's programs, services and activities in their primary language. Under the LEPI grant, the ERC is producing brochures and other informational materials in multiple languages and conducting additional "Know Your Rights Presentations" specifically targeting LEP communities and conducted in the six languages most commonly spoken by LEP immigrants in the Washington, D.C. area. This is the first year of HUD's LEPI initiative, and the ERC's LEPI grant builds on the organization's successful collaborative relationship with HUD.



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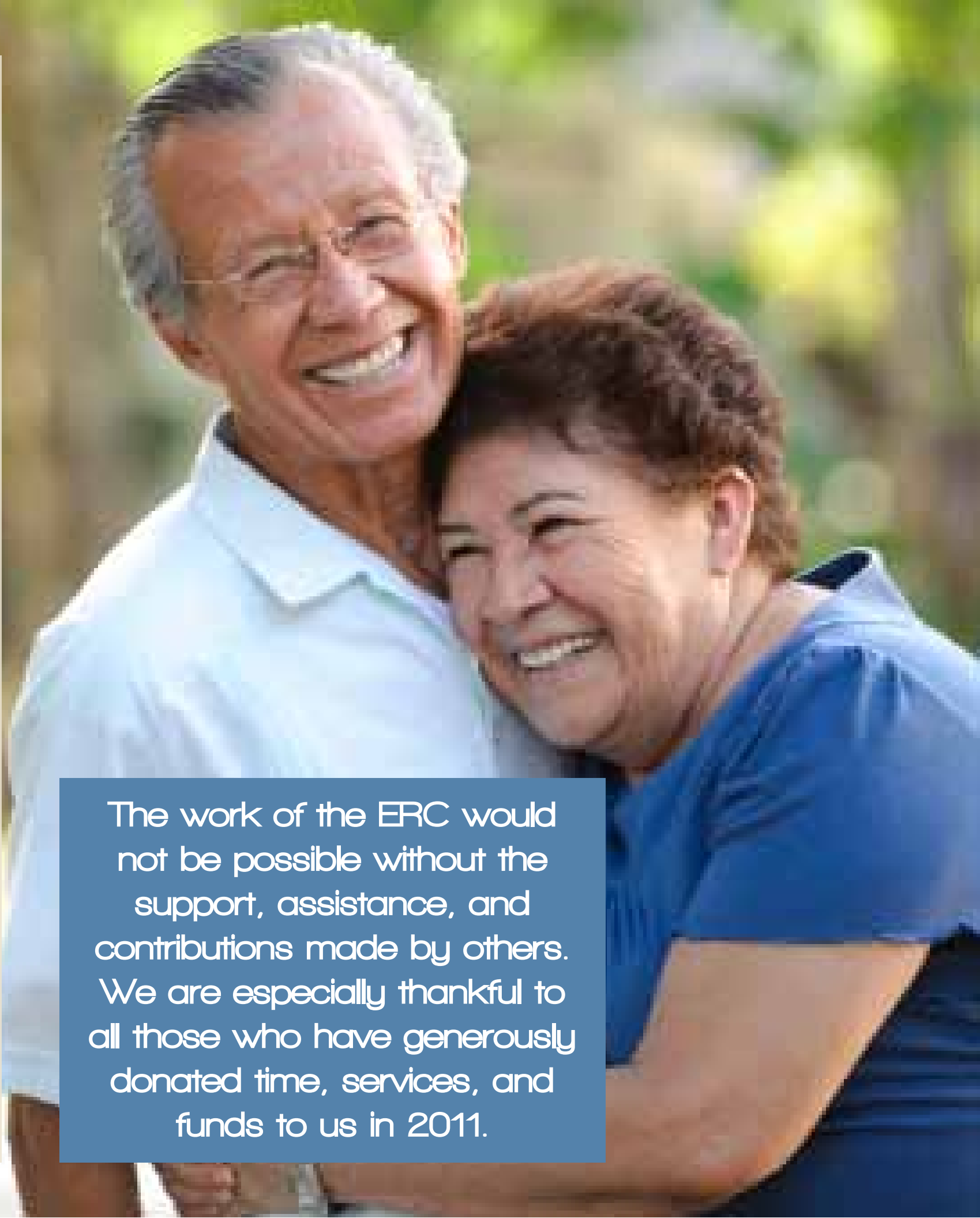
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The work of the ERC would not be possible without the support, assistance, and contributions made by others. We are especially thankful to all those who have generously donated time, services, and funds to us in 2011.

The ERC 2011 Financial Health



As the Equal Rights Center enters its 30th year of service, it remains fiscally sound. Throughout 2011, the ERC continued to build and diversify its financial base. Drawing financial support from the ever-expanding individual and corporate membership, private foundation funding, strong governmental support from the United States Department of Housing & Urban Development, and civil rights consulting, the ERC is today stronger financially than at any time in its history.

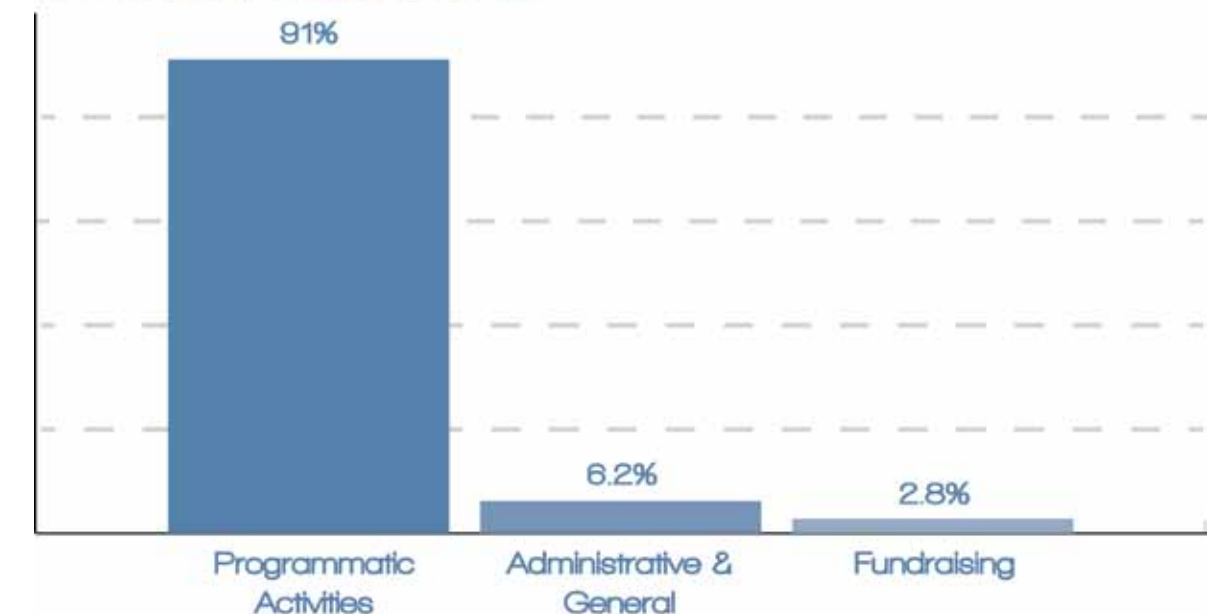
It is through our strong financial foundation that the ERC is able to advocate for civil rights in communities in Washington, D.C. and across the United States. In recognition of the ERC's dedication, accountability, and transparency, the ERC is listed as a National Capital Area United Way member and National Combined Federal Campaign member.

The ERC is a 501(c)3 organization that annually files the requisite Form 990 with the Internal Revenue Service, and conducts an independent financial audit each year. The charts following summarize the ERC's revenues and expenses for the 2011 calendar year, the last period for which audited information is available. These charts and the listed financial information reflect the ERC's financial data as of December 31, 2011. Complete audited financial statements are available upon request.

2011 ERC Revenue



2011 ERC Expenses



Consolidated Statement of Financial Position

For the year ended December 31, 2011 (with comparative totals from 2010)

	2011 Totals	2010 Totals
Assets		
Current Assets		
Cash and Cash Equivalents	\$ 57,227	\$ 220,171
Accounts Receivable	2,016,953	1,993,986
Prepaid Expenses	<u>5,998</u>	<u>4,643</u>
Total Current Assets	2,080,178	
Property and Equipment	13,502	12,203
Total Assets	\$ 2,093,680	\$ 2,231,003
Liabilities		
Current Liabilities		
Accounts Payable	\$ 157,683	\$ 78,564
Line of Credit	--	193,445
Notes Payable	<u>59,614</u>	<u>61,150</u>
Total Current Liabilities	217,297	333,159
Total Liabilities	247,739	353,630
Net Assets		
Unrestricted	(44,733)	192,729
Temporarily Restricted	<u>1,890,674</u>	<u>1,684,644</u>
Total net assets	\$ 1,845,941	\$ 1,877,373
Total Liabilities and Net Assets	\$2,093,680	\$2,231,003

Consolidated Statement of Activities and Changes in Net Assets

For the year ended December 31, 2011 (with comparative totals from 2010)

	2011 Totals	2010 Totals
Support and Revenue		
Contributions Donated Services	\$ 2,484,276	\$ 3,873,772
Awards/Settlements	689,580	622,154
Grants-Government	424,055	337,500
Consulting Contracts	254,486	136,007
Contributions and Pledges	17,107	21,547
Grants-Foundations	32,000	2,000
Interest	<u>32,470</u>	<u>102,856</u>
Net Assets Released from Restrictions		
Total support and Revenue	\$ 3,935,195	\$ 5,099,372
Expenses		
Program Services	3,797,826	5,199,417
Supporting Services		
General and Administrative	259,985	138,036
Fundraising	114,846	113,830
Total Expenses	\$ 4,172,657	\$ 5,451,238
Change in Net Assets	(31,432)	(42,267)
Net Assets, Beginning of Year	\$1,877,373	\$1,919,640
Net Assets, End of Year	\$1,845,941	\$1,877,373



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