

November 4, 2015

Jody Calendar, Executive Editor
Two Rivers Times
75 W. Front Street
Red Bank, NJ 07701

RE: Crossroads/Accessibility

Dear Ms. Calendar:

Disability Rights New Jersey, DRNJ is a non-profit organization that provides advocacy and legal services to individuals with disabilities. We are writing to request that any future public meetings or forums hosted by Two Rivers Times, (the Times) be held in an accessible facility.

It has come to DRNJ's attention that on September 21, 2015, the Times held a forum at Red Bank Catholic High School regarding your Crossroads Initiative to address pedestrian and cyclist safety. It has also come to our attention that a resident of one of the communities that the Times serves inquired on September 8, 2015, about whether the forum was going to be held in an accessible facility because she uses a wheelchair for mobility. She was not notified until the afternoon of September 21, 2015, that there was no accessibility to the auditorium at Red Bank Catholic High School for wheelchair users.

The Americans with Disabilities Act requires that public accommodations provide equal opportunity to individuals with disabilities to participate. Because the forum that the Times held on September 21, 2015 was open to the public, it should have been held in an accessible location. Unfortunately, the Red Bank Catholic High School is not accessible, and a member of the public was denied an equal opportunity to participate.

Furthermore, public officials attended this forum and provided information regarding legislation that protects children, promotes the building of cyclist lanes, and the Department of Transportation's plans to repave highway 35. There was also information on safety issues shared with the public. The public was also allowed to ask questions and give comments.

Unfortunately, those with mobility impairments, that use wheelchairs could not attend this public forum, and get this information, and give their input on how these safety issues impact them when they traverse the streets in their town in wheelchairs. Given that public officials were present and providing information, it is our position that Title II of the ADA is applicable to this forum, and as such arrangements should have been made by these public entities to ensure that this forum was held in an accessible facility. 28 C.F.R. §35.150

Advocating and advancing the human, civil and legal rights of persons with disabilities

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If future meetings and/or forums of this nature again, are not held in an accessible facility, our clients will be advised that they may file administrative claims with the U.S. Department of Justice and with the New Jersey Division on Civil Rights or suit in court pursuant to the Americans with Disabilities Act and the New Jersey Law Against Discrimination.

By copy of this letter, DRNJ is advising those individuals reported as having attended this forum of the mandate to hold meetings open to the public in accessible facilities.

If you have any questions you may call me at the telephone number listed above.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Iraisa C. Orihuela-Reilly". The signature is written in black ink and is positioned above the typed name.

Iraisa C. Orihuela-Reilly
Senior Staff Attorney

ICOR/tyw

c.c. Honorable Jennifer Beck, Senator
Honorable Joseph Kyrillos, Senator
Honorable Thomas A. Arnone, Freeholder
Honorable Benjamin Lucarelli, Mayor of Fair Haven
Honorable Dina Long, Mayor of Sea Bright
Honorable John Ekdahl, Mayor of Rumson
Honorable Pasquale Menna, Mayor of Red Bank
Darren McConnell, Chief of Police, Red Bank
Stephen Dollinger, Deputy Chief, Middletown
Robert Abatemarco, Principal, Red Bank Catholic High School
client