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Dear Senator:

I write to request that legislation now before you, AB 1850, be amended to **include professional interpreters**, including those who provide reliable real-time translations in deaf individuals' primary language, American Sign Language (ASL).

Unless this bill, intended to clean up aspects of the new state law on misclassification, includes such recognition for **auxiliary aids and services** in the Professional Services Exemption, it will cause harm. It will compromise access to trustworthy, expert language services for the deaf and hard of hearing and many other Californians with disabilities.

That outcome is unacceptable and would be a demoralizing setback at this important milestone in our movement for dignity, equity, and inclusion. This summer marks the 30th anniversary of the landmark **Americans with Disabilities Act (ADA)**.

In the State of California, there are over 2.2 million individuals who are deaf, deaf-blind, hard of hearing or have a speech disability relying on effective communication through the provision of auxiliary aids and services as required under the ADA, 1990, as amended in 2010.

Under the law, it is imperative that individuals who are deaf, deaf-blind, hard of hearing, or have a speech disability have meaningful access to state and local governmental entities (Title II) and places of public accommodation (Title III) and to ensure that no individual with a disability is excluded, denied services, segregated, or otherwise treated differently than other individuals because of the absence of auxiliary aids and services.

The Professional Services Exemption should avoid any restrictions and provide meaningful access to individuals who are deaf, deaf-blind, and hard of hearing as well as to individuals with speech disabilities in a manner comparable to people who can hear.

Auxiliary aids and services include Sign Language Interpreting Services and Communication Access Real-Time Translation (CART), two different types of specialized services that require different skills and should be protected. CART uses machine stenographers (real-time captioners) who manually enter verbal communication via a stenography machine into a software program. The program converts the steno signals to text instantly, which is then displayed on a personal computer or projection screen for a deaf or hard-of-hearing person to read. The service is typically used by individuals who are hard-of-hearing, late-deafened, and those who lost their hearing after learning speech and rely solely on CART.

Both these specialized services make aurally delivered information available to ensure effective communication for individuals who are deaf, deaf-blind, and hard of hearing. The accommodations, or method of assistance, requested by the individuals who are deaf, deaf-blind, and hard of hearing must be given "**primary consideration**" by the public entity and public accommodation.

Professional sign language interpreters highly skilled in ASL have been available for hire for decades.

Sign Language Interpreters provide communication accessibility using sign language when interactions between deaf and hearing persons are involved. Due to the fact that sign language interpreter quality varies widely, it is important to use professional interpreters, including those certified by the National Registry of Interpreters for the Deaf (RID).

The skill of professional interpreters, including in ASL, has reached broad public awareness during the COVID pandemic during televised briefings and public hearings.

The difference that expert language access makes can be one of life and death. That includes professional interpreters in ASL in emergency settings, such as healthcare. This May 2020 article in CalMatters dramatizes the particular, vital importance of Californians' access to professional interpreters: <https://calmatters.org/commentary/the-importance-of-considering-professional-interpreters-in-ab-1850/>

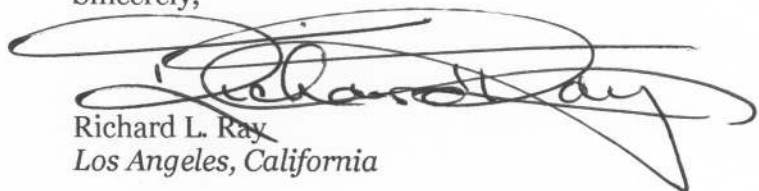
I would like to provide some information about my professional background experience and involvement as a member of several local, state, and national organizations. I have been employed by the City of Los Angeles Department on Disability for the past 28 years to assess, monitor, and ensure the city's compliance with the ADA, the Rehabilitation Act of 1973, and other applicable federal, state, and local disability laws. Currently, I am the ADA Technology Access Coordinator for the City of Los Angeles. Prior to that, I was the Deputy ADA Compliance Officer and ADA Compliance Officer. In these capacities, I have advised the city, including its law enforcement agencies, on accommodations in compliance with applicable disability law; provided technological and technical assistance to city departments to improve access to and communication with the deaf and hard-of-hearing; and coordinated access to city facilities, programs, services and activities for deaf and hard-of-hearing individuals.

Having held these positions, I am knowledgeable about the requirements of the ADA, the Rehabilitation Act, and other disability laws, and reasonable accommodations under those laws. Through my employment I am also deeply versed in various technologies and methods for improving communication and access for the deaf and hard-of-hearing. I am actively involved as a co-chair of the National Emergency Number Association Accessibility Committee. And I am currently serving on the Federal Communications Commission (FCC) North American Numbering Council (NANC) - Interoperable Video Calling (IVC) Working Group. I have served as co-chair for the FCC Emergency Access Advisory Committee, as a member of FCC Disability Advisory Committee, and as co-chair of the Emergency Communications Subcommittee.

I was also a member of the National Advisory Board of Preparedness & Emergency Response Research Center (PERRC), University of California, Berkeley and the California Public Utilities Commission (CPUC), Deaf and Disabled Telecommunications Program (DDTP) - Equipment Program Advisory Committee. I have received a number of awards and recently was inducted into the **National Emergency Number Association Hall of Fame** on June 2019.

Having devoted more than three decades of my life to progress for deaf and hard of hearing Californians and for all Americans with disabilities, I implore you to amend the terms of the exemption in AB 1850 to protect language access as outlined above. The power to rectify the terms of this bill and fix state law is in your hands. I join thousands of people with disabilities, including constituents of yours, to urge that you do the right thing.

Sincerely,



Richard L. Ray
Los Angeles, California