**Resolution 2010-25
Regarding Civil Rights Protection of Blind People
and Their Service Animals in Public Accommodations**

WHEREAS, the purpose of the National Federation of the Blind is “the removal of the legal, social, and economic barriers faced by the blind” so that we will achieve “full integration into society on terms of equality”; and

WHEREAS, discrimination by places of public accommodation is one of the barriers faced by the blind, especially among those who choose to use a guide dog as their mobility tool; and

WHEREAS, state laws vary in the protection from discrimination that they offer to their blind citizens; and

WHEREAS, the Americans with Disabilities Act (ADA) prohibits discrimination on the basis of disability in public accommodations and offers greater protection against discrimination than many state laws; and

WHEREAS, many states have laws that contain provisions that are incongruent with the ADA such as requirements that service animals wear specific gear, provisions for muzzling, requirements for documentation, language concerning certifications that do not exist, and prohibitions of service animals in zoos, all of which are considered discriminatory under the ADA; and

WHEREAS, although the ADA has been in existence for twenty years, many states have not bothered to change their laws to conform to the ADA; and

WHEREAS, a large majority of states provide criminal penalties for discrimination on the basis of disability, allowing law enforcement to intervene, generally resulting in an immediate resolution of such access issues while providing appropriate penalties for more serious infractions; and

WHEREAS, criminal penalties allow a more expeditious resolution of such access issues (benefiting the disabled community in general and society as a whole) by addressing discrimination at the local level, while relieving individuals from the burden of costly litigation and prolonged civil processes: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in Convention assembled this seventh day of July, 2010, in the city of Dallas, Texas, that this organization call upon state legislatures to examine their statutes for parity with the ADA, removing provisions that are not in conformity with this federal law; and

BE IT FURTHER RESOLVED that this organization call upon the remaining states that do not provide criminal penalties for discrimination against blind guide dog users to promote and protect the equal rights of their blind citizens more effectively by creating criminal penalties for acts of discrimination; and

BE IT FURTHER RESOLVED that this organization urge all states to protect the civil rights of the blind by vigorous enforcement of the law.