

Phyllis F. Resnick, President

A Florida Not-For-Profit
501(c) (3) Corporation
19333 West Country Club Drive #1522
Aventura, Florida 33180

FREE POSTAGE
FOR THE BLIND
AND PHYSICALLY
HANDICAPPED

JANUARY, 2010

JANUARY, 2010

NEWS! NEWS! NEWS!



**READ ABOUT OUR MOST RECENT
ADVOCACY ACCOMPLISHMENTS!!!**

WITH YOUR CONTINUED SUPPORT
WE CONTINUE TO GROW NATIONALLY
(NATIONAL GROWTH = NATIONAL VICTORIES!!!)

JANUARY, 2010

THIS NEWSLETTER IS ALSO AVAILABLE ON-LINE AT:

www.adaaccessnow.org

(Bobby-Approved)

******Please Note******

**YOU MAY NOW FILL OUT OUR MEMBERSHIP FORM
DIRECTLY ONLINE AT WWW.ADAACCESSNOW.ORG
THE MEMBERSHIP FORM IS ALSO ATTACHED AT
THE BEGINNING OF THIS NEWSLETTER**

email: **info@adaaccessnow.org**

“ACCESS NOW, INC.”[®]
(a Florida not-for-profit, 501(c) 3 Corporation)
19333 West Country Club Drive #1522
Aventura, Florida 33180
Tel. 305-705-0059 Fax 305-792-2665

info@adaaccessnow.org

www.adaaccessnow.org

Membership Form

******IF POSSIBLE, WE PREFER THAT YOU REGISTER ONLINE******

******JUST GO TO OUR WEBSITE SHOWN ABOVE AND CLICK ON
“MEMBERSHIP” LINK ******

Date _____

Name **(PLEASE PRINT)** _____

Address _____

City _____ State _____ ZipCode _____

Telephone _____ Fax _____

e-mail _____

*****(STRONGLY ENCOURAGED – VERY HELPFUL!!!!!!)*****

Non-Disabled _____ Disabled _____

If Disabled, give brief description:

(MOBILITY – WHEELCHAIR-USER, PART/FULLTIME; VISION; HEARING)

Do you use a service dog? _____ Name _____

If Disabled, INTERESTED IN LEARNING MORE about being a PLAINTIFF?

YES NO

Donation _____ **(APPRECIATED BUT NOT REQUIRED)**

Please send me: # _____ **Newsletters**

Please tell us how or from whom you heard about “Access Now”[®] (if from the internet, please tell us the site):

SIGNATURE _____

PLEASE SIGN!!!!!!!!!!!!

ACCESS NOW, inc.®

A Florida Not-For profit, 501(c) 3 Corporation

PLEASE DIRECT CORRESPONDENCE TO:

19333 West Country Club Drive, #1522
Aventura, FL 33180
Tel: (305) 705-0059 Fax: (305) 792-2665
www.adaaccessnow.org info@adaaccessnow.org

OFFICERS & EXECUTIVE COMMITTEE

Edward S. Resnick, Founder *
Phyllis F. Resnick, President/Exec. Dir.
Marla S. Dumas, 1st Vice President
Michael Abrams, Vice President
Marilynn Bloom, Vice President *
Michaala Speijers, Vice President
Merry C. Buie, Secretary *
Estelle P. Michelson, Treasurer
Linda Diedel, Director

BOARD OF DIRECTORS

Gregory Arkin
Jo Asmundsson
Erez Barnavon
Yoav Barnavon, M.D.
JoAnn Bass
George Berlin *
Joseph Blau
Sanford H. Blum
Carmen Kohly Calzada
Robert W. Christoph
Catherine F. Colonese
Rudolph E. Drosd, M.D. *
Bruce Eichner
Laurence Feingold
Jose Garcia-Pedrosa
Lenore J. Gaynor
Edith S. Gelber *
Seymour Gelber
Robert Goodman
Heinrich Hanau
Nathan Hong
Edith Lefcoe
Cong. William Lehman *
Bernard Michelson *
Gordon R. Miller, M.D.
Margaret Nee
Doris Pardo
Joseph Pardo *
Esther Percal
Hope Pomerance *
Harold Prince
Aaron Schecter
Mark Soyka
Constanza Stern
Jerome Stern
Rita Swedroe
Robert Swedroe
Robert Threatt
Sarah Threatt
Kenneth Zarrilli

* Deceased

**I BELIEVE THAT
MANY OF THESE
NAMES MIGHT BE
FAMILIAR TO YOU.
IN FACT, YOU MIGHT
EVEN SEE YOUR OWN!**

407 Lincoln Road, Penthouse Southeast, Miami Beach, FL 33139

January, 2010

Dear Reader:

Once again, we hope that you will enjoy reading our latest newsletter and that you would like to join us in our mission, our goal and our achievements. (THERE IS NO FEE REQUIRED.) Also, please let us remind you that our membership is open to both the able-bodied as well as to the disabled.

If you would like to become one among our growing list of members, please either fill out, SIGN and return the attached form to us or, preferably, you may fill out the form online by logging on to our website at www.adaaccessnow.org and going to the "Membership" link. (The latter method makes it much easier and quicker for us to enter you into our database and is therefore particularly helpful.)

IF YOU ARE ALREADY A MEMBER, PLEASE SHARE THE ENCLOSED MEMBERSHIP FORM WITH SOMEONE YOU KNOW!!! THANK YOU!

We are very proud of the strides we have made and we hope that we can count on you as one of our members and, in an abundance of optimism, we thank you in advance!

Most sincerely,

Access Now, Inc.[®]
Phyllis F. Resnick, President

P.S. WE ARE HAPPY TO REPORT THAT PEOPLE ARE BEGINNING TO TAKE GREATER NOTICE OF US AND OUR WORK! PLEASE SEE NEXT PAGE FOR AN ARTICLE REPRINTED FROM THE AVENTURA NEWS, DATED AUGUST 12, 2009.

Disabled access advocate fights for ADA compliance

BY GAIL SHIVEL

Phyllis Resnick, a self-described activist, has spent decades advocating for causes she believes in. "I was brought up in the volunteer tradition," she said, and today her volunteer spirit is helping disabled people who face unfair barriers in public areas.

Resnick and her husband Edward S. Resnick, who died in 2003, formed Access Now, Inc., a not-for-profit devoted to improving access for disabled persons, in 1998. Mr. Resnick, an attorney, contracted polio in 1954 and spent 49 years as a full-time wheelchair user.

Having grown up in South Miami Beach, Mr. Resnick witnessed the rebirth of the area in the 1990s only to be

denied equitable access to its attractions. "Here were all these clubs, restaurants, shops and all kinds of happy things opening up, and Edward couldn't get into any of them because of his wheelchair," Resnick said.

The Resnicks formed Access Now as a resource for people with any kind of disability who have had problems with buildings that do not have accessible wheelchair ramps, for example, or correct restroom facilities, or stores that have aisles too small to navigate. Access Now has grown into a nationwide organization, with the goal of encouraging compliance with the Americans with Disabilities Act of 1990 (ADA). Businesses and public buildings that do not comply with ADA guidelines for disabled access are liable, and Access Now helps people pursue litigation when appropriate.

In addition to her service to Access Now, Resnick also is involved with the Little Theatre School in Aventura (see story, date or page); as a girl she dreamed of "life upon the wicked

stage", though real life and love intervened. Her one big performance had been for a benefit concert, bringing down the house as a visibly pregnant 27-year-old with "I'm Just a Girl Who Cain't Say No" from Oklahoma. Today, she enjoys acting as a pastime and has performed in such classics as *The Little Foxes* and *The Prime of Miss Jean Brodie*. A Brooklyn native, she has lived in South Florida since 1950.

"I was very active in the civil rights movement, peace marches and sit-ins," Resnick said, and once came close to being arrested at a protest in downtown Miami. She currently serves on the

Resident Council of Classic Residences by Hyatt in Aventura.

"The civil rights of no

other minority are as systematically and freely violated as those of the disabled," Mr. Resnick wrote in 2001. "Most of us have lived our lives quietly suffering the indignities foisted upon us." Resnick has carried on the work she and her husband began together, serving as Access Now's president and helping ensure that disabled people are treated fairly. Access Now is directed entirely by non-paid volunteers, including Resnick, who work with law firms, consultants and inspectors to encourage compliance with the ADA.

Access Now, with various individual plaintiffs, has filed many class actions against businesses that have not removed barriers to disabled people. So far, all of the cases the organization has brought have been settled successfully out of court. The organization's website, www.adaaccessnow.org, has more information. Building managers can check their compliance with the ADA by viewing the accessibility guidelines at the United States Access Board website, www.access-board.gov/adaag.

ACCESS NOW, inc.

NEWSLETTER UPDATE – JANUARY, 2010

FROM PHYLLIS F. RESNICK, PRESIDENT

Hello again, everybody! Well, we have a brand new year under way and we have much to report. We have had many, many requests for assistance with regard to the ADA (the Americans with Disabilities Act) and the FHA (Fair Housing Act – which governs multiple-dwelling units). We are also receiving many calls for assistance with regard to service animals. In regard to the latter, in addition to the two articles which are included herein, on pages eight through eleven, we have also come across an excellent article from The New York Times entitled “Creature Comforts” that provides a more lengthy discussion of the entire issue of service animals. Space and costs prohibit its inclusion in our newsletter, but we are happy to provide you with a link to it. <http://www.nytimes.com/2009/01/04/magazine/04Creatures-t.html>. It continues to astonish us that in the year 2010, there remain vast pockets of ignorance of and non-compliance with the ADA, which was enacted into law in 1990! That is why your continuing support is so very, very important to us!

I would like to thank all our members, worldwide and, in an abundance of optimism, our prospective members as well! And now, to our news-----

THE UPDATE:

Membership – We now have 960 members representing 47 states and Puerto Rico. We are also proud to claim members in Canada, Hong Kong, Australia. Our Board of Directors stands at 40, our Executive Committee at 8, our Attorneys represent 4 law firms and our Consultants number 6. We want to acknowledge here our debt to the members of our Board of Directors and our Executive Committee for their support, their encouragement and their many kinds of contributions to our goals. Most particularly, we want to express our appreciation to our First Vice-President, Marla Dumas, for assuming that mantle of responsibility. Above all, our deepest appreciation goes to the attorneys and consultants who handle all our cases. Contrary to what is widely believed by the public, these are professionals who, although they earn their livings, in part, through these efforts, are primarily attracted to this work by their belief in and dedication to our mission!

Finally, we would be quite remiss if we failed to mention the enormous contributions of our computer consultants, Gregory Arkin and Alain Ginzberg, without whom we would not be able to function! Above all, I want to express my everlasting gratitude to our assistant extraordinaire, Thomas Miller, for undertaking the task of composing and typing the bulk of this newsletter and for so much more. Without him this publication would be impossible to achieve!

A BRIEF OVERVIEW OF OUR LITIGATION:

Since our September Newsletter, Access Now[®] has made progress in settling cases in several states. We have filed a total of 977 cases since our inception. Presently, there are 149 cases with outstanding Settlement Agreements, requiring alterations or modifications which in several cases should be completed by March 1, 2010, or later. (Cases involving hospitals and other large or complex facilities have post-settlement compliance completion dates much further in the future.)

During the past seven months, Access Now[®] has entered into **18 additional settlements** to make properties A.D.A.-compliant. They include:

Hospitals	16
Government	1
Zoo	1

members of our community. The settlements show that the ADA can work when there are dedicated advocates and attorneys using it for our benefit.

2. City of Enid, Oklahoma – To settle this Title II case the City of Enid has agreed to spend \$3,600,000 over 12 years to address and remedy accessibility issues. Enid will, among other things, create an Access Board and an ADA Transition Plan to implement the settlement agreement.

3. Tennessee Aquarium – In this case the Tennessee Aquarium has agreed to make modifications and alterations that will increase accessibility at its Tennessee Aquarium Ocean Journey, River Journey and IMAX Theater facilities. When the work is completed, the Aquarium will be in compliance with the ADA.

OTHER LEGAL MATTERS: We want to keep you informed about important recent litigation around the country, of which you might not be aware, as well as to update information from our previous newsletters affecting the rights of the disabled. We think it is important for our members to keep abreast of successes realized by and within the disabled community, whether accomplished by Access Now® or by other organizations. We are all in this fight together!

New Hampshire Town loses ADA case

By BEA LEWIS

bwheel@metrocast.net

Friday, June 12, 2009

After nearly four years of legal wrangling, the New Hampshire Supreme Court has ruled that the town of Tilton must perform winter maintenance on a section of sidewalk to allow a disabled man access. The decision will have an impact on how all municipalities in the state respond to the requirements of the Americans with Disabilities Act (ADA).

In the suit filed in Belknap County Superior Court in July 2005, William C. Tinker of Northfield said he routinely uses his electric scooter to travel the sidewalk that spans the bridge in the Exit 20 area of Interstate 93. The sidewalk extends easterly approximately ½ mile in length.

After Tinker sued and a superior court judge ruled that the town must keep the sidewalk clear, the Tilton Board of Selectmen adopted an ordinance allowing them to close the town's sidewalks to preclude winter maintenance, citing cost and liability issues. The high court, however, held that the ADA requires the town to ensure that the sidewalk is cleared of ice and snow so Tinker, an individual with mobility impairment, can use the sidewalk to access stores and other community amenities.

Tinker, who was represented by lawyers with the Disabilities Rights Center in Concord, argued that, because of an accumulation of ice and snow, the sidewalk is inaccessible to his electric scooter and he was forced to ride in the road on busy routes 3 and 11 to get to the store. As there is a curb between the road and the sidewalk, it would be difficult for Tinker and others with mobility impairments to get off the highway in an emergency situation, the suit claimed. The Supreme Court concluded that the "refusal to remove any snow is not a reasonable limit upon the removal of snow, but is an abdication by the town of its obligation altogether." Due to the town's violation of the ADA, the town has been ordered to pay Tinker's legal fees. Tinker said he was pleased that he and other individuals with disabilities will be able to travel safely in the community and he said he was gratified that "justice has prevailed."

Attorney James Fox of the Disabilities Rights Center said he was pleased that the high court recognized that the town cannot avoid the important mandates of the ADA. The case, he said, highlights the obligation of all towns and cities to maintain the accessibility of sidewalks and walkways so that individuals with disabilities may "participate fully in the community."

EDITOR'S NOTE: The action of the Tilton Board of Selectmen in this case is remarkably similar to that of the Prince Edward County, Virginia School Board in the infamous 1964 civil rights case. The School Board sought to evade the Supreme Court's mandate to eliminate racial discrimination in public schools by closing all of its public schools. In Mr. Tinker's case, the selectmen tried to evade the ADA's mandate to end disability-based discrimination regarding access to its public sidewalks by closing the town's sidewalks to all who would use them. It is sad that the response of public officials to civil rights laws has not changed more in the past 40+ years. Shame on the Tilton Board of Selectmen!

Intellectually Disabled Student Wins Right to Live In Dorm

On December 29, 2009, NPR ran a short piece entitled "[Intellectually Disabled Students Wins Dorm Suit](#)". The story is about Micah Fialka-Feldman, a non-matriculated student taking courses at [Oakland University](#) through [OPTIONS](#), a program for students with cognitive impairments. Mr. Fialka-Feldman decided that he wanted to live in the residence halls as part of the experience. His application for housing was rejected, which Mr. Fialka-Feldman contested.

On December 29, 2009, the Michigan District Court granted Mr. Fialka-Feldman a permanent injunction allowing him to move into Oakland University's Residence Hall in January. The District Court's decision does not carry much weight as legal precedent, and the university could still appeal. However, the ruling is informative and should be useful in developing approaches to campus inclusion programs that consider and address their broad impacts. The District Court's decision can be viewed at <http://www.throughthesamedoor.com/pdf/mffcomplaint11-25-08.pdf>. For more on inclusion programs visit Think College at <http://www.thinkcollege.net>.

Wheelchair user files complaint with state Dems after being denied equal access at Hammond caucus

Northwest Indiana Times, January 15, 2010

By Marc Chase - marc.chase@nwi.com

HAMMOND – A political candidate and wheelchair user filed complaints this week with the state Democratic Party, claiming he traveled three miles through ice and snow only to be denied access to the campaign stage earlier this month.

Raymond Fletcher was among four candidates who sought through a special caucus Jan. 2 at the Hammond Civic Center to fill the seat left vacant when Councilwoman JoAnn Matonovich died. Fletcher uses a motorized wheelchair and could not gain access to the stage the other three candidates used to campaign for the seat because it required ascending stairs. Instead, Fletcher was given a microphone in an area offset from the stage, which he claims unfairly denied him equal access to the process.

Indiana Democratic Party Chairman Dan Parker declined to comment on the matter Thursday, saying he first wanted to respond to Fletcher personally.

"I made the three-mile journey in my wheelchair in 5-degree temperature to the civic center for the caucus," Fletcher wrote in his letter to Parker. "After rolling my wheelchair in that frigid air, I had to plow through a snow bank that was blocking access from the sidewalk to the wheelchair ramp just to get in the door." Once inside, Fletcher said he was directed to an area "tucked away" from the audience to address a crowd of party members, many of whom he couldn't see. Meanwhile,

the rest of the candidates were able to shake hands on the main stage with party leaders and present their case for the vacant office in a more visible fashion, he said.

“As a lifelong Democratic resident in my community, I am just seeking the very same opportunity that any non-disabled individual may have,” he wrote to Parker. Fletcher also sent a similar letter to Lake County Democratic Party Chairman and Hammond Mayor Thomas McDermott Jr.

McDermott said leaders at the Jan. 2 event tried to make all possible accommodations for Fletcher, even helping him remove heavy winter clothing in preparation for his speech. McDermott also noted that Fletcher finished last in a four-person race for the office that day. “If this were a close race, I could see where he was coming from not being able to access the stage,” McDermott said. “But he finished in fourth place out of four candidates, and I don't think it would have made a difference.”

But Fletcher said it's a matter of fairness, not who finished first or last. Fletcher also expressed concern about future political and caucus events scheduled for the Hammond Civic Center. A number of the parking spaces designated for the disabled are located on the opposite end of the parking lot from the wheelchair ramp. And a *Times* visit to the Civic Center last week revealed locked entry doors at the top of the accessible ramp. Meanwhile, front doors to the building, which requires walking up concrete steps, remained open to the public.

McDermott expressed some concern Thursday that accessible doors to the facility had been locked. "It may be something we need to take a look at," he said. "I know we have a significant disabled community in Hammond, and it's an important issue."

In December, *The Times* published the results of a three-month investigation of ADA compliance at dozens of public facilities, high-traffic businesses, shopping centers and downtown districts in Lake and Porter counties and the Chicago's south suburbs. It revealed at least 71 barriers to wheelchair users and others with disabilities. Several of the barriers contradicted standards set in the ADA.

You can find this case at http://nwitimes.com/news/local/lake/article_26dbe565-d750-5c01-a474-8f75149f76b1.html

The preceding article was made available by our friends at the DBTAC-Great Lakes ADA Center (www.adagreatlakes.org).

Revised Air Carrier Access Act (ACAA) Regulations in Force

The updated Air Carrier Access Act (ACAA) regulations went into effect May 13, 2009. They incorporate several new requirements.

Key changes include:

- Coverage extended to foreign carriers;
- New requirements for airport and aircraft accessibility and changes in airport services including reservations, facilities, in-flight and aircraft acquisitions;
- New requirements for passengers who use respiratory assistive devices including 48 - hour notification of use in advance of flight;
- New guidelines on provision of effective communication for passengers who are deaf or hard-of hearing;
- New requirements for passengers traveling with emotional support animals or psychiatric service animals to provide documentation and give 48-hours' notice before flight.

The National Network of ADA Centers has released "An Overview of the ACAA" (<http://www.southwestada.org/html/publications/ebulletins/legal/2009/may2009.html>). You can call a regional ADA Center at 1-800-949-4232 if you have questions on the ACAA, the Americans with Disabilities Act and other disability-related laws. Updated ACAA regulations can be found at the "Disability Law Index" (<http://www.swdbtac.org/html/topical/aircarrier/index.html>).

Steve Gold's "Treasured Nuggets of Information"

Steve Gold is very informed and active regarding issues of Medicare, Medicaid and Home Health Care. Steve is a treasure trove of information, and we strongly suggest that you take the time to view his website at <http://www.stevegoldada.com>. In a June 2009 issue of "Treasured Nuggets of Information", Mr. Gold looked at the foundation of the problems faced by those unnecessarily institutionalized because of government's "waiting game" respecting disabled Americans.

2008 Mainstream Voucher Recipients- Information Bulletin #292 (8/09)

On August 5, 2009, HUD announced the Housing Authorities that competed and won 2008 Mainstream vouchers. The list of Housing Authorities is below together with the number of vouchers. These vouchers are targeted for non-elderly people with disabilities.

These vouchers were competitive. Did your Housing Authority apply for them? Do non-elderly people with disabilities in your area need housing vouchers? Has your Housing Authority recognized that there are people in institutions because they cannot afford housing and would leave the institutions if they had one of these vouchers? If your Housing Authority did not apply, why not?

Obviously, it is important to make sure that the 2008 Mainstream vouchers below are awarded properly and only to non-elderly people with disabilities. Have you discussed with the Housing Authorities listed below how they plan to do this?

The 2008 vouchers listed below are NOT the 4,000 Mainstream vouchers funded in 2009, which we discussed in the Information Bulletin #290 on June 30, 2009. See www.stevegoldada.com.

Have you met with your Housing Authority regarding the 2009 Mainstream vouchers, which are also for non-elderly people with disabilities? *Is your Housing Authority planning to apply for the 2009 vouchers?*

If you have met with your Housing Authority officials regarding the 2009 Mainstream's 4,000 vouchers and *if they are not going to apply, we'd like to hear what they said and to learn why they will not apply*. Thanks. Congratulations to the following 2008 Winners:

Sacramento County, CA Housing Authority	100
Housing Authority of the City of Orlando, FL	100
City of Des Moines, IA Municipal Housing Agency	53
Chicago, IL Housing Authority	100
Housing Authority of Joliet, IL	45
Housing Authority of the County of Cook, IL	100
Topeka, KS Housing Authority	75
Cambridge, MA Housing Authority	100
Framingham, MA Housing Authority	90
Housing Opportunities Commission of Montgomery, MD	100
Housing Authority of the County of Butler, PA	50
Town of Cumberland, RI Housing Authority	29
Town of North Providence, RI Housing Authority	25
King County, WA Housing Authority	100

Steve Gold, The Disability Odyssey continues.

GOVERNMENTAL NEWS

THE FOLLOWING INFORMATION IS ALSO PROVIDED BY THE DBTAC-GREAT LAKES ADA CENTER (www.adagreatlakes.org) FOR YOUR INFORMATION:

U.S. Dept. of Labor Launches Disabilities Resources Website

The U.S. Department of Labor this week launched Disability.gov, a redesigned federal Web site that connects the more than 50 million Americans with disabilities to thousands of trusted resources on disability-related issues, programs and services. Formerly known as DisabilityInfo.gov, the site has been completely redesigned and updated with new social media tools, such as a blog and a Twitter feed, to encourage feedback and interaction among visitors. Disability.gov is not just for Americans with disabilities, but also for parents of children with disabilities, employers, workforce and human resource professionals, veterans, educators, caregivers and many others.

Disability.gov features comprehensive information from 22 federal agencies, as well as educational institutions, non-profit organizations and state and local governments. Topics covered on the site include: benefits; civil rights; community life; education; emergency preparedness; employment; health; housing; technology; and transportation.

IMPORTANT: If you are currently linking to www.DisabilityInfo.gov from your Website, please take a moment to update your link to www.Disability.gov. If you are not currently linking to us, we hope that you will add this to your Website. To link to Disability.gov, visit our “Link to Us” page (http://www.disability.gov/home/link_to_us).

OTHER NEWS

The issue of service dogs has been much in the news over the past couple of years. Access Now[®] would like to present the following articles in furtherance of that discussion.

Dogs trained to alert owners to oncoming crises

BY BARBARA ANDERSON
McClatchy News Service

FRESNO, Calif. -- These Labrador retrievers look like any two dogs playfully tugging at each other's ears in Kristin Wilson's living room -- but both are at work. Their job? To alert Wilson and Sheila Zamora of Fresno, Calif., both diabetics, when their blood-sugar levels are falling. Quick action is needed to spare them from dangerous effects of hypoglycemia -- seizures or even comas.

ASSISTANCE DOGS

Wilson's yellow lab Kolumbo and Zamora's black lab Sherman are assistance dogs, just like those who help the blind. The women say these dogs have accurately detected when their blood-sugar levels have dropped -- and have even reminded them to eat when they've failed to act.

Training dogs for diabetics is a relatively new idea. At least one study seems to suggest that dogs can detect low blood-sugar levels in people, but researchers are still looking for proof and an explanation of the phenomenon. Researchers at Queen's University Belfast in Ireland questioned 212 dog owners in 2008. The owners were Type 1 insulin-dependent diabetics. Their dogs all were just pets -- not trained assistance dogs. Sixty-five percent of the owners said the dogs had reacted to at least one hypoglycemic episode, with 31 percent of the dogs reacting to 11 or more episodes.

The dogs' reactions included barking, licking their owners, staring intently and jumping on their owners. A few of the dogs trembled and some ran away from their owners, the researchers said.

It's thought the dogs detect a scent from the body when a drop in blood sugar is imminent or occurring, said Diabetics4Dogs program director Carol Edwards. The nonprofit, based in the Bay Area city of Concord, Calif., trained Wilson's and Zamora's service dogs. The smell could be acetone, endorphins and a few other things," Edwards said. But there are still more compounds to identify, she said. "I would love to know what they're smelling."

The dogs are exposed to the low-blood sugar scent in training, Edwards said. The dogs also receive obedience and social training before being placed with a diabetic, she said. Since the nonprofit began training dogs in 2004, Edwards said few diabetics have returned their dogs for failing to detect hypoglycemia. The business has trained 50 dogs and has an additional 12 in training, she said.

The American Diabetes Association hasn't taken a position on diabetes assistance dogs, said Bo Smith, director of marketing and communications in the association's Los Angeles office. "Science has not yet proven the dogs are reacting to a change in body chemistry," Smith said. Wilson and Zamora, however, are convinced.

Even dog play doesn't keep the canines from their job. As they romp in Wilson's living room, Sherman stops briefly and bites a "bringzel," a black cloth pouch hanging around his neck. He looks at Zamora. When he gets Zamora's attention, he returns to nipping Kolumbo's ears. That was Sherman's signal for her to check her blood sugar, Zamora said. Zamora's blood sugar isn't low, but it has dropped 31 points to 228 in the 17 minutes she's been at Wilson's home. Although Zamora doesn't need to eat, Sherman gets a treat -- cheese crackers.

Wilson and Zamora are longtime insulin-dependent diabetics -- Wilson, 38, was diagnosed with diabetes at age 6; Zamora, 45, has had diabetes since she was 17. The women's blood-sugar levels can plummet without warning to below 50, a level low enough to cause seizures and coma. Because they have had diabetes for so long, they no longer experience cold sweats, tremors or other warning symptoms of hypoglycemia.

Zamora has had seven seizures -- five within the last two years, including two that occurred when her husband was not home. Her teenage daughters called paramedics for help in the middle of the night each time. One of the seizures lasted 25 minutes. She got Sherman in October so her daughters would not have to go through that again, Zamora said.

TRAINING TIME

Wilson, a single mother, hasn't had seizures, but she wanted an assistance dog to prevent them. She brought Kolumbo home July 25 from Diabetics4Dogs. Wilson spent two weeks at the Concord, Calif., dog-training site learning how to handle a service-assistance dog. Kolumbo was placed with her after the fourth day. The training included taking him to stores, restaurants, on a bus ride and on the Bay Area Rapid Transit system, she said. Wilson, a Fresno County Children's Protective Services worker, paid \$50 for an application fee and \$100 for training materials. Other costs, including a dog crate, were about \$1,400, she said.

Kolumbo and Wilson are still in training. They won't "graduate" until the dog consistently alerts Wilson when her blood-sugar levels drop. Wilson must keep weekly charts to show how Kolumbo is doing. "He's at about 80 percent accuracy," she said.

Zamora, a second-grade teacher at Heaton Elementary, said Sherman's accuracy is "amazing." Three times in the past two weeks, the dog caught low-blood sugar levels while she swam in her backyard pool, she said.

Wilson's learning not to ignore the dog's signal -- he puts his head on her arm when her blood sugar is dropping, she said. Wilson said she takes the dog with her to work, the store and in the car. "I take him everywhere," she said. Her students know he's a working dog, she said. Last year when she introduced Sherman to her class for the first time she let the boys and girls briefly pet him. "The rest of the year, they didn't touch him," she said.

The women said the service-assistance dogs quickly become indispensable. Kolumbo is "my guardian angel," Wilson said. "I don't know what I would do without him."

Good Dog, Smart Dog

By [SARAH KERSHAW](#)

The New York Times, October 31, 2009

Life as a Labradoodle may sound free and easy, but if you're Jet, who lives in New Jersey, there is a lot of work to be done. He is both a seizure alert dog and a psychiatric service dog whose owner has epilepsy, severe anxiety, depression, various phobias and hypoglycemia. Jet has been trained to anticipate seizures, panic attacks and plunging blood sugar and will alert his owner to these things by staring intently at her until she does something about the problem. He will drop a toy in her lap to snap her out of a dissociative state. If she has a seizure, he will position himself so that his body is under her head to cushion a fall.

Jet seems like a genius, but is he really so smart? In fact, is any of it in his brain, or is it mostly in his sniff?

The matter of what exactly goes on in the mind of a dog is a tricky one, and until recently much of the research on canine intelligence has been met with large doses of skepticism. But over the last several years a growing body of evidence, culled from small scientific studies of dogs' abilities to do things like detect cancer or seizures, solve complex problems (complex for a dog, anyway), and learn language suggests that they may know more than we thought they did.

Their apparent ability to tune in to the needs of psychiatric patients, turning on lights for trauma victims afraid of the dark, reminding their owners to take medication and interrupting behaviors like suicide attempts and self-mutilation, for example, has lately attracted the attention of researchers.

In September, the Army announced that it would spend \$300,000 to study the impact of pairing psychiatric service dogs like Jet with soldiers returning from Iraq and Afghanistan with post-traumatic stress disorder. Both the House and Senate have recently passed bills that would finance the training and placement of these dogs with veterans.

Hungarian researchers reported in a study last year that a guide dog for a blind and epileptic person became anxious before its master suffered a seizure and was taught to bark and lick the owner's face and upper arm when it detected an onset, three to five minutes before the seizure. It is still somewhat mysterious how exactly dogs detect seizures, whether it's by picking up on behavioral changes or smelling something awry, but several small studies have shown that a powerful sense of smell can detect lung and other types of cancer, as the dogs sniff out odors emitted by the disease.

Beyond these perceptual abilities, in which trainers can use the dogs' natural instincts, some research has examined dogs' actual cognitive ability, and found not just good doggie, but smart doggie.

"I believe that so much research has come out lately suggesting that we may have underestimated certain aspects of the mental ability of dogs that even the most hardened cynic has to think twice before rejecting the possibilities," said Stanley Coren, a psychology professor at the University of British Columbia and an author of several books on dogs.

Dr. Coren's work on intelligence, along with other research suggesting that the canine brain processes information something like the way people do, has drawn criticism. And there is good reason. For most of the last century the specter of a horse named Clever Hans hung over anyone who tried to prove that dogs were acting in thoughtful ways — not merely mimicking or manipulating people into believing that they in fact grasped human concepts.

Clever Hans was said to be able to count, make change and tell time by tapping his hoof, until investigators in the early 1900s learned that Hans was merely responding to his trainer's body language, tapping when the trainer nodded his head. This provided an enduring example for those who believed thought was the exclusive domain of humans.

But in 2004, German researchers reported that a border collie named Rico could learn the name of an object in one try, had 200 objects in his repertoire and remembered them all a

month later, all very human. Even skeptical animal behavior researchers found the Rico results impressive and sound. Is it possible that Rico turned the tide on the Clever Hans problem, even though there is debate about how we can reliably measure what dogs know?

By giving dogs language learning and other tests devised for infants and toddlers, Dr. Coren has come up with an intelligence ranking of 100 breeds, with border collies at No. 1. He says the most intelligent breeds (poodles, retrievers, Labradors and shepherds) can learn as many as 250 words, signs and signals, while the others can learn 165. The average dog is about as intellectually advanced as a 2- to 2-and-a-half-year-old child, he has concluded, with an ability to understand some abstract concepts. For example, the animal can get “the idea of being a dog” by differentiating photographs with dogs in them from photographs without dogs.

But Clive D. L. Wynne, an associate professor of psychology at the University of Florida who specializes in canine cognition and has himself said he met a border collie who knew 1,500 words, takes issue with efforts to compare human and canine brains. He argues that it is dogs’ deep sensitivity to the humans around them, their obedience under rigorous training, and their desire to please that can explain most of these capabilities. They may be deft at reading human cues — and teachable — but that doesn’t mean they are thinking like people, he says. A dog’s entire world revolves around its primary owner, and it will respond to that person to get what it wants, usually food, treats or affection.

“I take the view that dogs have their own unique way of thinking,” Dr. Wynne said. “It’s a happy accident that doggie thinking and human thinking overlap enough that we can have these relationships with dogs, but we shouldn’t kid ourselves that dogs are viewing the world the way we do.”

“NEWS YOU CAN USE”

These items were brought to our attention by our members:

New Resource Saves Disabled Travelers Time, Money and Frustration

Ripon, CA June 22, 2009 --Are you thinking about taking a vacation, but afraid to take the leap because you use a wheelchair? Do you worry about your parents traveling because they don't get around like they used to? Do you just want to find some good accessible travel resources?

Then pick up a copy of the newly released third edition of “Barrier-Free Travels: A Nuts and Bolts Guide for Wheelers and Slow Walkers”. Billed as the definitive guide to accessible travel, this indispensable resource contains detailed information about the logistics of planning accessible travel by plane, train, bus and ship.

Says author Candy Harrington, “Planning an accessible vacation can be daunting if you don't even know where to start, but this book gives you the resources to do it -- and it will save you some time, money and frustration in the process.”

Barrier-Free Travel includes important details about accessible air travel, traveling with oxygen, accessible ground transportation, choosing a travel agent, on-line booking, accessible recreation and even budget travel.

Says Harrington, “Many people don't realize that accessible travel – travel for wheelchair-users to slow walkers – doesn't have to cost an arm and a leg. For example, did you know you can stay in a wheelchair-accessible yurt on the Oregon coast for just \$28 per night? That's why I included a whole chapter on budget travel -- to let people know that there are deals out there.”

The new edition also includes recent updates to access laws, lots of new resources, and an expanded list of companies that rent accessible vans in the US, Canada, Europe, Australia and New Zealand. Adds Harrington, “Due to repeated requests I also included a whole

FOR A HISTORY OF OUR WORK, PLEASE GO TO OUR WEBSITE (WWW.ADAACCESSNOW.ORG) AND CLICK ON THE [NEWSLETTERS](#) LINK.

"ACCESS NOW"[®] OPERATES ENTIRELY ON PRIVATE CONTRIBUTIONS. WE HOPE THAT YOU SHARE OUR ENTHUSIASM FOR OUR WORK AND THAT YOU MIGHT BE MOVED TO MAKE A DONATION TO HELP US CONTINUE. IT WOULD BE DEEPLY APPRECIATED!

Thank you all and please:

IF YOU HAVE A CHANGE OF POSTAL ADDRESS, PHONE NUMBER OR EMAIL ADDRESS, PLEASE, PLEASE LET US KNOW SO THAT WE CAN KEEP OUR FILES UPDATED AND SO THAT WE CAN CONTINUE TO COMMUNICATE WITH YOU.

BEST WISHES FOR A HAPPY AND HEALTHY YEAR AHEAD AS WELL AS CONTINUED
PROGRESS IN ACCESSIBILITY ISSUES!

****PLEASE DON'T FORGET THE MEMBERSHIP FORM!!!!****

AND

****PLEASE LET US KNOW IF IN THE FUTURE YOU WANT TO RECEIVE THIS ELECTRONICALLY ONLY: IT LOWERS OUR COSTS AND SAVES THE TREES****

Access Now, Inc.[®]
Phyllis F. Resnick, President