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The National Federation of the Blind and Two Blind Individuals File Lawsuit against SSA for Lack of Accessible Kiosks

SAN DIEGO, CALIFORNIA (August 28, 2017): Today, the National Federation of the Blind and two blind individuals who receive Social Security benefits filed a federal lawsuit against the Social Security Administration (SSA) for its failure to make its Visitor Intake Processing touchscreen kiosks accessible to its blind visitors. As a result, blind patrons are unable to check in independently at their local SSA field offices, and are forced to divulge private information, such as their social security numbers, to SSA staff or other sighted third parties to assist them. In addition, they cannot read the printed ticket generated by the kiosks, which contains their check-in number, so they must ask someone else to read the number or risk losing their appointment.

The Individual Plaintiffs

Lisa Marie Irving is a blind recipient of Social Security benefits and visited her local SSA office in La Mesa, California on May 4, 2017. In attempting to check in, Ms. Irving found that the Braille instructions were located on the side of the kiosk in an awkward position, making them impossible to read. She could not locate any keypad connected to the kiosk, and there were no audio instructions. Ms. Irving had encountered these same problems at least twice before on previous visits. "It was not only frustrating, but made me dread coming to the SSA office. I always felt rushed by the security guard and was never allowed to try and read the Braille instructions and check in independently. I had to rely on him to always check me in and had

to provide my social security number in a crowded environment. It made me feel very insecure.”

Amy Bonano is also a blind recipient of SSA benefits. She last visited her local SSA field office in Dayton, Ohio in February of 2017 to report her wages and deliver her paystubs. The kiosk had no Braille or audio instructions, no headphone jack, and no keypad. Ms. Bonano had to ask the security guard to enter her information for her. Because she could not read the number on her printed ticket, she relied on the security guard to tell her what her number was so she could report to the service window. The security guard read the check-in number incorrectly, so Ms. Bonano was forced to ask other visitors to read her ticket for her. “I felt very uncomfortable giving out my private information to a stranger in a public place, and now I dread going back to my local SSA office. I don’t understand why an accessible kiosk has not been installed yet when the software for such touchscreen technology exists today. It exists in the common iPhone, which has a touchscreen. It can definitely be done here.”

Further Background

Hundreds of thousands of blind US residents interact with the SSA each year. The SSA uses touchscreen kiosks at its field offices throughout the country. Touchscreen devices like those used by SSA can easily be made accessible; similar kiosks, as well as automated teller machines, are already accessible to the blind via audio output through a headphone jack and input with a tactile keypad. In addition, the iPhone and many other touchscreen smart phones are fully accessible to blind users. The lawsuit alleges that the use of these inaccessible kiosks violates Section 504 of the Rehabilitation Act of 1973.

Approved Quotes for This Release

“It is critical that blind people are afforded not only equal access to government services and information, but equal respect for their privacy as well,” said Mark Riccobono, President of the National Federation of the Blind. “Forcing blind Social Security beneficiaries to divulge their social security numbers, which are portals to other sensitive personal and financial information, in the crowded reception areas of SSA field offices is not acceptable, and the National Federation of the Blind will not tolerate such unlawful discrimination.”

“This issue highlights a systemic concern in the blind community regarding digital accessibility,” said Jonathan Smith, Executive Director of the Washington Lawyers’ Committee for Civil Rights and Urban Affairs.

“Businesses, federal agencies, and medical facilities are increasingly switching to online mediums and kiosks to minimize staff. These spaces also need to be accessible, as they are treated by the public as places of public accommodation. Digital accessibility is not difficult to achieve, as many may assume.”

“The SSA needs to allow blind individuals the same privacy and independence afforded to anyone else visiting their offices,” said Autumn Elliott, a lawyer with Disability Rights California. “The SSA cannot allow check-in kiosks or other new technology to become barriers to access for people with disabilities.”

“In 2017, no federal agency, and certainly not one whose mission includes serving individuals with disabilities, should be using inaccessible technology in its offices,” said Jessie Weber, an attorney with Brown, Goldstein & Levy, LLP. “Requiring blind individuals to obtain sighted assistance before they can meet with a Social Security representative is unacceptable and unlawful.”

For Further Information

The case was filed on behalf of the plaintiffs in the Federal District Court for the Southern District of California (Case No. 3:17-cv-01730-BAS-KSC.) by Brown Goldstein & Levy LLP of Baltimore, MD, the Washington Lawyers’ Committee for Civil Rights and Urban Affairs, and Disability Rights California. A copy of the Complaint is available online here: <https://goo.gl/Bmj1A5>.

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ABOUT THE WASHINGTON LAWYERS’ COMMITTEE: The Washington Lawyers’ Committee for Civil Rights and Urban Affairs was established in

1968 to provide pro bono legal services to address issues of discrimination and entrenched poverty. Since then, it has successfully handled thousands of civil rights cases on behalf of individuals and groups in the areas of fair housing, equal employment opportunity, public accommodations, immigrant rights, disability rights, public education, and prisoners' rights. For more information, please visit www.washlaw.org.

ABOUT BROWN, GOLDSTEIN & LEVY LLP: Brown, Goldstein & Levy, based in Baltimore, Maryland, handles both civil and criminal litigation and has long represented organizations and individuals with disabilities in high-profile, high-impact disability rights cases. For more information, visit www.browngold.com.

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