

FOR IMMEDIATE RELEASE

**MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION
OBTAINS CONSENT DECREES AGAINST
DEDHAM RESTAURANT AND DEDHAM POLICE DEPARTMENT**

Boston, MA – December 21, 2011 – The Massachusetts Commission Against Discrimination (“MCAD”) announces that it has settled discrimination complaints against the Mandarin Bamboo, Inc., d/b/a Bamboo Restaurant, located in Dedham, MA and the Dedham Police Department, following the restaurant’s refusal to seat a party of thirteen, which included disabled patrons with service dogs, on June 26, 2011. The Dedham Police were called to the scene but, according to the complaint, police officers failed to enforce a criminal law that requires places of public accommodations, such as restaurants, to admit disabled persons who are accompanied by service dogs.

Investigating Commissioner, Chairman Julian T. Tynes, initiated a complaint against the Bamboo Restaurant and the Dedham Police Department alleging violations of the Massachusetts Public Accommodation law, following an investigation of the incident. Specifically, the complaint alleged that restaurant employees refused to honor the party’s reservation because members, some of whom were blind, had service dogs with them. The restaurant cited various unlawful or unsubstantiated reasons, including the possibility that other customers could be allergic to dogs and that the Town’s health department barred the presence of service dogs at buffets. The restaurant also insisted that patrons must show identification proving their dogs were service dogs. However, state law forbids restaurants and other public places from requiring disabled individuals to show identification for their service animals.

The Massachusetts Public Accommodation law prohibits a wide range of places of public accommodation from discriminating against persons with disabilities, including those accompanied by service dogs. It is unlawful to deny such persons entry

to restaurants, bars, and stores, for example, or to treat them differently or limit their use and enjoyment of such facilities.

After a review of the alleged incident(s) at the investigative conference, both the Town of Dedham and the Bamboo Dedham restaurant have agreed to settle the matter. Under the terms of the Consent Decree, Bamboo Restaurant has agreed to:

- comply with state and federal public accommodations laws,
- send its staff to anti-discrimination and public accommodation training,
- send managerial staff from other restaurant locations that are operated by the owners of Bamboo Restaurant to anti-discrimination and public accommodation training,
- post and adhere to an approved anti-discrimination policy, and
- issue a public apology.

Under the terms of the Consent Decree, the Town of Dedham has agreed to work with the MCAD to develop an anti-discrimination policy and a model training program on enforcement of the state public accommodation laws as it applies to responding to individuals with disabilities. The Town has agreed to train all its First Responders (employees and volunteers in the Police and Fire Departments and Emergency Medical Technicians).

MCAD Chairman Julian Tynes, stated, "The Commission applauds both Bamboo Dedham Restaurant and the Town of Dedham for immediately recognizing the need to take affirmative steps to assure future compliance with this very important state law that establishes the basic civil right of all persons to equal treatment and access to restaurants and other facilities in the Commonwealth." He further commented that, "We are particularly excited to be working with the Town of Dedham to develop a model training program and policy to guide the Police Department's future response to situations like the one at hand, and commend the Dedham Town Administrator, William Keegan's agreement to share these efforts with other police departments throughout the state."

William Keegan stated, "The Town of Dedham is committed to protecting the rights of all individuals. The Town welcomes this opportunity to demonstrate its leadership in promoting greater awareness of the laws relative to public accommodation of individuals with service animals among our First Responders and more broadly throughout the Commonwealth."

The Massachusetts Commission Against Discrimination is the state's chief civil rights agency. The Commission works to eliminate discrimination in the areas of employment, housing, lending, and public accommodation, and strives to advance the civil rights of the citizens of the Commonwealth through law enforcement, outreach, and training. MCAD currently maintains offices in Boston, Worcester, New Bedford, and Springfield.

MCAD Chairman Julian Tynes was the Investigating Commissioner. This matter was handled by MCAD General Counsel Catherine Ziehl and Commission Counsel Wendy Cassidy, with the assistance of MCAD Investigator Kris Librera.

Further information about MCAD and the civil rights laws we enforce is available at www.mass.gov/mcad.

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