

My name is Sheila Resseger. I am a retired teacher from the RI School for the Deaf, a former sign language interpreter at the Community College of RI, and a co-founder of 5G Free RI. I am writing in strong support of the appellants Moira Hahn and Mark Hotchkiss.

During the March 18, 2022 Hearing, Mr. Doug Carstens, the appellants' attorney, stated:

"So on the city's Appendix of Authorities, 007, it does state in the city's ordinance itself that one of the requirements is to comply with the Americans with Disabilities Act. I will read it verbatim. 'The proposed wireless telecommunication facility and its location shall comply with the Americans with Disability Act.' So that is one thing right off the top."

Jeff Melching, the outside council for the city, later responded:

"That is to say, all we're reviewing is whether there's been compliance with the ordinance. And I understand what Mr. Carsten said about the lone reference to the Americans with Disabilities Act that appears in the ordinance. And what that meant is that you need to make sure that the pole isn't in the middle of the sidewalk so that it would block the pathway for somebody that was in a wheelchair. It has to do with the actual design of the facility to comply with the Americans with Disabilities Act."

As someone who has provided interpreting services for deaf people, services mandated under the Americans with Disabilities Act, I can attest that this federal law encompasses far more than wheelchair accommodation. While Deaf people do not consider themselves disabled, they are at a disadvantage in a society in which most people cannot communicate with them in their preferred mode of communication, which is manual/visual in nature. They are entitled to accommodations via sign language interpreters under the A.D.A. In the same way, Ms. Hahn is entitled to accommodations due to her bona fide disability, Electromagnetic Sickness (EMS), as has been attested by a medical doctor.

By what authority does the city of Long Beach narrow the range of disabilities accommodated under the A.D.A. to those people who use wheelchairs? If passage along the sidewalk were the only issue, the ordinance could have specified safe passage for people pushing baby strollers. Instead, the ordinance specifically mentions the A.D.A.

EMS is a disability covered under the A.D.A., a federal law. A city's ordinance cannot override a federal law. Ms. Hahn's disability must be accommodated, and that could only mean **not** to have a

Wireless Transmission Facility (WTF) mere feet from her home, emitting harmful radiation that has been defined as a pollutant by telecom companies themselves. See for example, page 10 of the Verizon Total Mobile Protection Plan:

16. Pollution

The discharge, dispersal, seepage, migration or escape of pollutants. **Pollutants means** any solid, liquid, gaseous, or thermal irritant or contaminant including smoke, vapor, soot, fumes, acid, alkalis, chemicals, **artificially produced electric fields, magnetic field, electromagnetic field, sound waves, microwaves, and all artificially produced ionizing or non-ionizing radiation** and/or waste. (emphasis added)

<https://ehtrust.org/wp-content/uploads/device-protection-brochure-nationwide.pdf>

Sincerely,

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