



Mark Larson and Associates LLC

Fire Code / Safety Consultants

Mark A. Larson
Principal

Date: August 31, 2020

Douglas J. Boyle
Director – Fire Prevention and Building Safety Commission
Indiana Department of Homeland Security
Indiana Government Center – South, Room E208
302 W. Washington Street
Indianapolis, IN 46204

Dear Douglas,

My name is Mark Larson. I am a former state fire marshal (Idaho: 2001-2014). I currently work as a Fire Code and Safety consultant with the National Disability Rights Network (NDRN).

Having recently learned of the variance that's been passed which allows for a barricade device to be used in Noblesville schools, I'd like to share some important liability information that I hope you will consider as you move forward.

When the Americans with Disabilities Act (ADA) was passed, it included language mandating the establishment of a Protection and Advocacy (P&A) group for people with disabilities in every state. Collectively the protection advocacy agencies are the largest provider of legally based advocacy services for persons with disabilities in the United States. The NDRN is the national organization for 57 P&A's serving America's disability community.

The Indiana Disability Rights group was created in 1977 by state law (Ind. Code 12-28-16 as amended) and is Indiana's federally designated protection and advocacy system.

I have advised these groups that the local fire jurisdiction can ask for, and this board can grant a variance to the application of a state adopted fire/building code. However, I feel compelled to remind this body the requirements for the ADA are a federally mandated standard and apply to all buildings required to be accessible.

Curtis Decker, executive director of the NDRN, has stated in testimony presented to other regulatory entities, that the use of barricade devices of this nature was “discriminatory to those with physical or visual impairments, impedes egress and is in violation of Standards and laws regarding accessibility.”

I have reviewed the manufacturers supplied product information related to the barricade device involved in the Noblesville variance and find nothing that indicates it is ADA compliant.

We will be monitoring this situation as it moves forward, and I welcome the opportunity to dialogue in the process.

If you have questions, please feel free to contact me at (208) 867-3720 or mark@marklarsonandassociates.com .

Respectfully submitted,

A handwritten signature in black ink that reads "Mark Larson". The signature is written in a cursive, flowing style.

Mark Larson