

July 18, 2025

BY EMAIL

Systemwide Anti-Discrimination Office
University of California
SystemwideOfficeofCivilRights@ucop.edu

Re: Request for Policy Modification – LED Light Discrimination

Dear Systemwide Anti-Discrimination Office,

Mark Baker and the Soft Lights Foundation have previously written to the individual UC campuses with a request for a policy modification under 35 C.F.R. § 35.130(7)(i) to address Light Emitting Diode (“LED”) light discrimination. Unfortunately, the individual UC ADA Coordinators have attempted to move the conversion to individual ADA accommodation via an interactive process and seem only willing to proceed if I first visit the campus and suffer a discrimination event. Therefore, I am contacting the Systemwide Anti-Discrimination Office to address LED light discrimination systemwide.

The authority by which I make this request is under California Code of Regulations § 1021.5, Private Attorney General, and this is a public benefit request.

35 C.F.R. § 35.130(7)(i) states, “A public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.”

42 U.S. Code § 12132 - Discrimination states, "Subject to the provisions of this subchapter, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity."

The use of LED lights can exclude individuals with disabilities such as epilepsy, autism, PTSD, photophobia, and migraines from participation in or deny those individuals the benefits of, UC services, programs and activities, or interfere with their path of travel. Therefore, because LED lights can create a discriminatory barrier, the UC system needs policies in place to ensure that no discrimination occurs due to the use of LED lights.

An LED light discrimination policy could describe, for example, how to respond to a request for a non-LED computer display, or a request to eliminate auxiliary LED flashing lights on vehicles which are already illegal under Cal. Veh. Code Section 25250, or a request for removal of digital flicker in LED overhead classroom lights, or a request for a warmer color temperature for LED outdoor lights. Each of these examples demonstrates real-world needs for individuals with epilepsy, autism, migraines, PTSD, photophobia, and other qualified ADA disabilities.

As an individual with multiple qualified ADA disabilities, I am frequently discriminated against by the use of LED devices because the special characteristics of LED light interfere with my ability to see, think, and concentrate, and interfere with my path of travel. Therefore, under 35 C.F.R. § 35.130(7)(i), I am requesting the reasonable modification of the University of California's policies, practices, and procedures to include consideration of the adverse and discriminatory impacts of LED devices on individuals with disabilities, including me, for all of the University of California's services, programs, and activities.

/s/ Mark Baker
Individual

/s/ Mark Baker
President
Soft Lights Foundation
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APPENDIX A - LED Incident Reports

Submitted by Mark Baker

The following LED Incident Reports were submitted by Mark Baker to the U.S. Food and Drug Administration via the Soft Lights Foundation.

July 10, 2025 – Vacaville, CA – Autism

I was at a restaurant when a woman at the next table turned on a device that was about the size of a cell phone, but had a ring of intense, blue-rich LED lights, acting something like a flashlight. I was struck directly by the LED lights, and a few seconds later began going into a panic and meltdown. I got up from the table and began breathing hard and made my way outside, and then collapsed to my knees and began crying.

February 17, 2025 – Yolo County, CA – Autism

I was driving east on Hwy 16 towards Woodland, when I noticed intense amber LED flashing lights close to a mile ahead. I started to slow down. As I reached the LED flashing lights, the intensity and digital pulsing was unbearable. There were multiple vehicles. The panic started to set in. I covered my eyes with my hands and slowed to less than 20mph, basically trapped by the LED lights.

I crept forward in my car, blocking nearly everything from my sight except for a narrow sliver of road near the center line that I could see. Major panic started to set in as I passed the vehicles, which turned out to be about 3 Yolo County Sheriff's vehicles. After I passed, I glanced back in my rear view mirror and was struck by red and blue LED flashing lights. I let out a scream of agony. I suffered significant emotional trauma from this event.

November 25, 2024 – Vacaville, CA – Autism

I was driving East on E. Monte Vista Ave. when I struck by the LED flashing lights on an RRFB. Instead of the RRFB making me stop, I start yelling fuck, fuck, fuck, fuck, fuck, fuck as I tilted my head down and drove straight through to escape the LED assault and save my life.

November 24, 2024 – Esparto, CA – Autism

I turned right at a T-intersection and was immediately struck by amber LED strobe lights on an AT&T utility truck. I yelled out profanity, raised my arms to try and block the strobes, closed my eyes, and felt a sudden urge to drive my car straight into the AT&T truck. Instead, I pulled over to the side of the road until I recovered.

November 23, 2024 – Sacramento, CA – Autism

I was driving in town when I was struck by a debilitating blue LED flashing light in a store window. I have

previously notified the owner of this store twice that I cannot neurologically tolerate the intensity and digital pulsing of this light, but they haven't acted to turn it off.

November 23, 2024 – Yolo County, CA – Autism

I was driving on the highway when a firetruck with red and white LED strobe lights approached me. I could see it about half a mile away. I started to panic, knowing that I wouldn't be able to tolerate it as it came closer. I pulled into a parking lot and waited for the firetruck to turn onto another street.

November 7, 2024 – Vacaville, CA – Autism

I was in the city just after sunset and all the blue LED car headlights and blue LED streetlights started appearing. I started to go into a panic. It felt like it was an emergency, so I reached into the center console of my car and found some orange tinted clip on glasses. I put these on over my glasses, and the panic immediately stopped. All of the blue-rich LED lights were still far too intense, but the feeling of life-or-death panic was completely removed by putting on the orange-tinted glasses which filtered out the blue wavelength light.

October 12, 2024 – Esparto, CA – Autism

I was driving behind a vehicle when it suddenly pulled to the side of the road. Coming towards us was an ambulance with LED flashing lights. I felt like I was electrocuted and was going to go unconscious. I instantly closed my eyes and stopped my car. After a few seconds, a car behind me honked, and when I opened my eyes, the ambulance was already gone. Now I'm suffering the psychological after-effects.

October 11, 2024 – Yolo County, CA – Autism

I was driving East on a County road in the day when a vehicle came towards me with intense, rapidly flashing amber LED lights. I felt panic rushing in and put my arms up to block the assault. Since I now couldn't see the road, I came to a full stop. Then somebody honked a horn. I moved my arms, and saw that the lead truck had passed, but a wide-load mobile home on a truck was inches from the left side of my car. These LED flashing lights are a menace and violation of our civil rights. My anxiety ran high for 30 minutes after the encounter.

October 1, 2024 – Elk Grove, CA – Autism

I attempted to enter a large box store that had installed collections of LED "white" tube lights in the ceiling. I glanced up at these LED lights and immediately felt eye pain. I turned and left the store, knowing that the situation would only get worse if I remained.

September 14, 2024 – Vacaville, CA – Autism

I was driving at dusk when a fire truck or ambulance suddenly appeared with LED lights flashing. I immediately threw both of my arms in front of my face and hit the brakes to stop the car. I thought that this might be the end of my life. The LED flashing lights are sheer terror and I can't function. After the

fire truck/ambulance passed by, I felt like I was going to cry from the emotional trauma. My brain then feels like it's dead even hours later.

August 31, 2024 – Madison, California – Autism

I was a passenger in a car. As we approached a roundabout, a truck with white LED lights, the circular ones near the bumper, struck me directly. I screamed profanity and began crying. The other 3 passengers all confirmed that the light was excessively bright. For me, however, it was severe emotional trauma. The after effects are very long lasting.

August 28, 2024 – Esparto, CA – Autism

I was driving and encountered a utility truck with both sets of headlights turned on. I turned on my non-LED high beams in the hope that the driver would turn off the high beams. Instead, the driver turned on amber LED flashing lights that incapacitated me. I was unable to proceed forward and stopped my car. Instead of driving off, the driver of the utility truck stopped also. My vision and cognitive abilities were severely impaired, with panic setting in. Finally, I started to inch forward, and then so did the utility truck. It seems like the driver was doing it on purpose. After he left, I spent several minutes simply stopped in the middle of the road, trying to breathe and let the panic subside.

August 6, 2024 – Winters, CA – Autism

I was driving on a country road in the daytime. Over 1 mile ahead of me was a utility truck on the side of the road with amber LED flashing lights. For the entire mile, I was either glued to these LED flashing lights, or forcing myself to look away. As I approached the truck, the LED strobe lights were overwhelming and I could not see through the lights. I stopped my car in the road and started to panic. I put my hand in front of my right eye, and then tried to use my left eye to navigate around the truck. It is impossible for me to think or see with these LED flashing lights blasting me and I suffer extreme anxiety and panic.

July 17, 2024 – Sacramento, CA – Autism

I was driving on the freeway in the slow lane, when a tow truck in the fast lane ahead of me suddenly turned on LED strobe lights on the top of his truck. It felt like a lighting bolt when through my body. I instantly closed both eyes and felt like I should drive off the bridge.

July 9, 2024 – Woodland, California – Autism

A fire truck came down the street with LED strobe lights. The strobe lights caused me to suffer psychological trauma which lasts for hours after the incident.

June 1, 2024 – Fairfield, CA – Autism

During the day, I was driving a vehicle on a freeway when I struck by an LED flashing light from a bicycle on a parallel road. I reactively closed my eyes and then suffered a seizure reaction, which I would

describe as like an electrical shock and loss of cognitive functioning and vision. I then had to emotionally fight off a panic attack.

4/30/2024 – Roseville, CA – Autism

I was standing in a room and another person's cell phone buzzed with a message notification. The iPhone also pulsed its LED camera flash, which struck me in the eyes. I fell to my knees, breathing hard, and trying to fight off a panic attack.

4/27/2024 – Elk Grove, CA – Autism

The Ziosk portable kiosk payment system has a bright LED screen. During dinner at a Chilis restaurant, we placed the kiosk face down on the table to avoid exposure to the LED Visible Light radiation from the LED screen. At payment time, my partner inserted the credit card for processing. At the completion of the processing, a large white LED light on the side of the kiosk suddenly irradiated me with white LED Visible Light radiation.

Due to the intensity of the white light, everything around me became black, except for the overwhelming feeling of bright white light. I felt disconnected from reality and as if I had entered a nightmare dream. I believe that I was partially unconscious. As I began to recover consciousness, I thought that perhaps I was staring at the LED flash on a cell phone, but that this was much more powerful. Then, as I became more aware of my surroundings, I realized that that the white light was from a large, white LED from the side of the Ziosk device.

I felt nauseous, so I fell to my stomach and tried to vomit, but I only ended up coughing. I then felt overwhelming anxiety and panic and went to the kitchen, demanding accommodation. A staff person then began yelling at me. I ran outside screaming. I continued to try to vomit, but only spit came out. At some point, both of my hands went numb and tingly.

The police were called. I dialed 911 to tell them not to turn on their LED flashing lights, but they had the red and blue flashing lights on, which further debilitated me.

4/21/2024 – Beaverton, OR – Autism

LED flashing lights cause me to suffer severe anxiety, panic attacks, and fear.