

October 22, 2024

**BY EMAIL**

Samir Shah, Senior Vice President  
Target  
samir.shah@target.com

**Re: Discriminatory Blue LED Lights**

Dear Samir Shah,

I have been diagnosed with autism spectrum disorder which is a qualified disability under the Americans with Disabilities Act. On October 22, 2024, I attempted to walk on the sidewalk on Broadway Avenue in Sacramento which runs alongside the Target store located at 2505 Riverside Blvd. The Target store is using flashing blue LED lights as part of a video surveillance system, and these blue LED lights interfered with my path of travel due to the digital pulsing and extreme intensity. I was forced to put my head down as I walked on the sidewalk to avoid the debilitating impacts of the blue LED lights.

28 C.F.R. 35.151(b)(1) states, "Each facility or part of a facility altered by, on behalf of, or for the use of a public entity in a manner that affects or could affect the usability of the facility or part of the facility shall, to the maximum extent feasible, be altered in such manner that the altered portion of the facility is readily accessible to and usable by individuals with disabilities, if the alteration was commenced after January 26, 1992." The alteration of adding the blue LED lights to the Target building made the altered area not readily accessible and not usable by individuals with neurological disabilities such as autism, epilepsy, PTSD, and migraines. The blue LED lights deny individuals with disabilities full and equal access to the city sidewalks and Target facilities and are thus discriminatory and unlawful. Incident reports describing adverse reactions such as non-epileptic and epileptic seizures, migraines, anxiety, panic attack, and thoughts of suicide due to exposure to LED Lights have been submitted to the US Food and Drug Administration.

I have contacted other businesses about similar blue LED lights, all of which were associated with video surveillance systems. In all cases, the blue LED lights have been removed or turned off. The following is the list of businesses that I have contacted regarding blue LED lights.

- NAPA Auto Parts – Turned off the blue LED lights on an in-store video surveillance system after one email.
- Best Buy – Turned off the blue LED lights on the LVT video surveillance system for all Best Buy stores across the entire country after a few email communications.
- Engstrom Properties – Turned off the blue LED lights on an LVT video surveillance system after a few email communications.

- Klassen Smith Construction – Turned off the blue LED lights on an LVT video surveillance system after a few email communications.
- Petrovich Development Company – Turned off the blue LED lights on one LVT system and removed a second LVT system entirely after I filed a discrimination lawsuit.
- Regency Centers – Removed the LVT system entirely after I filed a discrimination lawsuit.

Because I am unable to neurologically tolerate the intensity and digital pulsing of the blue LED lights on the Target video surveillance system, I am requesting that the blue LED lights be turned off, as they create an unlawful discriminatory barrier for me. In California, the Unruh Civil Rights Act provides for a statutory damage award of \$4,000 per incident for such discrimination. I do not intend to collect that damage award for the October 22, 2024, incident if Target agrees to turn off the blue LED lights upon receipt of this letter.

Please contact me to inform me of Target's decision and actions.

Sincerely,  
/s/ Mark Baker  
President  
Soft Lights Foundation  
[mbaker@softlights.org](mailto:mbaker@softlights.org)