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February 22, 2018

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Re: No-Boys-Allowed Empowerment Camp  
March 3 and 4, 2018

Dear Ladies and Gentlemen:

This firm represents Mr. Rich Allison regarding Mr. Allison's interest in enrolling his son in the subject No-Boys-Allowed Empowerment Camp, also known as Girls Empowerment Camp, which is scheduled to be held March 3<sup>rd</sup> and 4<sup>th</sup> at the City of San Diego-owned and operated San Diego Fire-Rescue Department's training facility at the Naval Training Center. Mr. Allison was deterred and prevented from timely enrolling his son in this camp because boys were not invited to attend, based solely on their sex.

Sex-based, no-boys-allowed or no-girls-allowed discrimination, such as a No-Boys-Allowed or No-Girls-Allowed Empowerment Camps, hosted or at least aided by for-profit or non-profit California business establishments and by government entities, violate several California and federal anti-discrimination statutes, including the mothers of all statutes – the California and United States Constitutions. For-profit and non-profit California businesses are prohibited from discriminating against the public based on their sex by Civil Code sections 51 (codification of the Unruh Civil

Rights Act), 51.5, and 52, with the latter statute providing the remedies for violations of Civil Code sections 51, 51.5, and 51.6. See, e.g., *Koire v. Metro Car Wash* (1985) 40 Cal.3d 24; and *Angelucci v. Century Supper Club* (2007) 41 Cal.4<sup>th</sup> 160 (where I represented the prevailing plaintiffs/appellants at the California Supreme Court). Also see the attached California Department of Fair Employment & Housing brochure on sex-based events and the attached Advisory Letter from the California Department of Justice and Bureau of Gambling Control regarding female-only poker tournaments at California card rooms. Both publications resulted from my work with these three agencies.

California government entities are prohibited from discriminating against persons based on their sex by the equal protection clauses of the U.S. Constitution and the California Constitution (specifically Art. I, § 31 (Proposition 209); Art. I, § 7, subd. (a) and Art. IV, § 16 subd. (a)), as well as California Government Code section 11135. Furthermore, the City of San Diego's very own Human Rights Commission is charged with prohibiting the discrimination of San Diegans based on their sex, with its own administrative agency complaint process to record, investigate, resolve, or refer citizen complaints of discrimination, bias incidents, and unfair treatment, such as my client's complaint of sex discrimination against his son and thousands of other San Diego boys – black, white, Hispanic, Asian-American, and Native America - who would love the opportunity to attend a free, two-day camp where they could participate in hands-on training with firefighting tools and equipment, and learn CPR and how to use an external defibrillator. But, unfortunately, they can't, solely because of their sex.

My client and I applaud the City of San Diego, the San Diego Fire Rescue Foundation, and anyone who participates in a free camp to teach adolescents how to save lives now and in the future, and to empower them to know that they can be whatever they want to be when they grow up, including being firewomen, firemen, and EMTs. However, both boys and girls should be taught how to save lives and be empowered to know they can be whatever they want to be, and it is morally and legally wrong to teach and empower only girls or only boys. Everyone should be treated equally, no matter their sex – especially by the City of San Diego. San Diego boys, as well as San Diego girls, should know the important steps to respond to and to revive a grandfather or grandmother in cardiac duress.

Accordingly, I ask all of you and anyone else who has been or is about to be involved in this No-Boy-Allowed Empowerment Camp to please comply with California and federal anti-discrimination laws by doing a "Reset," and reschedule this otherwise excellent program for a later date this year, and invite both boys and girls to attend so both boys and girls can learn how to save lives and be empowered to be whatever they want to be when they grow up.

Yours truly,



Alfred G. Rava

# EXHIBIT 1

## Protections Under the Law Against Sex Discrimination

The Unruh Civil Rights Act (Civ. Code, § 51), originally enacted in 1959, was designed to protect the rights of Californians from arbitrary discrimination and to guarantee their rights to full and equal access to all public accommodations regardless of sex.

Discrimination by business establishments on the basis of sex is against the law. It is unlawful for any business that is open to the general public to discriminate against a patron based on any of the following classifications: sex, race, color, religion, ancestry, national origin, disability, medical condition, marital status, or sexual orientation. The Unruh Act protection is not limited to these classifications. It is an Unruh Act violation for a business to offer special treatment, whether preferential or detrimental, to one class of patrons regardless of the business' motives for doing so.

## Businesses that are Governed by the Unruh Civil Rights Act

The list below includes examples of businesses that are covered by the Unruh Act. This list is non-exhaustive, and may include any place of public accommodation regardless of whether the entity is a traditional business or non-profit entity.

- **Bars and Nightclubs.**
- **Restaurants.**
- **Hotels and Motels.**
- **Retail Shops.**
- **Golf Courses.**
- **Fitness Clubs or Gyms.**
- **Theaters.**
- **Hospitals.**
- **Barber Shops and Beauty Salons.**
- **Non-Profit Organizations (open to the public).**
- **Public Agencies.**
- **Housing Accommodations.**

## Filing a Complaint

The Department of Fair Employment and Housing (DFEH or Department) is charged with the task of upholding the Unruh Act, and ensuring that its laws and principles are not violated. If you believe you are a victim of unlawful discrimination, do not hesitate to call the DFEH and file a complaint following these steps:

- Contact the DFEH by calling the toll free number at (800) 884-1684 to schedule an appointment.
- "Be prepared to present specific facts about the alleged harassment of discrimination.
- "Provide any copies you may have of documents that support the charges in the complaint.
- Keep records and documents about the complaint, such as receipts, stubs, bills, applications, flyers, witness contact information, and other materials.

## Examples of Sex-Based Discrimination Under the Unruh Violations

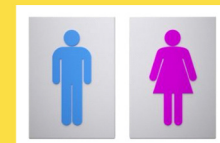
The following are examples of potential violations of the Unruh Act. The list is not meant to be exhaustive, and there is other conduct that may violate the Act.

- Providing free admission, discounts, or promotional gifts to only one sex.
- Charging men and women different prices for comparable services, such as clothing alterations, haircuts, dry cleaning, or drinks at a restaurant or bar.

- Maintaining "women only" or "men only" exercise areas of a fitness club or gym and excluding or deterring the opposite sex from those areas.
- Establishing a "women only" or "men only" business establishment which would otherwise be completely open to the public.
- Excluding one sex from a business premises during certain times.
- Posting signs or adopting policies for "women recommended" or "men preferred."
- Requiring members of one sex to submit to searches to gain admittance to a business.

establishment while providing admittance to members of the other sex without the same level or degree of search.

- Promoting a business with "ladies night" discounts on admission and services.
- Denying access to a business, such as a nightclub to a particular sex, or giving preference to one sex over the other.



Complaints must be filed within one year from the last act of discrimination. The DFEH will conduct an impartial investigation.

The Department is not an advocate for either the person complaining or the person complained against. The Department represents the state. The DFEH will, if possible, try to assist both parties to resolve the complaint. If a voluntary settlement cannot be reached, and there is sufficient evidence to establish a violation of the law, the Department may issue an accusation and litigate the case before the Fair Employment and Housing Commission or in civil court. This law provides for a variety of remedies that may include the following:

- Out-of-pocket expenses.
- Cease and desist orders.
- Damages for emotional distress.
- Statutory damages of three times the amount of actual damages, or a minimum of \$4,000 for each offense.

For more information, contact the DFEH  
Toll Free (800) 884-1684  
Sacramento area and out-of-state (916) 227-0551  
Videophone for the Deaf (916) 226-5285  
E-mail [contact.center@dfeh.ca.gov](mailto:contact.center@dfeh.ca.gov)  
Web site [www.dfeh.ca.gov](http://www.dfeh.ca.gov)

Facebook  
<http://www.facebook.com/#!/pages/Department-of-Fair-Employment-and-Housing/183801915445>  
YouTube <http://www.youtube.com/califdfeh>  
Twitter <http://twitter.com/DFEH>

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State of California  
**DEPARTMENT OF  
FAIR EMPLOYMENT & HOUSING**



## References

1. California Civil Code section 51.
2. *Rotary Club of Duarte v. Board of Directors* (1987) 178 Cal.App.3d 1035. A non-profit club was a business establishment under the Unruh Act because it offered its members substantial "commercial advantages and business benefits." Membership in these kinds of organizations is a privilege or advantage under the Unruh Act. Thus, termination of membership based on sex is prohibited.
3. *Warfield v. Peninsula Golf & Country Club* (1995) 10 Cal.4th 594. By offering the public access to its facilities, the County Club became a business establishment under the Unruh Act and could not exclude women.

4. *Ibister v. Boys' Club of Santa Cruz* (1985) 40 Cal.3d 72. A non-profit activities center for boys was a place of public accommodation, and excluding an entire class of patrons, such as women, was illegal.
5. *Angelucci v. Century Supper Club* (2007) 41 Cal.4th 160. It was a violation of the Unruh Act for a night club to charge its male patrons a higher price for admission. The patrons need not affirmatively request nondiscriminatory treatment, but rather, are entitled to it. The Unruh Act imposes a compulsory duty upon business establishments to serve all persons without arbitrary discrimination.
6. *Koire v. Metro Car Wash* (1985) 40 Cal.3d 24. The Unruh Act broadly condemns any business establishment's policy of gender-based price discounts.

## Unruh Civil Rights Act

All persons within the jurisdiction of this state are free and equal, and no matter what their sex, race, color, religion, ancestry, national origin, disability, medical condition, marital status, or sexual orientation are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever.

# EXHIBIT 2



# BUREAU OF GAMBLING CONTROL

EDMUND G. BROWN JR.  
Attorney General

Mathew J. Campoy  
Acting Bureau Chief

NUMBER 8

GAMBLING ESTABLISHMENT ADVISORY

January 18, 2008

## “LADIES ONLY TOURNAMENTS”

It has come to the attention of the Bureau of Gambling Control that some gambling establishments conduct “ladies only” poker tournaments that exclude men from participating, or admit them on different terms from those accorded to women. It is the Bureau’s view that such tournaments may violate California’s anti-discrimination laws.

Under the Unruh Civil Rights Act (Civil Code sections 51 and 51.5), businesses may not discriminate in admittance, prices, or services offered to customers based on the customers’ sex, race, color, religion, ancestry, national origin, disability, medical condition, marital status, or sexual orientation. “Ladies only” tournaments or any other promotional events that fail to admit men and women to advertised activities on an equal basis regardless of sex are unlawful. It may also be unlawful under the Unruh Act to advertise tournaments as “ladies only” even if men are in fact admitted.

The Bureau will approve only those events that include the following features: the event will be open to all customers, the promotional gifts will be given equally to all event participants, the fees and prices will be the same for all event participants, any discounts will not be based on gender or another personal characteristic protected by the Unruh Act, and the event’s promotional materials do not advertise gender-based discounts or imply a gender-based entrance policy or any other unlawful discriminatory practice.

Gambling establishments should take notice that pursuant to Business and Professions Code section 125.6, violations of the Unruh Act are cause for discipline under the Gambling Control Act.

*For more information regarding this advisory, contact the California Department of Justice, Bureau of Gambling Control at (916) 263-3408.*