

NATIONAL
PREA
RESOURCE
CENTER



NCCD | National Council on
Crime & Delinquency



BJA
Bureau of Justice Assistance
U.S. Department of Justice

PREA in Action Webinar Series

Making PREA and Victim Services Accessible to Incarcerated People with Disabilities: An Implementation Guide for Practitioners October 29, 2015

Notice of Federal Funding and Federal Disclaimer – This project was supported by Grant No. 2010-RP-BX-K001 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

Webinar Agenda

Opening Remarks

- Emily Niedzwiecki, PREA Management Office, Bureau of Justice Assistance

Overview of the guide

- Allison Hastings, Vera Institute of Justice

Overview of disability

- Sandra Harrell, Vera Institute of Justice

Discussion of improving accessibility of PREA information and services

- Allison Hastings and Sandra Harrell, Vera Institute of Justice

Q & A

Making PREA and Victim Services Accessible to Incarcerated People with Disabilities: An Implementation Guide for Practitioners

NATIONAL
PREA
RESOURCE
CENTER

Making PREA and victim services accessible for incarcerated people with disabilities:

An implementation guide for practitioners on the adult and juvenile standards

Sandra Harrell, Allison Hastings, and Margaret diZerega
October 2015



Available at:

<http://www.prearesourcecenter.org/sites/default/files/library/preadisabilityguide.pdf>

VERA
INSTITUTE OF JUSTICE

NATIONAL
PREA
RESOURCE
CENTER

Why a Guide on Making PREA Information and Services Accessible to People with Disabilities?

Need

- **Substantial portion of incarcerated adults and juveniles have at least one disability**
- **Incarcerated adults with serious psychological distress at high risk for sexual victimization**

Goal

- **Provide strategies for improving accessibility for the greatest number of users**
- **Help with standards compliance**

Our Process

- Capitalized on internal expertise within Vera.
- Conducted extensive interviews with practitioners from corrections and disability fields.
- Conducted review of existing literature and data.
- Drew upon established practices used by community services providers.

Overview of the Guide: Topics

Purpose of the guide

Defining disability

Sexual abuse and incarcerated people with disabilities

Strategies for making PREA information and victim services accessible

Staff training and resources

Why Does Accessibility Matter?

Victimization of people with disabilities in the community

- People with disabilities are 3 times more likely to be the victims of violent crimes than people without disabilities*
- People with disabilities face unique barriers to services and information
 - Physical barriers
 - Lack of trained staff and resources designed for survivors with disabilities

Implications for correctional facilities

- Incarcerated people with disabilities are likely more vulnerable to sexual abuse in confinement than their counterparts without disabilities
- Barriers to services and information in correctional settings are similar to those in the community and may be greater

*Source: *Crime Against Persons with Disabilities, 2009–2012 – Statistical Tables* (Bureau of Justice Statistics, 2014).

Standard 115.16

115.16 Inmates with disabilities and inmates with limited English proficiency

The agency shall take appropriate steps to ensure that inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

Related PREA Standards

115.33
Inmate education

115.41
**Screening for risk of
victimization and
abusiveness**

115.78
**Disciplinary sanctions for
inmates**

Defining Disability

The most common definition of disability is from the Americans with Disabilities Act of 1990.

- Any physical or mental impairment that substantially limits one or more major life activity.
- Any person having a history of such impairment.
- Any person perceived as having such impairment.

Key Considerations

- Disability can be acquired or congenital.
- Diagnosis does not predict experience.
- Disabilities can be hidden.
- You can't rely on self-identification.
- Some deaf and hard of hearing people do not identify as having a disability.

Types of Disability

- **Physical**
 - ✓ Limitations in movement, agility, and mobility
- **Cognitive and/or intellectual**
 - ✓ Limitations in cognitive and/or intellectual capacity
- **Psychiatric**
 - ✓ Psychological conditions that cause mental or emotional illness
- **Sensory**
 - ✓ Limitations in sight, hearing, and other senses

Legal Requirements

➤ **Section 504 of the Rehabilitation Act (Rehab Act)**

- ✓ Prohibits any entity that receives federal funding from discriminating against people with disabilities.

➤ **Title II of Americans with Disabilities Act (ADA)**

- ✓ Guarantees people with disabilities equal access to services, public accommodations, employment, transportation, and telecommunications.

Increasing Accessibility

Approach

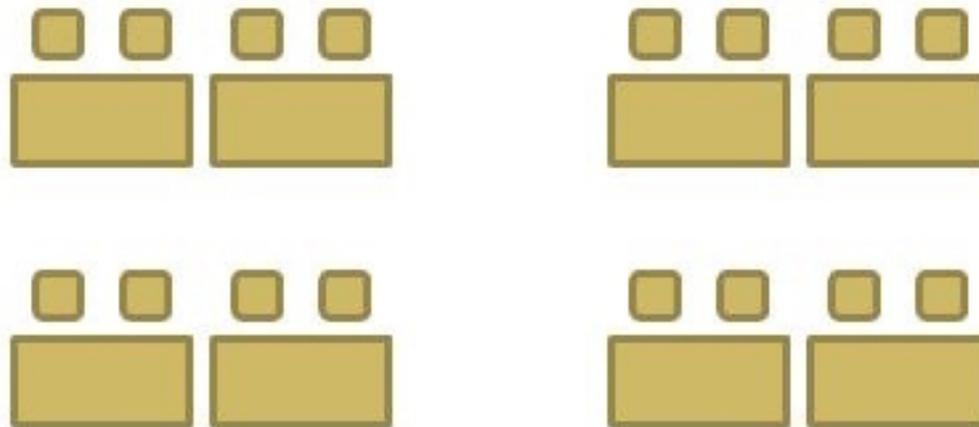
- **Start with broadest range of users**
 - ✓ Variation in ability is ordinary
 - ✓ Designing places, information, communication and policy to account for the widest range of potential users is more cost-effective in the long-run
- **Be prepared to meet individual requests**
 - ✓ Diagnosis does not predict experience
 - ✓ Some solutions require planning, time, partnerships, and financial resources

Strategies for Increasing Access

Planning for variation in ability

Spaces used for orientation

- Create 36 inch aisle-ways
- Provide chairs with and without armrests
- Provide hard surfaces for writing



Strategies for Increasing Access

Planning for variation in ability

Printed Materials

- Reading level maximum 5th grade
- Sans serif font
- Font size 14pt or larger
- Ample contrast
- Text aligned on left margin
- Limited amount of text on page
- Appropriate hierarchy of information
- Upper and lowercase letters

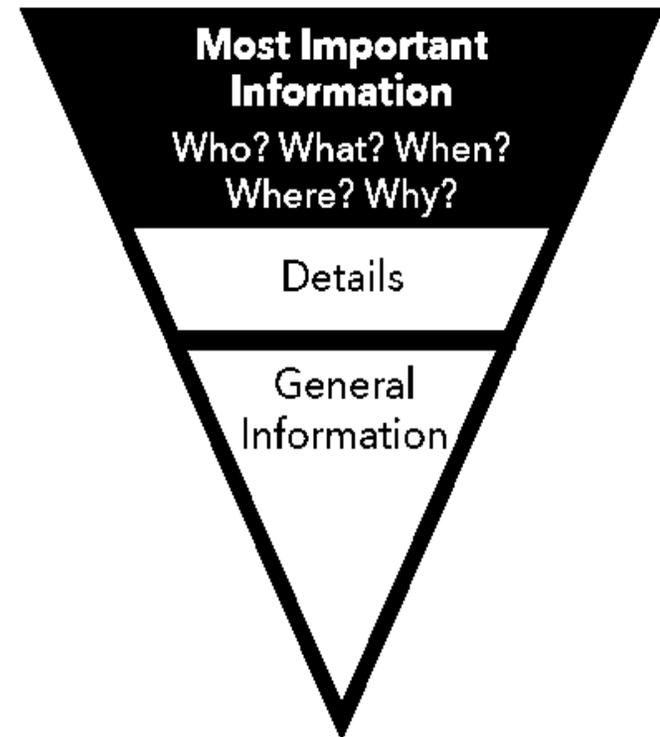
Meeting Individual Requests

Increase capacity for individualized accessibility solutions

- Cognitive/Intellectual disabilities
- Psychiatric disabilities
- Sensory disabilities



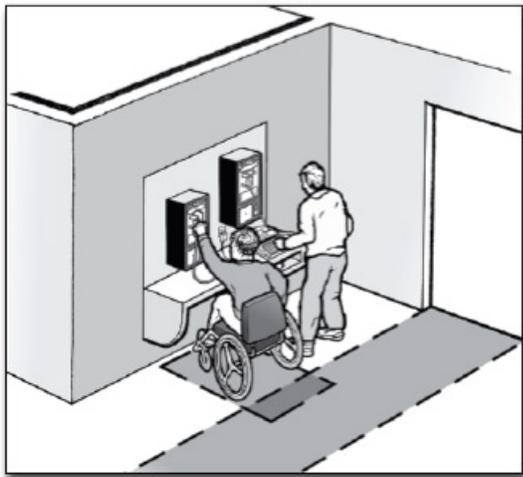
Photo courtesy of California Department of Corrections and Rehabilitation



Ensuring Access to Reporting

Reporting avenues should include:

- Videophones, text telephones, and phone amplifications
- Lowered phone banks
- Written information in large font (16 to 18)
- Written information in braille
- Written information augmented with pictures
- Written information in plain language



Ensuring Access to Victim Services

Victim services with capacity to serve people with disabilities should:

- Have outreach materials that contain images of people with disabilities
- Have accessible modes of contact
- Train staff on working with victims with disabilities
- Have policies and protocols around mandatory reporting, provision of accommodations, and service animals

Keys to Sustaining Change

- **Incorporate training on disabilities into mandatory staff training**
 - ✓ Consult disability providers for ideas on general content
 - ✓ Contact local rape crisis centers for information on the unique dynamics of sexual abuse of people with disabilities
 - ✓ Consult national resources
- **Consider a resource-sharing agreement with local disability providers for assistance with providing auxiliary aids and services**
- **Document practices in policy**

Questions?

We will now take questions from our participants.

Please type your questions into the Q&A pod and we will ask them on your behalf.

A recording of this webinar will be available on the PREA Resource Center website in a few days.

Additional Resources

- **For more information on the PREA Standards:**
<http://www.prearesourcecenter.org/training-technical-assistance/prea-essentials>
- **For interpretive guidance on the PREA Standards:**
<http://www.prearesourcecenter.org/faq>
- **For more information on abuse of people with disabilities:**
<http://www.endabuseofpeoplewithdisabilities.org>

For More Information

For more information about the **National PREA Resource Center**, visit www.prearesourcecenter.org.

To request assistance visit:

<http://www.prearesourcecenter.org/training-technical-assistance/request-for-assistance>

Direct questions to: <http://www.prearesourcecenter.org/about/contact-us>

PRC Staff

Jenni Trovillion, Co-Director
Tara Graham, Targeted TTA
Marion Morgan, Auditor Training
Peg Ritchie, Field-Initiated TTA
Margaret Chiara, Coaching
Celia Johnson, Program Support

Michela Bowman, Co-Director
Scott Catey, Quality Improvement
Dave Gaspar, Field-Initiated TTA
Kathy Dennehy, Coaching
Sarah True, Program Support

For more information about the **Vera Institute of Justice**, visit www.vera.org.
Direct questions to contactvera2@vera.org.

Connect with Vera:



www.facebook.com/verainstitute



@verainstitute

NATIONAL
PREA
RESOURCE
CENTER