Just Ask:
How Advocates, Law Enforcement, and Attorneys Can Better Meet the Needs of Crime Victims with Disabilities

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Objectives

• Understand the need to ask every victim if they need accommodations
• Feel more comfortable asking
• Discuss accommodations for remote advocacy
• Know what organizations need to do to prepare to provide accommodations
• Understand how the toolkit can help you achieve these objectives
Increased Risk of Violence

Adults with disabilities are 3 times more likely to experience violent victimization, including rape, sexual assault, aggravated assault, and robbery.

Increased Risk of Violence (2)

Deaf women are 1.5 times more likely to be a victim of sexual harassment, sexual assault, psychological abuse, & physical abuse.

Supports are out of reach

13% victims with disabilities who received assistance from non-police victim services agencies
Barriers to services & systems

Physical, programmatic, communication, and attitudinal barriers for people with disabilities and Deaf people exist at:

Victim Services  Law Enforcement  Courts
Providing access

Federal law requires government agencies and places of public accommodation to ensure their responses and services are accessible to victims with disabilities and Deaf victims. This can be achieved through:

- **Architectural access to buildings**
- **Providing aids and services necessary for effective communication**
- **Modifying policies, practices, and procedures**
What are accommodations

Accommodations are changes professionals make to the way they do things so that a person with a disability or a Deaf person can participate in services or the legal process, such as:

- Getting a sign language interpreter
- Providing a person with equipment, like a portable ramp
- Doing something to support the person, like reading forms out loud.
Discussion question

How do you find out if someone needs an accommodation?
Universal screening

Best practice is to ask everyone if they need accommodations. Why?

• Some disabilities are not obvious/visible

• Past discrimination/denial of requests

• Some people do not know that they have a right to receive accommodations
Why Ask Everyone?

“Pretty much most of my disabilities are hidden. It’s harder to recognize I have something. But I have gaps of missing information that you won’t know if you didn’t ask.”
Why Ask Everyone? (2)

“I get stuck trying to do it myself when they want me to do multiple tasks at once. I don’t usually ask for help.”
How did the toolkit get started?

• Set out to answer the question, **How do I ask?**

• Pulled together a group of national experts, including people with disabilities and Deaf people and advocates for people with disabilities and Deaf people

• Created *Just Ask: A Toolkit to Help Advocates, Attorneys, and Law Enforcement Meet the Needs of Crime Victims with Disabilities*
Foundational principles (1)

• Create a comparable experience:
  • “Many people with disabilities want to have the same or similar experience as someone without a disability.”

• Be welcoming and inclusive

• Normalize needs and experiences
Foundational principles (2)

• “Nothing about us without us”: Work in partnership with the person

• Full participation

• Disability is just one piece of a person’s identity

• Toolkit design: short, easy-to-use tools
Ask everyone and ask often

• Universal screening for accommodations

• When?
  • First interaction
  • Every new step in process/new activity

• Why ask often?
  • Build trust
  • Needs may change over time
Steps to providing accommodations

• **Step 1:** Set the stage.

• **Step 2:** Ask & listen.

• **Step 3:** Provide Accommodations.

• **Step 4:** Check in and make changes.
Step 1: Set the stage

Explain why you are asking about accommodations.

- Describe the process/services, for example:
  - Making a police report
  - Participating in support group
  - Going to court
  - Filling out paperwork
Step 2: Ask and listen

• Ask every victim if they need accommodations
• Give examples
• Listen to the person – do not assume you know what works best for someone

**Remember:** you are working *with* the person, not *for* the person.
Examples of how to ask

• “Is there anything I can do to make it easier for you to participate in services?”

• “Are there any changes or modifications we can make to the way we do things so you can fully participate?”
More examples of how to ask

• “Do you need any accommodations to fully participate in services?”

• If possible, be more specific. For example, “Do you need any additional supports to read & understand the paperwork?”
Tone matters

- Your tone can impact a person’s willingness to share their needs with you.
- Be curious about the person’s needs.
- Avoid using a patronizing tone.
Remote Advocacy: Asking about Accommodations

**Scheduling:** consider time, place, length of a meeting

**Ask people if they prefer to meet by phone or video.**

*If you meet by phone, consider:*
- Video Relay Service for sign language interpretation

*If you meet by video, consider:*
- Assistive technology (screen readers, screen magnifier, keyboard controls, etc.)
- Sign language interpretation
Platforms for Video Calls

• Ask about access needs to determine the best video platform
• Discuss safety concerns with unsecure platforms
• Discuss technology features (headphones, webcams, mics, etc.)
Step 3. Provide accommodations

- As soon as possible – some people may not be able to stay safe without them
- Cover the costs
Step 4. Check in and make changes

After providing an accommodation, check with the person to see how it is going.

- Is the person able to fully participate in services?
- If not, what would work better?
Preparing to provide accommodations

- Develop or revise an accommodations policy
- Budget for accommodations
- Make sure you have accessible technology
- Develop partnerships
- Train staff
- Monitor and re-assess
The toolkit: Desk cards

**Ask Everyone and Ask Often**

**STEP 1**
Set the stage
Explain why you are asking about accommodations. Describe the process of making a report or participating in an investigation.

**STEP 2**
Ask and listen
Ask every victim if they need accommodations and give examples. Listen to the person, as they know best what they need.

**STEP 3**
Provide accommodations
Provide the requested accommodation(s) as soon as possible and cover any costs.

**STEP 4**
Check in and make changes
After providing an accommodation, check with the victim to see if it is working for them.

**Examples of how to ask about accommodations:**
- Is there anything I can do to make it easier for you to talk to me about what happened or make this report?
- Are there any additional supports you need to make this report or answer my questions?
- Do you need any accommodations to make this report or be interviewed?

The National Resource Center for Reaching Victims
Helping those who help others

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Guide to providing accommodations

GUIDE TO PROVIDING ACCOMMODATIONS:
Victim Advocates

People with disabilities and Deaf people are victims of violent crime at three times the rate of people without disabilities. They also experience some of the greatest barriers to getting help. Too often, victim services are not accessible to people with disabilities, making it difficult for them to get the help they need to stay safe and heal. Federal law requires government agencies and places of public accommodation, including nonprofit organizations, to ensure their services are accessible to victims with disabilities. An important way to increase access to services is by providing accommodations.

Ask Everyone and Ask Often

Why ask everyone?
One in 4 Americans has a disability. For many, their disability may not be visible. For this reason, it may not be possible to tell if someone needs accommodations just by looking at them. Best practice is to ask everyone you work with if they need any accommodations.

When?
Ask during your first interaction with a survivor. Continue to ask at every new step in the process or new activity/service the victim will participate in.

To learn more about providing accommodations, visit reachingvictims.org/resource/just-ask.

Set the stage.

Explain why you are asking about accommodations.

For example: “We want to make sure every survivor in our community gets the help they need, including people with disabilities and Deaf people. We know that some disabilities may not be visible and some people may not feel comfortable asking for accommodations on their own, so we ask everyone if they need any accommodations.”

Describe your services.

Provide a brief overview of your services, including any activities or tasks the victim will need to do. This will help the victim determine if they need any accommodations.

For example, if doing an intake, let the survivor know they will need to fill out paperwork and ask if they need help reading or completing forms. If they will be staying in shelter, inform them of shelter policies and ask if they need any changes or supports to follow them.

What is an accommodation?

Titles II and III of the Americans with Disabilities Act (ADA) require government agencies and places of public accommodation to make all services available to people with disabilities. This includes providing and paying for auxiliary aids and services, such as sign language interpreters or Braille materials, to ensure equal access. It also includes making reasonable modifications to policies, procedures, and practices. Together, we refer to these as accommodations.

When explaining what an accommodation is to a victim, use plain language.

For example: “Some people with disabilities and Deaf people need service providers to make changes to the way we work with them so that the person with a disability can participate in services. These changes can include providing the person with equipment, such as a portable ramp; getting a sign language interpreter; or doing something to support the person like reading forms out loud. We call these changes accommodations.”
Recommendations for agencies/offices

PREPARING TO PROVIDE ACCOMMODATIONS: Recommendations for Prosecutors’ and Other Legal Offices

People with disabilities and Deaf people are victims of violent crime at three times the rate of people without disabilities. They also experience some of the greatest obstacles to accessing justice. These barriers make it difficult, if not impossible, to fully participate in the legal system, whether as witnesses in a case, victims asserting their rights in a criminal case, or parties in litigation. Federal law requires prosecutors’ offices, private law firms, and non-profit organizations to ensure their responses and services are accessible to victims with disabilities so they can participate in the legal system. An important way to increase access to justice is by providing victims with accommodations.

What is an accommodation?

Titles II and III of the Americans with Disabilities Act (ADA) require government agencies and places of public accommodation to make all services available to people with disabilities. This includes providing and paying for auxiliary aids and services, such as sign language interpreters and Braille materials, to ensure equal access. It also includes making reasonable modifications to policies, procedures, and practices. Together, we refer to these as accommodations.

This document is part of a toolkit that includes a how-to guide for asking about and providing accommodations. Before staff begin implementing those recommendations, it is essential that your office has the resources and supports in place to help staff seamlessly provide accommodations. Being unable to meet a victim’s accommodation request can create a barrier for them to get the help they need. In addition to the attorney-client relationship, it can also damage your office’s relationship with others in the disability and Deaf communities. This document outlines several actions your office can take to make sure your staff are prepared to provide accommodations to survivors in a timely manner.

How to prepare your office to provide accommodations

Develop or revise an accommodations policy

Because you often cannot tell if someone has a disability just by looking at them, your accommodations policy should require staff to ask all victims if they need any accommodations. An effective accommodations policy communicates to your staff and survivors your office’s commitment to helping victims with disabilities and Deaf victims access the support they need. It should also describe when and how to ask, outline the steps to take when a request is made, including how to meet requests in a timely manner, and explain how to confirm if provided accommodations are effective. When developing or revising policies, it is important to work with disability rights advocates, including people with disabilities whose lives will be directly impacted by the policy.

Budget for accommodations

Your office will likely receive more accommodation requests once your staff start asking every victim about the need for accommodations. While some of these requests will not have any costs associated with them, such as reading written information out loud, others will have costs that may not currently be outlined in your budget. Include a dedicated line item for accommodations in your budget to ensure you have money available to meet the needs of victims with disabilities and Deaf victims.
Tip sheet: Examples

1-on-1 Meetings

SCHEDULING

Be flexible.
People with disabilities and Deaf people may need to meet at a particular time of day, more frequently, or for longer or shorter durations.

- Mobility: later meeting times or more time to work around a paratransit schedule, which can be irregular
- Vision: earlier meeting times because it can be easier to see more clearly and strain less in the beginning of the day
- d/Deaf, hard of hearing, or DeafBlind: allow more time for sign language interpretation, captions, or Video Relay
- Comprehension and mental processing: shorter and more meetings to process information

Offer to send reminders.
- Victims with disabilities that impact attention and memory may request a reminder about the meeting.

Ask about communication preferences.
Victims may have communication preferences for scheduling, reminders, or following up about a meeting.

- Mental health: communicate by text or email instead of phone because of anxiety or trauma
- d/Deaf, hard of hearing, or DeafBlind: communicate over text or email rather than by phone

Paperwork

Provide paperwork in alternate formats.
Victims might request alternate formats for paperwork.

- Comprehension and mental processing: paperwork in plain language or with pictures that correspond to the concepts
- Vision: large print and Braille formats; and electronic (PDF or plain text) formats to use with screen readers and other assistive technologies

Offer to assist with paperwork.

- Comprehension and mental processing: read the paperwork aloud or assist with writing the victim's responses
- Dexterity: assistance filling out the paperwork by writing the victim's responses

Arrange materials in order of use.
Victims with disabilities that impact mental processing and organization might request that the materials are ordered in a logical way to help them stay on task.

Provide writing surfaces.
Victims with disabilities that impact mobility may not be able to access a table in the room and need an alternative writing surface, such as a clipboard or portable surface.
Videos

ALEX: How you doing, Keith?
Resources

• Download the toolkit.

• Reach out with questions/for assistance with implementing the toolkit:
  • Email Anneliese Brown at abrown@vera.org
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