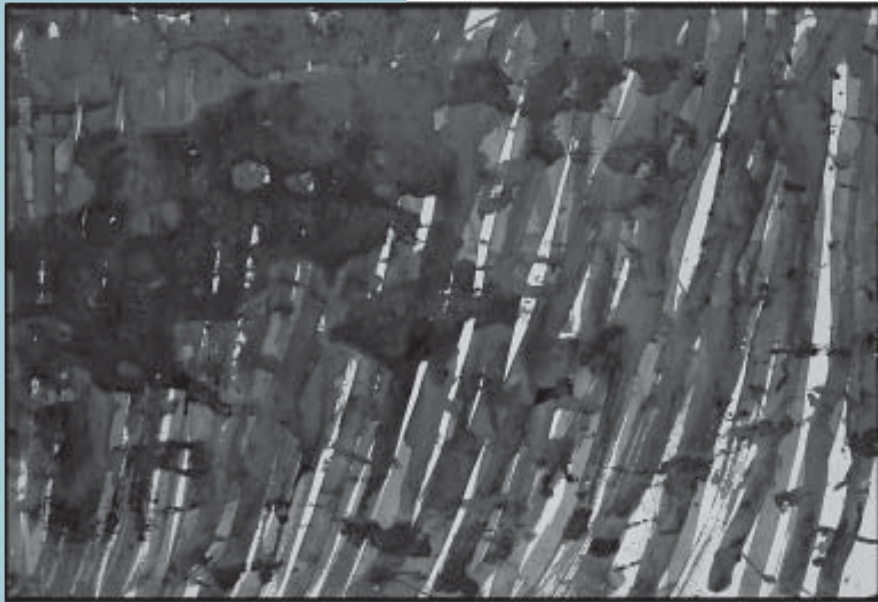


CREATING ACCESSIBLE SEXUAL ASSAULT SERVICES FOR PEOPLE WITH DISABILITIES



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END SEXUAL VIOLENCE IN OUR COMMUNITIES
WASHINGTON COALITION OF SEXUAL ASSAULT PROGRAMS

ACCESS
SERIES

A PUBLICATION OF THE WASHINGTON COALITION OF SEXUAL ASSAULT PROGRAMS

The mission of the Washington Coalition of Sexual Assault Programs (WCSAP) is to unite agencies engaged in the elimination of sexual violence through education, advocacy, victim services and social change.

WCSAP is committed to fostering a culture of respect, dignity and autonomy for all individuals. We recognize that disrespect, ignorance and the abuse of disparities in power are the roots of sexual violence. To that end, WCSAP endeavors to engage with agencies and individuals who share our commitment.

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gatheringplace, a 501 (c)(3) nonprofit organization, provides community based activities for people with developmental disabilities. Through communication and interaction, we endeavor to create a nurturing environment encouraging each individual's independence, self-esteem and productivity. Art is playing an increasing role at gatheringplace. "Outsider Art" is a term used to describe art by the untrained artist, many of whom are poor, institutionalized or face disabilities that isolate them. Our work embraces the Outsider Art movement, which supports the development of creative expression outside of accepted cultural norms.

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INTRODUCTION

This pamphlet is designed for managers of sexual assault programs who strive to ensure that their agencies and services are accessible and welcoming to survivors with disabilities.

If you are involved in activities to end assault and abuse against women, then you are aware that there are increased risk factors for women who have less privilege and power. Women with disabilities may be among those with the least privilege and power.

Providing architectural and service access, appropriate accommodation to survivors with disabilities is a matter of justice. It is also a matter of law.

Programs serving sexual assault survivors are covered under portions of the Americans with Disabilities Act, the Washington Law Against Discrimination, Chapter 49.60, and Section 504 of the Rehabilitation Act of 1973, if they receive federal funds.

Throughout this publication, the legal minimum requirements to which programs must adhere are outlined. However, even though minimum legal requirements are met, programs may still not be fully accessible or accomodating. This publication also proposes options and solutions that will take your agency **beyond** what is legally required, in the hopes of making each agency welcoming and easily accessible by people with disabilities.

PEOPLE WITH DISABILITIES ACCESS TO JUSTICE

The National Study of Women with Physical Disabilities conducted by the Center for Research on Women with Disabilities (CROWD) in 1988, concluded that women with disabilities face the same risks of abuse that all women face, plus additional risks specifically related to their disability. The authors found notable that women with disabilities tended to experience abuse for longer periods of time, reflecting the reduced number of escape options open to them due to more severe economic dependence, the need for assistance with personal care, environmental barriers, and social isolation. According to the authors it is difficult to separate the effect of disability from the effects of poverty, low self-esteem, and family background in identifying the precursors to violence against this population.¹

Using 2000 Census data, in Washington State nearly 1 million individuals identify themselves as disabled.² From other recent reports, over 795,000 are identified as severely disabled. Over 99,000 individuals are identified as developmentally disabled, and over 18,000 individuals are in residential or institutional settings designed to provide care and support to individuals with physical, mental and sensory impairments.³

In 2002, because of its recognition of the problem of access to sexual assault services by people with disabilities, the Washington Coalition of Sexual Assault Programs (WCSAP) applied for and was awarded a U.S. Department of Justice grant. The purpose of the grant was to support WCSAP's efforts to combine its expertise with the expertise of representatives from the disability community — people with disabilities and those who work with people with disabilities — to initiate a series of activities designed to create a statewide accessible and appropriate response system to sexual assault of people with disabilities.⁴

1 Center for Research on Women with Disabilities (CROWD)-The National Study of Women with Physical Disabilities (1998)

2 2000 U.S. Census- 981,000 persons self-identified as having a disability.

3 Education and Technical Assistance Grants to End Violence Against Women with Disabilities, Project Narrative Washington Coalition of Sexual Assault Programs, 2002.

4 Grant No. 2002-FW-BX-0009, awarded by the Violence Against Women Office, Office of Justice Programs, U.S. Department of Justice

RISK FACTORS

Important factors, which increase vulnerability and risk, include the common experience of isolation from the community at large, the lack of physical and communication access, and blocked access to sexuality education. These factors contribute to people with disabilities being targeted by perpetrators: multiple personal care attendants; housemates with aggressive behavior problems; use of chemical or physical restraints, or denial of equipment and/or medication.

Increased vulnerability is of profound concern for those with developmental disabilities. It has been observed that due to patterns of socialization, many with developmental disabilities have an exaggerated need for acceptance, few concepts of privacy, a trusting nature and learned compliance. These characteristics increase the risk of manipulation by rewards, bribes, guilt and threats. Lack of education/training for people with all kinds of disabilities, including psychiatric disabilities and other hidden disabilities, on issues of sexual assault and under-socialization are other critical risk factors.

The vulnerability does not end with the assault. People with disabilities risk a lot to be involved with the systems that are in place to help them. Too often, a report of sexual assault jeopardizes their residential arrangement- they are removed, not the perpetrator; or subjects them to scrutiny as to the ability to continue to care for themselves or others, their children, for example. The lack of training for responders and criminal justice personnel can have grave consequences on the continued safety and well being of those people with disabilities who report sexual assault.

ACCESSIBILITY

Survivors with disabilities cannot be denied access to services based on disability.⁴ The underlying intent of this rule is to make people feel welcome.

Accessibility includes, but is not limited to:

Physical

Are there appropriate devices, such as sidewalks, ramps, rails, so that people with disabilities can get into and move around the building independently?

Services

Are the services appropriate and accessible for a survivor with a disability?

Transportation

Are there bus routes, taxis or other forms of transportation that will allow the survivor to travel to the location where the service is offered?

Communication

Are sign language interpreters and forms of assisted communication available to allow the survivors and advocates to speak to one another?

Material

Are materials printed in plain terms and available in alternative formats, such as large print?

WHAT ARE THE LAWS?

All nonprofit organizations are covered entities under Title III of the ADA. In the ADA, all places that serve the public are required to provide services to people with disabilities. Specifically, the ADA requires that places of public accommodation comply with basic nondiscrimination requirements that prohibit exclusion, segregation, and unequal treatment. They also must comply with specific requirements related to architectural standards for new and altered buildings; reasonable modifications to policies, practices, and procedures; effective communication with people with hearing, vision, or speech disabilities; and other access requirements.

Additionally, public accommodations must remove barriers in existing buildings where it is easy to do so without much difficulty or expense, given the public accommodation's resources.¹ Agencies are required to provide accommodations, as long as the accommodations do not fundamentally alter the services themselves, or pose an undue hardship on the agency.

Section 504 of the Rehabilitation Act states that "no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under any program or activity that either receives Federal financial assistance or is conducted by any Executive agency or the United States Postal Services."²

In sum, State and Federal laws require nonprofit agencies to ensure their services are accessible to people with disabilities, and this guide is intended to provide concrete steps to help managers take action steps along this path.

¹ As stated in "A Guide to Disability Rights Laws," published by the United States Department of Justice, Civil Rights Division, Disability Rights Section. May 2002.

² Ibid.

WHAT SHOULD I DO?

Agencies that serve sexual assault survivors should follow several steps to ensure their compliance with the ADA. The ADA applies to two facets of rape crisis centers: employment and in service provision. This tool is focused on service provision; resources to assist agencies in complying with the employment provisions of the ADA can be found online at www.usdoj.gov/crt/ada.

WHAT SHOULD MY AGENCY DO?

The information on the following pages is intended to guide you and your agency through a meaningful planning process to ensure services to survivors with disabilities. Take each step, one at a time, then commit to changes in your building, your services, and in your policies. Pay careful attention to the planning tools in this document.

STEP 1: POLICY COMMITMENT TO THE ACCESSIBILITY OF SERVICES

First and foremost, each sexual assault agency should have a *policy that clearly states its commitment* to providing and maintaining accessible services and facilities. Agencies have adopted policies such as:

- X does not discriminate on the basis of disability in employment or in the admission and access to its services, programs or activities. This policy applies to employees and members of the general public who access public services.
- X agency is dedicated to ensuring that all services and facilities of X are accessible to people with disabilities. X staff work to remove barriers to the facility as well as to the programs of the agency.
- X agency is committed to making its services accessible to all.

STEP 2: FOSTERING PARTNERSHIPS

Though there is a lot of work for each agency to do, there are also wonderful things we can accomplish in partnership with others. Many communities enjoy the benefits of having organizations nearby who serve people with disabilities. Sexual assault programs and service providers should build relationships with these important organizations (and by talking to people with disabilities) to determine together how the services of many organizations can be joined and leveraged to ensure that the best combination of options are available to every survivor. There is a lot we can learn from others out there in the community, and the best thing we can do to ensure that our whole communities can access the services they need is to get out of our offices and LISTEN to what others can tell us about the communities they work with. Building these partnerships may send us on paths we never envisioned.

Agencies to look for:

- Is there an organization that serves community members who are deaf, hard of hearing, blind, or low vision?
- Is there a community organization for people with Developmental Disabilities? Is there a county or government agency nearby?
- Look at the resource list in the back of this guide and see if there is a local branch of any of those resource groups near you.
- Did you know? A national registry of certified sign language interpreters is available online at www.rid.org.

STEP 3: DEVELOPING PROGRAM POLICIES TO GUIDE IMPLEMENTATION

Programs should determine the specific program policies that guide the implementation of the previously determined policies. For example, since your agency is committed to ensuring that survivors with disabilities have access to services – you must think about what your services are and how you can make sure that each of them is accessible.

Managers of sexual assault programs are responsible for outlining the policies that guide the program implementation. In order to ensure that staff have the guidance and resources they need to carry out accessible programs, it is imperative to determine early how to invest resources to follow through on this commitment.

Some ideas to help you think about service provision are included below.

For crisis line services, a program might ask:

- Q: How can we ensure that survivors with hearing loss can utilize our services?
- A: We can utilize a TTY line and make sure all of our staff and volunteers are trained on how to use it.

For in person advocacy services, a program might ask:

- Q: How can we ensure that survivors with hearing loss can use our services?
- A: We can build relationships with trained sign language interpreters in our area, and make sure that we put money in our budget to support this service.

- Q: How can we ensure that survivors with physical disabilities can access services at our facility?
- A: We can audit our building using the tool included in this guide to identify any barriers, then we can dedicate resources from our budget to make necessary changes. OR, we can ask our landlord to make these changes.

It is important to understand that creating accessible services does not mean that individuals will automatically start using these services. Outreach efforts are incredibly important in order to ensure the broader community is informed and understands how to best access services.

STEP 3: DEVELOPING PROGRAM POLICIES TO GUIDE IMPLEMENTATION

For prevention and education materials that a program provides to the public:

- Q: How can we ensure that individuals who are blind/low-vision impairments can use our materials?
- A: We can provide them in alternative formats, such as in large print or in Braille, or provide readers to assist individuals.

For presentations or other events we host in public places:

- Q: How do we ensure that people with disabilities can attend?
- A: We can audit potential facilities to make sure that any place we host an event is ADA compliant, and ensure the provision of interpreters.

Once your agency has made a commitment to provide accommodation to individuals who request it, be sure to post or otherwise publicize the availability of these accommodations and make public the process through which one should go to make a request.

- Is there a form to fill out?
- Who do they ask?
- How does the agency evaluate such as request?
- Who will respond?
- What is the appeal process or procedure?

STEP 3: DEVELOPING PROGRAM POLICIES TO GUIDE IMPLEMENTATION

After thinking through these kinds of questions, programs will likely try to develop some specific program policies. Samples of these include:

- Individuals with disabilities who use X program or service will have access to interpreters, audio captioning, Braille, and other services as needed. Communications produced by X are made available, as needed in alternative formats, such as Braille, large print, tape or computer disk.
- When conducting agency-sponsored events at agency or non-agency owned facilities, agency staff are to select facilities that are accessible to and usable by persons with disabilities as mandated by Title III of the ADA and the state of WA.
- All agency staff and volunteers will receive ongoing training about working with survivors and the members of the public who have disabilities. These trainings will include working with people with physical, sensory, and developmental disabilities and are intended to facilitate the provision of all agencies to all individuals.
- X program will always maintain resources in its budget to underwrite the provision of reasonable accommodations to all members of the public and survivors.

STEP 4: PUTTING YOUR MONEY BEHIND YOUR POLICIES

Each agency must determine how to apply appropriate resources to support all of the above policy decisions. Each year as your agency completes its budget process, you should determine how much money it will take to:

- Provide sign language interpreters;
- Produce educational materials in alternative formats, such as large print, Braille, or audio recordings;
- Make any necessary facility improvements;
- Support the use of other facilities for public events that are accessible;
- Maintain a TTY line;
- Support appropriate staff and volunteer training on working with people with different disabilities.

It is important to understand that providing accommodation is not something that organizations can wait to do until there are more resources. Organizations must make accommodations right away in order to meet the needs of survivors with disabilities. To do anything different is to make an affirmative decision that meeting the needs of survivors with disabilities is not a priority.

With that said, the ADA tries to define what is and isn't reasonable for an agency to do. In talking about reasonable accommodation, the ADA explains that a public agency is not required to provide personal devices, such as wheelchairs; individually prescribed devices (eg. eyeglasses or hearing aids); or services of a personal nature including assistance in eating, toileting, or dressing. Agencies ARE required to make accommodations that do not fundamentally alter the nature of the service and that do not pose an undue hardship to the agency. Though undue hardship is tough to define and can be arbitrated by the courts, most accommodations listed above are not expensive relative to overall agency management costs and would be found unlikely to create an undue burden.

STEP 5: EVALUATE WHERE YOU ARE AND STAY FLEXIBLE

Once you have made your organizational policy commitments, your agency will need to continually reexamine the barriers that may be in place that prevent survivors with disabilities from accessing your services with ease.

Whereas providing accessible services is a mandate to which all nonprofit organizations must respond, continuously learning about how organizations can provide better and more comprehensive services to people with disabilities, and all survivors, is a lifelong process. All organizations must be able to adapt to the things they learn and must be able to respond and shift as they get feedback from people in their communities.

Ways to evaluate your services:

- Ask all clients during intake if there are any things your agency could do to help them access services.
- Provide all clients, guests, or participants in your programs with an opportunity to evaluate your services.
- Discuss accessibility and barriers during staff meetings.
- Complete facilities examination every year to see if anything has changed to make your facility more or less accessible.
- Talk to your partnering organizations and ask about their experiences with or needs around your organization.

AUDITING YOUR

Is this system posted or otherwise publicized?

Completed	
Needs Attention	
Financial Resources?	
What We Will Do	
By When	
By Whom	

Have we audited the physical accessibility of our office?

Completed	
Needs Attention	
Financial Resources?	
What We Will Do	
By When	
By Whom	

Have we made any needed changes to our office space to make it accessible?

Completed	
Needs Attention	
Financial Resources?	
What We Will Do	
By When	
By Whom	

Do we allow flexibility in how we provide services to meet the needs of individuals with disabilities?

Completed	
Needs Attention	
Financial Resources?	
What We Will Do	
By When	
By Whom	

SERVICE STRUCTURE

Have we built partnerships with other agencies/services working with people with disabilities?

Completed	
Needs Attention	
Financial Resources?	
What We Will Do	
By When	
By Whom	

Do we annually (at least) review barriers to service for our agency?

Completed	
Needs Attention	
Financial Resources?	
What We Will Do	
By When	
By Whom	

Do all staff/volunteers receive training regarding working with people with disabilities?

Completed	
Needs Attention	
Financial Resources?	
What We Will Do	
By When	
By Whom	

Do we have a process that allows individuals with disabilities to file a grievance if their request for accomodation was denied?

Completed	
Needs Attention	
Financial Resources?	
What We Will Do	
By When	
By Whom	

ACCUSED SERVICES

AUDITING YOUR

Do we have an overall policy commitment to the accessibility of our services?

Completed	
Needs Attention	
Financial Resources?	
What We Will Do	
By When	
By Whom	

Do we have a policy that ensures staff & volunteers engage a sign language interpreter when needed?

Completed	
Needs Attention	
Financial Resources?	
What We Will Do	
By When	
By Whom	

Do we have a policy that affirms that all agency functions will be held in accessible locations?

Completed	
Needs Attention	
Financial Resources?	
What We Will Do	
By When	
By Whom	

Do we have a TTY line?

Completed	
Needs Attention	
Financial Resources?	
What We Will Do	
By When	
By Whom	

SERVICE STRUCTURE

Are staff/volunteers trained to use the TTY?

Completed	
Needs Attention	
Financial Resources?	
What We Will Do	
By When	
By Whom	

Are staff/volunteers trained to use the WA State Phone Relay System?

Completed	
Needs Attention	
Financial Resources?	
What We Will Do	
By When	
By Whom	

Do we offer our public materials in alternative formats?

Completed	
Needs Attention	
Financial Resources?	
What We Will Do	
By When	
By Whom	

Do we have a system through which the public can request accommodations?

Completed	
Needs Attention	
Financial Resources?	
What We Will Do	
By When	
By Whom	

ACCESS SERIES

DISABILITY ORGANIZATIONS

RESOURCES & REFERRAL LIST

This resource sheet is intended to act as a reference sheet for advocates at sexual assault programs. The information in this document is divided into four categories: National Information, Organizations in Western Washington, Organizations in Eastern Washington, and State Government/State Wide numbers.

National

Department of Justice Technical Assistance Line:

1-800-514-0301 (V) / 1-800-514-0308 (TTY)

The DOJ technical assistance line provides information about the Americans with Disabilities Act (ADA) through a toll-free number that permits businesses, state and local governments, and others to call and ask questions about general or specific ADA requirements.

Northwest ADA and IT Center

1-800-949-4232 (V)

<http://www.nwada.org>

The NWADA Center provides technical assistance and training on the Americans with Disabilities Act and accessible information technology in Washington, Oregon, Alaska, and Idaho.

Social Security Administration (7am- 7pm)

1-800-772-1213 (V) / 1-800-325-0778 (TTY)

www.ssa.gov/disability

The Social Security and Supplemental Security Income disability programs are the largest of several Federal programs that provide assistance to people with disabilities.

Westside

Abused Deaf Women's Advocacy Services

(206) 726-0093 (TTY)

www.adwas.org

ADWAS provides sexual assault and domestic violence advocacy to the deaf/ deaf-blind and hard of hearing communities including legal advocacy, crisis intervention, support groups, and counseling.

Alzheimer's Association

1-800-848-7097 (V)

www.alzwa.org

The Alzheimer's Association is dedicated to Alzheimer's research and supporting those affected by Alzheimer's including their families and friends.

Arc of Washington

(360) 357-5596 (V) / 1-888-754-8798 (V)

www.arcwa.org

The ARC of Washington promotes education, health, self sufficiency, self advocacy, inclusion and choices of people with developmental disabilities.

Brain Injury Association of Washington

425-895-0047 (V)

www.biawa.org

The Brain Injury Association educates the public about brain injuries and related issues.

Communities against Rape and Abuse

206-322-4856 (V/TTY)

www.cara.seattle.org

The Disability Pride Project at CARA generates radical action against violence and oppression within the disabilities community.

The Crisis Line

1-866-427-4747 (V) – Seattle Only

www.crisisclinic.org

The Crisis Clinic provides immediate and confidential assistance, including information and linkages to community resources, for people in emotional distress or in need of help.

Lifelong Aids Alliance

206-328-8979

www.lifelongaidsalliance.org

Lifelong AIDS Alliance is committed to preventing the spread of HIV, and to providing practical support services and advocating for those whose lives are affected by HIV and AIDS.

Tacoma Area Coalition of Citizens with Disabilities (TACID)

253-565-9000 (v) / 253-565-5445 (TTY)

www.tacid.org

TACID promotes the independence of people with disabilities by assisting with housing, employment, mental health services to people with disabilities.

Eastside

Alzheimer's Association

1-800-256-6659 (V)

www.inwalza.org

The Alzheimer's Association is dedicated to Alzheimer's research and supporting those affected by Alzheimer's including their families and friends

CORD (Coalition of Responsible Disabled)

509-326-6355 (V/TTY)

www.rip-cord.org

Serves all people with disabilities in the Spokane area to teach independent living skills, advocacy, offer peer support, and provide information and referral services.

Disability Resource Center (Saint Lukes)

509-473-6153 (V)

A one stop disability resources center which provides contacts for residents in Eastern WA, Northern Idaho, and Western Montana

Lilac Blind Foundation

509-328-9116 (V) / 1-800-422-7893 (V)

lilacblindfoundation.org

Responsible for skill development for the blind which involves the teaching of mobility, communications, activities of daily living, and other skills needed for independent living and Braille transcription.

Service for People with Disability

509-532-3074 (V)

The primary goal is economic self sufficiency for all citizens through full employment.

University Hearing and Speech Clinic

509-358-7580 (V)

UPCD provides evaluations and treatment for speech language and hearing disorders. Operates on a sliding fee scale and accepts medical coupons and other insurance.

State Wide Agencies

Epilepsy Foundation of Washington

1-800-752-3509 (V)

www.epilipesywa.org

Epilepsy Foundation works to ensure that people with seizures are able to participate in all life experiences. This is supported through education, advocacy and direct services

DSHS Aging and Disability Services

1-800-422-3263 (V) / 1-800-737-7931 (TTY)

The AASA advocates on behalf of seniors and adults with disabilities in order that they may live safe, self-sufficient, and secure lives.

Other DSHS services can be found at www1.dshs.wa.gov/basicneeds or call 1-800-737-0617.

Washington Relay Service

1-800-633-6388 (V) / 1-800-833-6384 (TTY)

www.washingtonrelay.org

The WRS is a telecommunications relay service providing full telephone accessibility to people who are deaf, hard of hearing or speech disabled. WRS is available 24hours a day 365 days a year with no restrictions on length or number of calls placed.

Washington Coalition of Citizens with Disabilities

1-866-545-7055 (V) / 1-206-632-3456 (TTY) or 711

www.wccd.org

The WCCD promotes equality and choice of people with disabilities through advocacy, collaboration, and programs.

Washington Protection and Advocacy System

1-800-562-2702 (V) / 1-800-905-0209 (TTY)

www.wpas-rights.org

WPAS provides free advocacy services to people with disabilities. These services include disability rights information and referral, problem solving strategies for disabilities issues, community education and training and legal services for disability discrimination.



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