The ADA and Our Jails: Delivering Service to All with Dignity and Respect

Will begin at 2:00 p.m. Eastern Time

• Audio and visuals are provided through the online webinar platform
• Access to presentation handouts was included in the email reminder you received for this session
• This session will be open-captioned

Technical Assistance

• If you experience technical difficulties
  • Use the QUESTIONS panel to let us know
  • Call 301-217-0124
Audio

• Expand the audio panel to select computer audio or phone call

Video

• Use the divider line to enlarge or reduce the video feed
Questions and Comments

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Archive

• This webinar is being recorded and can be accessed next week
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Presentation Accessibility

• For the benefit of participants who are not able to see the presentation slides on the webinar platform, speakers will
  • Announce slide numbers
  • Describe images that are meaningful to the content of the session

About Your Hosts…

TransCen, Inc.

• Improving the lives of people with disabilities through meaningful work and community inclusion

Mid-Atlantic ADA Center, a project of TransCen, Inc.

• Funded by National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR), Administration for Community Living, U.S. Department of Health and Human Services
ADA National Network

- Ten regional centers provide guidance, training, and materials on the ADA
- 1-800-949-4232
- ADAta.org

The ADA and Our Jails: Delivering Service to All with Dignity and Respect

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MA, BA, PA (NAADAC), CPT
Captain, Arlington County Sheriff’s Office
Owner, Catalyst of Change Associates LLC
Adjunct Professor, Marymount University
IMAGINE IF YOU...

Overview

- What is the ADA?
- Do you have an ADA Coordinator?
- Does it really impact our jails?
- The Process from booking to release.
- ADA, the DOJ and lawsuits/settlements.
- Where do you begin?
- Walk away with a plan of action.
- Questions
The Americans with Disabilities Act

- Civil Rights Law
- July 26, 1990 – George H.W. Bush
- ADA Amendments Act of 2008
  - Restored the intent of the original ADA

The 5 Magic Words

“How Can I Help You?”
Settlement Agreement between the United States of America and Elizabeth F. Arthur, in her official capacity as the Arlington County Sheriff

U.S. Department of Justice DJ#204-79-325

November 17, 2016

Disabled or Differently Abled?
What is a Disability?

◊ A physical or mental impairment that substantially limits one or more major life activities,
◊ a person who has a record or history of such an impairment,
◊ or a person that is perceived to have a disability.

IMPACT ON OUR JAILS

◊ Title II of the Americans with Disabilities ACT
◊ Level the field
◊ Access to programs, jobs, etc.
◊ It’s the law
Service Animals – Who is Responsible?

- What to do when someone is taken into custody with a service animal
- Local animal shelter/animal control and their role

Booking & Processing

- Inmate can request during booking/processing phase, or at any time during incarceration.
- Observe, Listen, Ask
- “I need ______ because of _______”
Housing

♦ Do you have accessible cells?
♦ Must comply with the 2010 ADA Standards for Accessible Design if built after 2010.
  ♦ New alterations to an area, requires that area be brought up to standards.
♦ At least 3% of cells for those with accessibility needs such as wheelchairs.
♦ At least 2% of general holding and housing cells must be equipped with communications features designed for those that are deaf or hard of hearing.
  ♦ Minimal standards are 3% and 2% - Doesn’t remove responsibility if you have more than that…Plan ahead!

Detention & Correctional Facilities, ADATA.ORG (2019)

Inmate Housing

♦ Common sense placement
♦ Staff awareness
♦ Cognizant of ADA accommodations during moves
Programs & Jobs

- When do you have to provide accommodations?
- Basic requirements are met by the interested inmate
- Do you have job/programs requirements written?
- Level the playing field
- You can't discriminate based on the individual's disability

Visiting

- ADA applies to both inmates and visitors
- Service animals for visitors
- Hearing impairments
- Visual impairments
- Accessibility aides
- Access to visiting area/booths
Direct Threat

A significant risk of substantial harm to the health or safety of employees and others, which cannot be eliminated or reduced by a reasonable accommodation

Devices & Aids

- iPad
- VRS
- Ubi-Duo
- Visual Alert Pagers
- Magnifying glasses
- Walkers
- Wheelchairs
Policies and Procedures

Creating Paradigm Shifts
Buy in – How do you get it?
UNTIL YOU SEE THE WORLD THROUGH THE EYES OF SOMEONE WITH A DISABILITY, YOU JUST DON’T GET IT...

The ADA Coordinator

- Does your facility have one?
- Does your city, county or state?
- Job importance
  - Agency liability
  - Ensures inmates and staff ADA accommodations are met
  - Works with the city, county or state ADA Coordinator
  - Documentation
  - Regular meetings with those who have accommodations
  - Maintains devices
  - Trains staff members
The Foundation

- Training is key to success
- The ADA is fluid
- Sources of information
  - Mid-Atlantic ADA Center – www.adainfo.org
  - National Association of ADA Coordinators – www.adacoordinators.org
  - United States Department of Justice Civil Rights Division - www.ADA.gov
  - www.ADATA.org

Questions?
CONTACT INFORMATION

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Certificates and Credits: CODE

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• If you paid for a certificate of participation or credits, check the reminder email you received about this session for instructions

• Please email the code above to ADAtraining@transcen.org by 5 PM E.T. on July 26, 2021
Thank You for Joining Us!

Mid-Atlantic ADA Center

Toll-free: **800-949-4232** (DE, DC, MD, PA, VA, WV)
Local: **301-217-0124**

[ADAinfo@transcen.org](http://ADAinfo@transcen.org)
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