Know Your Rights as a Person with a Disability in the Criminal Justice System
Thursday, June 4, 2020
2:00 pm ET

This webinar is brought to you by The Arc US and the People With Disabilities Foundation
Meeting Controls

- Connect to audio
- Turn video on/off
  *Attendees videos are off by default*
- Participant List
- Share Screen
  *Not enabled for this webinar*
- Chat
- Turn on/off closed captions
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The Arc of the United States
Connect to Audio

- Use your phone or computer to join the audio conference.
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Microphone, Video, and Layout

This webinar is in listen-only mode. You cannot unmute yourself.

Your video has also been turned off.

Depending on your layout, you may see the presenters and the American Sign Language Interpreter or only the American Sign Language Interpreter.
- To view closed captions, click on show subtitle.
- To adjust the sizing of the captions, select subtitle settings. The default size is small. Choose medium or large for a larger font size.
Chat

- You can send chat messages to the host and panelists.

- Use chat if you need assistance connecting your audio, if you can’t see the presentation, etc.

- When you click on chat, the chat window will appear. It will be on the right if you are not in full screen. If you are in full screen, it will appear in a window that you can move around your screen.
Question for the Presenters?

Submit questions using the Q&A feature. We can either reply to you via text in the Q&A window or answer your question live (out loud).
• Reginald Thomas (he/him), Senior Program Associate, National Initiative, Thomas@thearc.org

• Dori Tempio (she/her), Director of Community Outreach and Consumer Rights, Dtempio@able-sc.org
Message

• We stand with you.

• We will fight with you.

• We will work tirelessly with you.
Know Your Rights as a Person with a Disability in the Criminal Justice System

Know Your Rights Series
Webinar 2 of 3
June 4, 2020
Know Your Rights Webinar Series

- Webinar 1: Criminal Justice System 101
  - Recording will be available soon on thearc.org
- Webinar 2: Know Your Rights as a Person with a Disability (today)
- Webinar 3: Criminal Justice and Self-Advocacy
  - June 17th, 2pm EDT
Welcome to the Webinar!

• All attendees are muted
• You can turn on closed captions
• The ASL interpreter will be spotlighted
  • Short breaks while we change interpreters
• If you have technical problems during the webinar, please visit support.zoom.us or type in the chat box
• Today’s webinar will be recorded and archived, along with the PowerPoint and a transcript, on www.thearc.org

events@thearc.org
People with Disabilities Foundation

- Thanks to the People with Disabilities Foundation for making this webinar possible!
- The Foundation provides people with all types of disabilities with the education and advocacy to have access to equal opportunities in all aspects of life
Who we are & what we do.

Mission Statement

To create greater access and opportunities for independence through empowering individuals with disabilities and promoting community inclusion.
Center for Independent Living (CIL)

- Community-based
- Consumer driven
- Cross-disability
- Nonprofit 501 (c)(3)

1978: Amendments to the Rehabilitation Act provides for consumer-controlled centers for independent living.
Learning Objectives

After this webinar, you will be able to:

• Recognize barriers in the criminal justice system
• Explain two key rights under the American with Disabilities Act (ADA)
• Identify available resources that might be able to help you
Question

Why is it important to know your rights in the criminal justice system?
Question

Why is it important to know your rights in the criminal justice system?
Barriers and the Criminal Justice System
BARRIERS

Attitudinal

Physical

Communication

Program
Physical Barriers

- Physical features that limit access
  - Narrow spaces
  - Steps (no wheelchair ramps)
  - Doors that are hard to grasp and open
Communication Barriers

• Information is not available in multiple ways
  • Language is not clear
  • Font is too small to read
  • Can’t use a communication device
Attitudinal Barriers

- Behaviors and assumptions about disability
  - People with disabilities always need help
  - “Inspiration Porn”
Program Barriers

• Lack of accommodations or support
  • Not allowed to participate in an activity
  • Option to participate in a different or separate program
Polling Question

A police station does not have a wheelchair ramp. What type of barrier is this?
Polling Question

A prosecutor doesn’t believe you should testify, because you have a disability. What type of barrier is this?
American with Disabilities Act (ADA)
What is discrimination?
Rights of people with disabilities

Discrimination by justice professionals
## Americans with Disabilities Act

<table>
<thead>
<tr>
<th>Title</th>
<th>Subject</th>
<th>Who’s affected</th>
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<tbody>
<tr>
<td>Title I</td>
<td>Employment</td>
<td>Private employers with 15+ employees; all public employers</td>
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<tr>
<td>Title II</td>
<td>Public Programs and Activities</td>
<td>State and local governments</td>
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<tr>
<td>Title III</td>
<td>Public Accommodations</td>
<td>Hotels, restaurants, merchants, doctor’s offices, private schools, day care centers, health clubs, sports stadiums, movie theaters, etc.</td>
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<tr>
<td>Title IV</td>
<td>Telecommunications (closed captioning)</td>
<td>Telephone and internet companies</td>
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<td>Title V</td>
<td>Miscellaneous Provisions</td>
<td>Various entities</td>
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Americans with Disabilities Act

Title II

State & Local Governments

Law Enforcement  Jails & Prisons  Courts
Overt (Direct) Discrimination

• A police officer says to Susan:

“I’m arresting you, because I think autistic people are dangerous.”
Disparate (Indirect) Impact

• Juan can’t participate in a jail program because of the medication he uses.
Failure to Modify

• Izzie’s GED teacher won’t change the material to account for her disability.
Polling Question

Being told you’re dangerous because of your disability is what type of discrimination?
Two Basic Rights

1. Right to Effective Communication

2. Right to Access Programs and Services

ADA.gov
Right to Effective Communication

A person with a disability has the right to communicate as effectively as someone without a disability.
Right to Access Programs and Services

A person with a disability has the right to **access programs and services** on the same basis as someone without a disability.
How do I get help?
Resources

• Private defense attorney or public defender
• Prosecutor or victim services professional
• State and local chapters of The Arc
  • https://www.thearc.org/find-a-chapter
• Protection and advocacy organizations
  • http://www.ndrn.org/en/ndrn-member-agencies.html
Resources

• Civil rights and legal services organizations
• State and local bar associations
• The Arc’s National Center on Criminal Justice & Disability
  • http://www.thearc.org/NCCJD/about/request-assistance
• Department of Justice, Disability Rights Section
  • https://www.justice.gov/crt/how-file-complaint
Participant Q&A

• Type your questions in the Q&A
  • You can find the Q&A at the bottom of your Zoom screen

• If we don’t get to your question, email it to NCCJDinfo@thearc.org
Join Us Next Time

Webinar 3: Criminal Justice & Self-Advocacy

When: June 17th, 2020, 2:00pm EDT
Dori Tempio

able
SOUTH CAROLINA

• Email: dtempio@able-sc.org
• Phone: 803-779-5121
• Website: able-sc.org
NCCJD Team

Reginald Thomas, Senior Program Associate, National Initiatives
thomas@thearc.org

Ariel Simms, Senior Program Manager & Attorney, Access, Equity, & Inclusion
simms@thearc.org

Leigh Ann Davis, Director, Criminal Justice Initiatives
ldavis@thearc.org