

Module 5: Overcoming Situational Challenges

Time Required

3 hours (including 15-minute Module 1 – 4 Quiz)

Purpose

To build awareness for professionals who provide services and support to crime victims with disabilities by identifying strategies for overcoming the situational challenges of the environment.

Lessons

1. The Importance of the Physical Space (1 hour, 10 minutes)
2. Improving Accommodations (20 minutes)
3. Addressing Systemic Challenges (1 hour, 15 minutes)

Learning Objectives

By the end of this module, participants will be able to:

- Explain the importance of an accessible and supportive space for victims of crime.
- Identify ways to overcome agency challenges when supporting victims of crime who have disabilities.
- Identify ways to overcome systemic challenges when supporting victims of crime who have disabilities.

Instructor Worksheet

- Instructor Worksheet 5.2, Challenges With Responses

Participant Worksheets

- Worksheet 5.1, Case Studies
- Worksheet 5.2, Challenges

Equipment and Materials

No special equipment or materials are required.

Preparation

- For the “Challenges” activity, label a tear sheet for each discipline represented in the training (e.g., law enforcement, legal, community advocacy). Post the tear sheets on the wall before the module begins, or at the beginning of the activity.



Show Visual 5-1.

Introduce Module 5 by **explaining** that the purpose of this module is to help professionals who provide services and support to crime victims with disabilities identify strategies for overcoming the situational challenges of the environment.



Show Visual 5-2.

Review the learning objectives.

By the end of this module, participants will be able to:

- Explain the importance of an accessible and supportive space for victims of crime.
- Identify ways to overcome agency challenges when supporting victims of crime who have disabilities.
- Identify ways to overcome systemic challenges when supporting victims of crime who have disabilities.



Show Visual 5-3.

Paraphrase:

Let's quickly review of the information we covered in the first four modules.

Introduce the activity.



Activity: Module 1 – 4 Quiz (15 minutes)

- 1. Ask participants to raise their hands if they know the answer, and to wait until they are called on to respond.**
- 2. Show slides 5-4 through 5-23.**
- 3. Pause after each Question slide to call on a participant for a response before you show the answer on the following slide.**
- 4. Call on a participant with hand raised for answers. It is not necessary to call on the person who raises their hand first; try to involve as many participants as possible.**
- 5. Ask participants to keep track of how many correct answers they have.**
- 6. At the end of the quiz offer a round of applause to the participant who answered the most questions correctly.**

1. The Importance of the Physical Space (1 hour, 10 minutes)



Show Visual 5-24.

Paraphrase:

When we talked about the ADA, you learned that Title II of the Act prohibits a public entity from excluding or denying the benefits of services, programs, or activities to an individual with a disability. Title III prohibits discrimination on the basis of disability by public accommodations and commercial facilities, which can include social service organizations.



Show Visual 5-25.

Paraphrase:

The requirements of both titles are similar. Remember, in order to ensure access, both public entities (state and local governments) and public accommodations (restaurants, hotels, theaters) must:

- Provide services in an integrated setting.
- Make reasonable accommodation for access.
- Furnish auxiliary aids when necessary to ensure communication.
- Remove structural and architectural communication barriers in existing facilities where readily achievable.
- Provide alternative measures if barriers cannot be removed.

All these items are important, because what a crime victim experiences after a crime can have a profound effect. For example, the initial visit to law enforcement or an advocacy group can either increase or decrease the trauma. The effects of that visit can also determine if the individual decides to prosecute or testify, and it can leave a lasting impression on how they perceive the organization they turned to for help.



Show Visual 5-26.

Introduce the activity.

 **Activity: Case Studies – (30 minutes)**

- 1. Refer participants to Worksheet 5.1, Case Study A – Naomi, in the Participant Manual. Tell them to work individually to read the scenario and think about it for a moment.**
- 2. After participants have finished reading, ask the following questions to generate a discussion. Be sure to write key words from responses on a tear sheet.**
 - a. What were all the elements that combined to make Naomi’s experience so unpleasant?
 - b. In what ways did the facility not comply with ADA?
 - c. How could the situation have been changed to make access easier?
 - d. What could have been done to make her interaction with the staff beneficial rather than hurtful?



Show Visual 5-27.

- 3. Summarize the items written on the tear sheet and say, “Now suppose all these items were addressed; if Naomi were to return, she would have a very different, very positive experience.”**
- 4. Then refer participants to Worksheet 5.1, Case Study B – David, in the Participant Manual. Working individually, ask participants to read the scenario and think about it for a moment.**
- 5. After participants have finished reading, ask the following questions to generate a discussion.**
 - a. Even though this organization may have been accessible to Naomi, what about David?
 - b. Even though the staff was busy, what could they have done to encourage David to stay?
 - c. Could the victim service providers have been able to provide service to David? If so, what could they do? If not, who should they call?

Ask: Is it possible for *any* organization to meet the needs of both Naomi and David effectively? How?



Show Visual 5-28.

Debrief the activity by explaining that while crime victims with disabilities should receive assistance and treatment – just like any other crime victim – they may have needs *in addition to* those that result from being the victim of a crime.

Explain that crime victims often are stressed and not thinking of the logistics of receiving services when they contact a victim service agency for support. Consequently, staff should ask what the crime victim needs, rather than waiting to be told.

Also **point out** that when a situation is made easier for a crime victim, the situation or interaction also becomes easier for the professionals who provide support. It makes sense, then, to ensure that appropriate accommodations are in place.

Paraphrase:

Now consider your *own* environment. Regardless of whether it is considered a public entity or a place of public accommodation, it must under the ADA be accessible. Is it? Think about the law and your own work environment as we do the next activity.



Show Visual 5-29.

Introduce the activity.



Activity: Visualizing Your Own Work Environment (30 minutes)

- 1. Tell participants that this is a visualization exercise, and to close their eyes and leave them closed.**
- 2. Explain that you will be leading them to and through their own organization and you will pause periodically, but request they not speak or open their eyes until asked.**
- 3. Instruct them to picture the exterior of the building that houses their agency or organization, and to keep it firmly in mind as you talk.**
- 4. Read the following:**

Picture the exterior of the building in which your agency or organization is located. Are there steps to the front door? Are there signs on the exterior that would clearly direct a crime victim to your door? Are the signs in Braille? Does the door automatically open?

Now picture the lobby of the building. Again, are there steps? Are there interior signs that provide clear directions to your office? In Braille? To the elevator? Is there an elevator? How does the elevator signal each floor? Would someone with a sight disability know on which floor to exit?

Visualize the door to your office. Is it heavy? Does it automatically open? Does it have a handle or a knob which might be difficult to turn? Is the sign in clear, large print? In Braille?

Keep your eyes closed but raise your hand if you have discovered anything inaccessible or inappropriate up to this point.

Now enter your office. What's there? Does someone promptly greet the crime victim? Are they welcoming and friendly? What if the crime victim has a hearing disability or is Deaf? Does your organization have a way to communicate?

Look around the lobby or area immediately in front of the door. Is there a place to sit if the victim needs to wait? If there is a counter, could a person who uses a wheelchair look over it? Are there steps up or down that someone with a mobility issue might have to negotiate?

Next, imagine this person is being directed to one of the staff. Are the aisles wide enough to accommodate a wheelchair? Would an individual with a sight disability be able to find the advocate's office? Are directional signs clear enough so that someone with a developmental disability would find it? Is the advocate's door or work station clearly marked? Is the entrance wide enough for a wheelchair? Is the attitude of the staff member appropriate – empathetic, but professional? Are their first words helpful and encouraging?

Keep your eyes closed but raise your hand if you have discovered anything inaccessible or inappropriate up to this point.

Now let's enter the advocate's office. Is there room for a person who uses a wheelchair to turn around comfortably? If the person is Deaf, are the services of an interpreter available to facilitate communication?

Visualize the immediate environment. Are there potential noises such as traffic or sirens, or sounds from the heater or air conditioner that might disturb someone with an intellectual disability or traumatic brain injury? Are the lights set appropriately – not too bright and not too dim? Are any flickering? Are there any other lights or sounds that might distract a person with disability?

Think about the informational materials you have to give to the crime victim. Are they in large print for individuals with sight disabilities? Are they simply and clearly written for people with developmental or intellectual disabilities? Are they in Braille, or are there audio versions for people who have sight disabilities? If you provide DVDs, are they captioned?

Do you have a list of resources for disability organizations that you can provide to the crime victim, if necessary? Does this resource list cover all types of disability organizations?

Keep your eyes closed but raise your hand if you have discovered anything inaccessible up to this point.

5. *Tell participants to open their eyes.*
6. *Explain that the visualization activity won't go any further, but do ask them to identify any other challenges/barriers that might be encountered in their own agencies and organizations, and what they would do to improve access.*
7. *Ask the group how many of them raised their hands at any point in the visualization.*

Debrief the activity by explaining that there will probably be organizations that do not meet the letter of the law. However, every agency or organization that serves victims of crime is subject to Title II or Title III.

2. Improving Accommodations (20 minutes)



Show Visual 5-30.

Paraphrase:

Many agencies have not allocated their budget or provided the time necessary to create universal access and accommodations. The “no budget” excuse does *not* give an organization a pass on the requirements of ADA. In addition, what type of message do you think it sends to crime victims with disabilities? However, keep in mind that in many cases, creating access can be free or relatively inexpensive.

Ask participants if they know of simple, inexpensive ways that public entities or public accommodations have significantly improved access by making simple changes. **Provide** some ideas such as:

- Improving lighting.
- Rearranging furniture.
- Adding signage.
- Installing a doorbell.

- Installing levers instead of door knobs.
- Improving Web site access by using simple backgrounds, clean designs, and descriptive text.

Read slides 5-31 through 5-33 one at a time. After each, **ask** participants how they would make the necessary accommodations. **Ask** them whom they would contact for assistance, and tell them to think creatively about resolving these issues.



Show Visual 5-31.

Read:

A private counseling office has developed an evacuation plan to be used in the event of emergency. The clinic occupies several floors of a multistory building. During an emergency the elevators will not be in operation.

How can the clinic modify its evacuation procedures to provide alternative means of egress for people with mobility, sensory, intellectual/cognitive, or other disabilities? Whom would you contact?



Show Visual 5-32.

Read:

A local women's shelter offers transitional housing and employment assistance to abused women. Several computers are available for job hunting. A woman who is blind enters the shelter as a result of domestic violence. She needs work and has asked for assistance.

What accommodations can the shelter make to help the woman – both with and without the computer? Whom would you contact?



Show Visual 5-33.

Read:

A woman with autism is the victim of a sexual assault, and the case is coming to trial. As the court date approaches the woman becomes increasingly agitated and non-communicative when around other people, although she is calm and can communicate fairly easily when you are alone with her. You are afraid she would not be a reliable witness in a courtroom. You would like to videotape her testimony, but the judge is reluctant to allow it.

What other accommodations could the court make to address these concerns and obtain her testimony? Whom would you contact?



Show Visual 5-34.

Paraphrase:

So what can you do, as an advocate, to ensure that *your* organization provides reasonable accommodation and access? We've discussed some ideas. Will you be able to apply those to your own organization? Or how about other ideas you can take back? Again – think outside the box to come up with some creative ideas.

Write key responses on a tear sheet. Cover the following ideas if not mentioned by participants:

- Include a line item in your budget for accessibility if your organization is not fully accessible. Even if your organization is fully accessible, you may also need a line item for accessibility *maintenance*, as well.
- Identify the services (interpreters, transportation) that would be helpful, and establish relationships with the companies that offer them. Include these and other non-structural services in your budget.
- To accommodate Deaf crime victims and victims with hearing disabilities, consider working with an interpreter organization to familiarize them with terms used in law enforcement and the criminal justice system. You may also want to try to negotiate a reduced fee for their services. If you have had, or expect to have, a significant number of Deaf crime victims, consider training several staff in American Sign Language. Be sure to update their skills frequently.
- To accommodate people who are blind or visually impaired, consider purchasing a Home Page Reader (HPR), which provides audible access to content on the Internet.
- Advocate for disability training at *all levels* of the organization (volunteer, staff, administration, and governing boards).
- Ensure that all materials (books, brochures, posters, DVDs) are user friendly to the general population and are also available upon request in alternate formats, such as in large print, Braille, or on CD or audio tape. Also, produce alternative versions of the same content in simple but clear language for crime victims with intellectual and developmental disabilities.
- Improve outreach to communities and organizations that involve people with disabilities. Establish relationships and discuss how you can work together more effectively.
- Learn how to recognize signs of psychiatric disorders. Mental health professionals may be able to provide training. Establish contacts with mental health organizations. Also, make sure staff know how and when to contact the appropriate mental health provider or facility.

- Develop lists of resources for people with various types of disabilities. Crime victims who had disabilities before the crime may or may not be aware of these organizations. In addition, crime victims who become disabled as a result of the crime will need these resources.
- When hiring internally, strongly consider qualified people with disabilities.
- Identify systemic challenges and develop strategies to resolve them.



Show Visual 5-35.

Paraphrase:

You should also be aware that under federal VOCA guidelines, funds may be used to make services accessible to crime victims with disabilities. Funds can be used to make minor building improvements; for example, to buy Braille equipment and assistive technology devices.

Your organization will need to develop a compliance plan, if it does not currently have one. Titles II and III of the ADA require most public and nonprofit agencies to have a compliance plan. The plan should serve as a roadmap for taking incremental steps to improve accessibility.



Show Visual 5-36.

Paraphrase:

Unless you're really familiar with the ADA and its requirements, you may not know all the details of what's required. Short of consulting an ADA attorney, how do you find out?

Here's a suggestion: Contact a local CIL – that's a Center for Independent Living – or a disability service organization to do an ADA evaluation of your facilities and services. They are experts, and can offer practical and affordable solutions. Or they can help brainstorm alternative ways to provide crime victims with services if there are no reasonable accommodations available. You can also contact your state ADA implementation agency for advice and assistance.

3. Addressing Systemic Challenges (1 hour, 15 minutes)



Show Visual 5-37.

Instructor Note:

Information for this activity is provided on **Instructor Worksheet 5.2, Challenges With Responses**. Be sure to bring these points out during the activity debrief if they are not mentioned by the participants during the activity.

The information included on the **Instructor Worksheet 5.2** also is included as Appendix F – Addressing Systemic Challenges – in the Participant Manual. **Do not refer** to the information until the activity debrief.

Introduce the activity.



Activity: Challenges (1 hour)

- 1. If you have not already done so, post the tear sheets you prepared earlier that are labeled with each discipline represented in the training (e.g., law enforcement, legal, community advocacy).**
- 2. Refer participants to Worksheet 5.2, Challenges, in the Participant Manual.**

Instructor Note:

Some participants may have roles that cross disciplines. For example, in this exercise law enforcement and community-based victim service providers will have roles in the legal system as well. In these cases, you may either assign participants to the related discipline that is most under-represented, or you may have them select the discipline they feel most accurately represents what they would do in this activity.

- 3. Tell participants to go to the tear sheet for their discipline and listen to the following story.**
- 4. Tell the participants from law enforcement that you will read the part of the story that involves them first.**

Read the following slowly:

Suppose you're a police officer on patrol. It's early evening in a large city and a young man staggers up to you. He seems extremely agitated but you can't understand what he is trying to say. All you can understand is that his name is either "Paul" or "Raul." His motions are erratic, and his speech is garbled. He sounds as if he is drunk, and you can smell alcohol, but you're not sure what the problem is. There are no visual signs of injury, but you can't get the young man to calm down enough to explain what happened.

The young man is carrying an umbrella, and he's so upset you think he may try to use it as a weapon. But when you attempt to take it from him, he pulls back, frightened.

5. Tell participants from law enforcement to:

- a. Collaborate and write down what they would do in this case, and to list their activities in the appropriate sequence.
- b. List any barriers or challenges that might impact assisting the victim, and how to overcome them.

6. Tell the participants from community advocacy that you will now read the part of the story that involves them.

Continue with the story and slowly read the following:

Now suppose you're a community advocate. A police officer arrives with Paul. The officer says he's been able to determine that Paul is a military veteran with traumatic brain injury. He had been drinking in a bar and struck up a conversation with two men. The men appeared friendly until they all left, when one of them grabbed Paul and the other sexually assaulted him in a car. He was also robbed. The officer took a report and attempted to contact Paul's parents, with whom he lives, but couldn't reach them. Paul has not been to the hospital; he wanted to talk to an advocate or counselor first.

7. Tell participants from the community advocacy group to:

- a. Collaborate and write down what they would do in this case, and to list their activities in the appropriate sequence.
- b. List any barriers or challenges that might impact assisting the victim, and how to overcome them.

8. Tell the participants from the legal group that you will now read the part of the story that involves them.

Continue with the story and slowly read the following:

Now imagine you're with the legal system, and you're helping Paul with his case. After speaking with a community advocate, Paul had a rape exam done and DNA was collected from the assault. As a result, Paul's offenders were identified and apprehended. A trial is coming up soon. However, you have noticed that Paul gets extremely upset when talking about the robbery, and he's almost impossible to understand. You have been able to encourage him to talk about the sexual assault but he becomes even more difficult to understand. When he's unable to make himself understood, he becomes belligerent. You're afraid he'll come across as aggressive on the stand.

9. Tell participants from the legal group to:

- a. Collaborate and write down what they would do in this case, and to list their activities in the appropriate sequence.
- b. List any barriers or challenges that might impact assisting the victim, and how to overcome them.

10. Tell participants from all the groups that you will now conclude the story.

Slowly read the following:

Paul's offenders are convicted and sent to jail. A few years later you (as a law enforcement officer, community advocate, or legal professional) find out that the assailants are being released.

11. Tell participants from all the groups to:

- a. Collaborate and write down what they would do in this case, and to list their activities in the appropriate sequence.
- b. List any barriers or challenges that might impact assisting the victim.

12. Have each group refer to their respective tear sheets and briefly report out to the other groups what they would do in this situation.

Debrief the activity by explaining that while crime victims with disabilities should be treated as any other crime victim, accommodations may be necessary. Law enforcement may need to take extra steps in identifying a disability or transporting a victim, and advocates and legal professionals may need to make accommodations in their physical space or in the way they communicate with crime victims with disabilities. Barriers can and will exist, but they must be overcome if we are to provide the services every crime victim deserves.

Tell participants that the information covered in this activity is included as Appendix F in the Participant Manual.



Show Visual 5-38.

Review the learning objectives and **ask** whether these were met.

By the end of this module, participants will be able to:

- Explain the importance of an accessible and supportive space for victims of crime.
- Identify ways to overcome agency challenges when supporting victims of crime who have disabilities.
- Identify ways to overcome systemic challenges when supporting victims of crime who have disabilities.



Show Visual 5-39.

Ask if there are any final questions before moving to the next module.

Instructor Note:

You will now take the scheduled break.

Right before the break, select or ask five volunteers to be “workers” in the “Welcome to Burgville” activity at the beginning of Module 6. The workers must return to the training room 5 minutes before the break is over to receive their instructions.

Prepare the training room during the break. Conduct the “Welcome to Burgville” activity immediately after the break.

All instructions for setting up the room and conducting the activity are on **Instructor Worksheet Module 6** in the Instructor Manual; they are also included following the matrix in the Overview section of the Instructor Manual.

