

Module 5: Overcoming Situational Challenges

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
2. Improving Accommodations
3. Addressing Systemic Challenges

Learning Objectives

By the end of this module, you 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.

Participant Worksheets

- Worksheet 5.1, Case Studies
- Worksheet 5.2, Challenges

1. The Importance of the Physical Space

Title II of the ADA 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.

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.

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

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.

So what can you do, as an advocate, to ensure that *your* organization provides reasonable accommodation and access?

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.

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

The activity will focus on addressing systemic challenges.

