

Module 5

Overcoming Situational Challenges

OVC Can Help You Put the Pieces Together



OVCTTAC

Learning Objectives

- ❖ **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 with disabilities.**

Activity

Module 1 – 4 Quiz

- ❖ You'll be shown a series of slides with questions.
- ❖ If you know the answer, don't say it – raise your hand.
- ❖ Keep track of how many answers you know.

Question 1

Which Act was signed into law in 2004 with the goal of protecting crime victim rights, eliminating the backlog of DNA samples, and improving and expanding DNA testing capacity?

Question 1 – Answer

Which Act was signed into law in 2004 with the goal of protecting crime victim rights, eliminating the backlog of DNA samples, and improving and expanding DNA testing capacity?

The Justice for All Act.

Question 2

Which 1964 Act extended voting rights and outlawed racial segregation in public accommodations?

Question 2 – Answer

Which 1964 Act extended voting rights and outlawed racial segregation in public accommodations?

The Civil Rights Act of 1964.

Question 3

How many states have statutes criminalizing various types of hate attacks?

Question 3 – Answer

How many states have statutes criminalizing various types of hate attacks?

45 states and the District of Columbia.

Question 4

What is the purpose of the concept of Universal Design?



Question 4 – Answer

What is the purpose of the concept of Universal Design?

Universal design is a concept promoting buildings, products and environments that are usable for everyone. It also emphasizes how things look.

Question 5

The rate of rapes or sexual assaults against people with disabilities is about twice the rate for people without disabilities.

True or False?

Question 5 – Answer

The rate of rapes or sexual assaults against people with disabilities is about twice the rate for people without disabilities.

False. People with disabilities experience about three times as many rapes or sexual assaults as people without disabilities.

Question 6

People with developmental disabilities are only slightly more likely to be victims of crime than other people.

True or False?

Question 6 – Answer

People with developmental disabilities are only slightly more likely to be victims of crime than other people.

False. People with developmental disabilities are 4 to 10 times more likely to be victims of crime.

Question 7

Which organizations does Title II of the ADA affect?

Question 7 – Answer

Which organizations does Title II of the ADA affect?

Title II affects “public entities” such as state and local governments, courts, police, and city councils.

Question 8

What is the purpose of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act?

Question 8 – Answer

What is the purpose of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act?

This act makes it a federal crime to assault someone because of gender, gender identity, sexual orientation, or disability.

Question 9

What type of disability is the focus of the Crime Victims with Disabilities Awareness Act?

Question 9 – Answer

What type of disability is the focus of the Crime Victims with Disabilities Awareness Act?

Developmental disabilities.

Question 10

What was the first “rights” legislation to prohibit discrimination against people with disabilities (although the law applied only to the Federal Government)?

Question 10 – Answer

What was the first “rights” legislation to prohibit discrimination against people with disabilities (although the law applied only to the Federal Government)?

The Rehabilitation Act of 1973.

Review of ADA Titles II and III

- ❖ Title II prohibits a *public entity* (state and local governments) from discriminating against an individual with a disability.
- ❖ Title III prohibits *public accommodations* and *commercial facilities* from discriminating against an individual with a disability.

Facilities Covered by Both Titles Must:

- ❖ **Provide services in an integrated setting.**
- ❖ **Make reasonable accommodation for access.**
- ❖ **Furnish auxiliary aids when necessary.**
- ❖ **Remove structural and architectural barriers where readily achievable.**
- ❖ **Provide alternative measures if barriers can't be removed.**

Activity

Case Study A – Naomi

Worksheet 5.1

- ❖ **What were all the elements that combined to make Naomi's experience so unpleasant?**
- ❖ **In what ways did the facility not comply with ADA?**
- ❖ **How could the situation have been changed to make access easier?**
- ❖ **What could have been done to make interaction with staff beneficial rather than hurtful?**

Activity

Case Study B – David

Worksheet 5.1

- ❖ **Even though this organization may have been accessible to Naomi, what about David?**
- ❖ **Even though the staff was busy, what could they have done to encourage David to stay?**
- ❖ **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?**

Addressing the Needs of Crime Victims

- ❖ **Crime victims with disabilities may have needs in addition to those that result from being a victim of crime.**
- ❖ **Crime victims often are stressed and not thinking clearly; be sure to ask what the victim needs rather than waiting to be told.**
- ❖ **When a situation becomes easier for a crime victim, it becomes easier for the advocate.**

Activity

Visualizing Your Own Work Environment

- ❖ **Close your eyes and picture your own work environment.**
- ❖ **Continue to visualize your environment as your instructor leads you through a series of questions.**
- ❖ **Do not open your eyes until you are told to do so.**

Creating Access

- ❖ **Many organizations have not allocated time or money to create universal access and accommodations.**
- ❖ **Having “no budget” does *not* give your organization a pass on ADA requirements!**
- ❖ **However, modifications to create access can sometimes be free or relatively inexpensive – such as....?**

Scenario 1

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?

Scenario 2

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?

Scenario 3

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 agitated and non-communicative around others, although she is calm and communicative with you. You are afraid she would not be a reliable witness in a courtroom. You would like to videotape her testimony but the judge will not allow it.

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

What Can You Do?

What can you do as an advocate to ensure your organization provides access to crime victims with disabilities?

What ideas can you take back to your organization?



Remember VOCA!

- ❖ **Under VOCA, funds may be used to make services accessible to crime victims with disabilities.**
- ❖ **Funds can be used to make minor building improvements or buy assistive devices.**
- ❖ **Your organization will be required to have a compliance plan. It should already have one!**

Finding Out What Your Organization Needs To Do

- ❖ **Contact a local CIL or disability service organization.**
- ❖ **They can offer practical and affordable solutions or help your organization brainstorm alternatives.**

Activity

Challenges

Worksheet 5.2

- ❖ **Meet with members of your own discipline at your assigned tear sheet.**
- ❖ **Collaborate and write down what you would do in the case presented by the instructor.**
- ❖ **List any barriers or challenges and how you would overcome them.**

Review of Learning Objectives

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End of Module 5

- ❖ **Questions?**
- ❖ **Comments?**
- ❖ **Volunteers?**