



Making Hard Time Harder: Report Outlines Need for Accommodations for Inmates with Disabilities

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June 28, 2016

More than 600,000 inmates with disabilities in prisons across the country spend more time in prison, under harsher conditions, than inmates without disabilities, according to research. Today, Amplifying Voices of Inmates with Disabilities (AVID), a nationwide project of disability protection & advocacy organizations, released Making Hard Time Harder: Programmatic Accommodations for Inmates with Disabilities Under the Americans with Disabilities Act. The report outlines lack of accommodations for inmates with disabilities.

Call to action: Report recommendations to address this crisis in our nation's prisons include:

- Creation of independent corrections ombuds offices at the state level in order to address inmate concerns before they rise to the level of litigation.
- Systemic accessibility reviews by state departments of corrections to identify both physical and programmatic barriers for inmates with disabilities.
- Increased federal funding to the protection and advocacy network for corrections based monitoring and advocacy.
- Increased training for prison ADA coordinators and collaboration between these staff members and the local P&As to address inmate concerns.

"People are sent to prison as punishment, not *for* punishment," says Mark Stroh, Executive Director of Disability Rights Washington. "In drafting this report, we have found that inmates with disabilities are often neglected and excluded from programs, rehabilitation, and basic medical care, subjecting them to additional forms of punishment solely due to their disability."

Disability Rights New York, the P&A for the state since 2013 and a partner in drafting the report, reported on its advocacy successes as well as efforts underway to correct ADA violations in the New York prison system, operated by New York State Department of Corrections and Community Supervision (DOCCS).

Among its successes, DRNY persuaded DOCCS to relocate its Female Trauma Recovery Program at Albion Correctional Facility from the second floor of an older, pre-ADA building with no elevator access, to fully accessible program and residence space; persuaded Albion to end its policy of segregating inmates on “medically unassigned status” and reevaluate their ability to access programming with accommodations; and succeeded in providing a diabetic inmate access to her glucose-testing equipment. DRNY is currently engaged in efforts to make shock incarceration accessible to prisoners with mental illness, who are categorically excluded from this early-release program; to make prison law libraries accessible to prisoners in DOCCS’ regional medical units; to implement videophone access for DOCCS’ deaf inmates; and has filed an amicus brief on behalf of a prisoner with quadriplegia who was denied access to his motorized wheelchair.

The report also includes case examples submitted by protection and advocacy agencies (P&As) engaged in prison work in 20 other states. Colorado, Washington, and South Carolina all reported cases in which essential mobility devices, such as wheelchairs and walkers, were taken from inmates. One case resulted in an inmate’s inability to access showers or outside yard for almost two years. Idaho and Illinois reported systemic litigation seeking the provision of video phone services for inmates who are deaf or hard of hearing. Alabama reported inmates with intellectual disabilities could not access medical care in a written request, and were therefore unable to receive needed medical attention, prompting federal litigation.

From individual assistance to large scale federal litigation, these case summaries demonstrate the breadth and depth of work by P&As in prisons, and demonstrate that despite the passage of the ADA over two decades ago, much state prison work remains to be done.

The report is available at AVIDprisonproject.org, where original interviews with inmates on disability issues in correctional settings can be accessed.

About the AVID Prison Project

AVID is a prison advocacy initiative that focuses on the needs of current and former prisoners with disabilities. The project was developed by Disability Rights Washington and is a collaboration between the National Disability Rights Network (NDRN) and Protection and Advocacy agencies (P&As) in Arizona, Colorado, New York, South Carolina, and Washington, with communication assistance from the P&As in Louisiana and Texas.

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