



PROMOTING THE EQUALITY, DIGNITY, AND SELF-
DETERMINATION OF PEOPLE WITH DISABILITIES

Disability Rights And Services Available to Individuals in Shelter or Experiencing Homelessness



PRESENTED BY



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DRVT would like to thank the following for making this presentation possible:

- The Center for Mental Health Services, Substance Abuse and Mental Health Services Administration
- U.S. Department of Health and Human Services
- Victim of Crime Act Grant

Presentation Objectives

- Understand the wide range of services available through DRVT.
- Enhance understanding of the broad range of the term “disability.”
- Identify strategies for how to best serve people with disabilities in your work.
- Consider Practical Implications of the Americans with Disabilities Act and the VFHPAA in your work.



ABOUT DRVT

Disability Rights Vermont, Inc. (DRVT) is part of the National Protection and Advocacy system. This national system was created by Congress in response to concerns that States were not doing enough to protect people with disabilities against abuse, neglect and serious rights violations. Congress created the Protection and Advocacy (P&A) system to increase scrutiny and available resources in order to improve conditions for people with disabilities.

[P&A Video](#)



WHAT WE DO

Investigate complaints of abuse, neglect, and violations of individual rights.

We promote self advocacy, education, and systems change to benefit individuals with a wide range of disabilities.

Our mission is to promote the equality, dignity, and self-determination of people with disabilities.

DRVT provides information, referral and advocacy services, including legal representation when appropriate, to individuals with disabilities throughout Vermont. DRVT also advocates to promote positive systemic responses to issues affecting people with disabilities. DRVT is dedicated to addressing problems, questions and complaints brought to it by Vermonters with disabilities.

DRVT PROGRAMS

- [PAIMI](#) - Protection & Advocacy For Individuals With Mental Illness
- [PADD](#) - Protection & Advocacy For Individuals with Developmental Disabilities
- [PAIR](#) - Protection & Advocacy For Individuals Rights
- [PABSS](#) - Protection & Advocacy For Beneficiaries of Social Security
- [PABRP](#) – Protection & Advocacy for Beneficiaries with Representative Payees
- [PAVA](#) - Protection & Advocacy for Voting Access
- [PATBI](#) - Protection & Advocacy For Persons With Traumatic Brain Injury
- [VOCA](#) – Victims Of Crime Act
- [VCSP](#) – Vermont Communication Support Project



Disability Defined

An individual with a **disability** is **defined** by the **ADA** as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. 42 U.S.C. § 12102.



Hidden Disabilities

- ▶ **Mental illnesses (ex. PTSD, major depression, bi-polar, etc)**
- ▶ **Traumatic Brain Injury, epilepsy**
- ▶ **Heart Disease**
- ▶ **Deaf or hard of hearing**
- ▶ **Neurological**
- ▶ **Asthma**
- ▶ **Diabetes**
- ▶ **Learning disabilities**
- ▶ **Attention deficit disorder**
- ▶ **Autism**

Indicators a Person May Have a Disability

They need help with Activities of Daily Living (such as cooking, cleaning, shopping, driving, speaking, eating, bathing)

They receive support from a school or human service organization in education, employment, or transportation.

They receive SSA benefits, have a SSA representative payee or have a guardian

STATISTICS – Why is disability important?

28%

28.7 percent of adults living in the United States have a disability. That is 1 in 4 adults. U.S. Census 2024.

90%

Individuals with disabilities are approximately 7 times more likely to be/more at risk to be abused; 90% will be abused at some point in their lifetime.

49%

Individuals with disabilities are also more likely to experience repeated abuse. 49% have experienced 10 or more incidents of abuse.

5%

According to research, 70% of serious crimes against people without disabilities led to prosecution or conviction, whereas only 5% of serious crimes against people with disabilities did.

2/3 of black men with disabilities will be arrested before the age of 28.

30–50% of people killed by police are people of color with disabilities.

People with disabilities account for 20% of the US population,

but comprise **40%** of people in jail.

Then and Now

- Geraldo Rivera - The P&A System

https://www.youtube.com/watch?v=RA7sX_FYSCY

- Vermonter Poll 2022- 65% of Vermonters polled disagreed that people with disabilities have the same quality of life as those without disabilities.

<https://www.uvm.edu/cess/cdci/preliminary-findings-vermonter-poll>

Spotlight Programs

Victims' Services:

Protective Orders,
Criminal Case Support
and Representation

Voting Rights:

Increasing access to
allow for appropriate
voting and civic
engagement

PABSS

Overcoming Barriers
to Employment,
including housing,
accommodations, etc.

Vermont Communication Support Project

Judicial and state
interactive
proceedings

VCSP Services

PRE-MEETING



- **Communication Plan**
- **Tools & Strategies**
- **Technology**
- **Rapport**

MEETING / HEARING

- **Notes**
- **Accommodation request**
- **Clarification**
- **Minimal Role**

POST-MEETING



- **Client Support**
- **Check for understanding**
- **Identify questions**
- **Follow up**

VCSP **Judiciary** **Assignments**

- **Parental Rights and Responsibilities**
- **Child Support**
- **CHINS (Child in Need of Care or Supervision) cases & TPR (termination of parental rights)**
- **Divorce**
- **Guardianship**
- **Probate**
- **Eviction**
- **Relief from Abuse & Stalking**
- **Small Claims**
- **State Administrative Hearings**
- **Attorney Meetings**

VCSP State Meeting Assignments

- **Human Service Board Fair Hearings**
- **Human Rights Commission Hearings**
- **DCF Shared Parenting Meetings**
- **DCF One on One Meetings**
- **Safety Plan Meetings**
- **Evaluations**
- **Case Plan Reviews**
- **IEP Meetings**



VCSP SERVICES A TO Z

AMERICANS WITH DISABILITIES ACT OF 1990

- Comprehensive! The purpose is to protect people with disabilities wherever they are.
- DOJ Language: “The ADA prohibits discrimination on the basis of disability in employment, State and local government, public accommodations, commercial facilities, transportation, and telecommunications. It also applies to the United States Congress.”

AMERICANS WITH DISABILITIES ACT OF 1990, Continued

- Who is covered? - Individuals with “disability”
- The term “disability” as defined by the ADA: An individual with a physical or mental disability that substantially limits one or more major life activities of such individual.
- Major Life Activities: major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.
- Also covered if you have a history/record of hearing loss impacting a major life activity in the past,
- Or if you are perceived as having disability.

42 U.S.C.A. § 12102

- Note: “A person with hearing loss is substantially limited in the major life activity of hearing, even though the loss may be improved through the use of a hearing aid.” DOJ

The Americans with Disabilities Act

**“Equal”
Access**

**“Reasonable”
Accommodations**

**Can you ask?
And for proof?**

What is ableism? A working definition...

A system that places value on people's bodies and minds based on societally constructed ideas of normality, intelligence, excellence, desirability, and productivity.

This form of systemic oppression leads to people and society determining who is valuable and worthy based on a person's language, appearance, religion and/or their ability to satisfactorily [re]produce, excel and "behave."

You do not have to be disabled to experience ableism.

Examples of Ableism

“All rise” in the Courtroom or “please stand” for the singing of our national anthem...

The main entrance is right on the street... the accessible entrance is all the way around the back side of the building

Applications that must be completed online...

Building Rapport



People First Language

~Texas Council for Developmental Disabilities

Say This

- People with disabilities
- Person who has Down Syndrome
- Person with a physical disability
- Person who is unable to speak
- Person diagnosed with a cognitive disability or with an intellectual or developmental disability
- People who are blind, person who is visually impaired
- Person who uses a wheelchair
- Accessible parking, bathrooms, etc.

Not This

- The handicapped, the disabled
- Downs person, mongoloid
- A cripple
- Dumb, mute
- Mentally retarded, slow
- The blind
- Wheelchair bound
- Handicapped parking, bathrooms, etc.

What can a person do to improve interactions with people with disabilities in general?

1. **Tell the person who you are and why you are there.**
2. **Consider asking if the pace of the conversation is too fast or too slow.**
3. **Keep distractions to a minimum.**
4. **Give the person one direction at a time. Ask one question at a time.**
5. **Ask open-ended questions, rather than “yes/no” questions**
6. **Give a person enough time to answer.**
7. **Avoid asking questions about specific times or dates. Instead, ask if it was after lunch or dinner. Was it around your birthday, or the holidays, or during the fall.**

- 8. Make sure you are using words the person understands. Use visual or concrete examples. Repeat or re-word what you said. Check back for understanding. Ask the person to tell you what was said, but in their own words.**
- 9. In general, do not assume the person can't read, but also don't assume they can.**
- 10. Sometimes people want to tell you what you want to hear. Try not to influence the person with your gestures or tone of voice.**

People with disabilities are capable of understanding and participating.

Here are some suggestions for service providers and the general public:

1. Be educated about various types of disability and any alternative communication devices or methods that people with disabilities may need.
2. Presume competence – do not make assumptions about what we can or cannot do. Respect our intelligence, whether we speak verbally or use supported typing to communicate. Try to remember that if you want to see competence, it helps if you look for it.
3. “Nothing about me without me.” Anytime you are working on something that involves the lives of people with disabilities, make certain that people with disabilities are at the table.
4. Please listen without interrupting.

Suggestions for responders continued...

5. Know that some details, I may not be ready to share.
6. Instead of telling me what to do, ask me what I need.
7. Respect my confidentiality.
8. Use language interpreters, and cultural brokers. A cultural broker is someone to help us understand a group's culture.
9. Please don't tell me what I should have done. I made the best decisions possible under extreme conditions.
10. Help me understand your role and the boundaries of our relationship.
11. Don't give me too much information when you are talking to me.

Examples and Discussion



How do individuals access your services?

Becoming aware of our own perceptions, stereotypes and discomforts around particular disabilities is the first step towards addressing subtle biases that could possibly be projected onto individuals with disabilities. Our own beliefs and comfort level around disability has a major impact on how we view, interact and provide service and programs to individuals with disabilities.

~ St. Mary's County, Maryland Commission for People with Disabilities

State vs. Federal Law

Vermont Fair Housing and Public Accommodations Act

Housing

- Race
- Color
- Creed (religion)
- Sex
- National Origin
- Sexual Orientation
- Gender Identity
- Disability
- Marital Status
- Age
- Receipt of Public Assistance
- Having Minor Children
- Being a victim of domestic violence

Public Accommodations

- Race
- Color
- Creed (religion)
- Sex
- National Origin
- Sexual Orientation
- Gender Identity
- Disability
- Breastfeeding

- The dark blue categories are protected under Vermont and Federal law

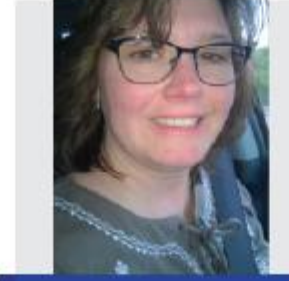
The green is categories under Vermont law

The light blue is recent Vermont Law (2019)

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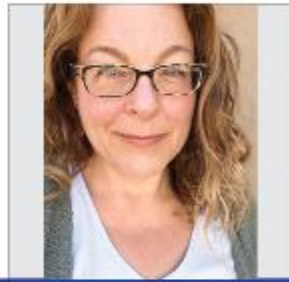
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THANK YOU

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