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# **Disability Rights During Disasters:**

## **Protecting the Rights and Independence of People with Disabilities**

[www.disasterstrategies.org](http://www.disasterstrategies.org)

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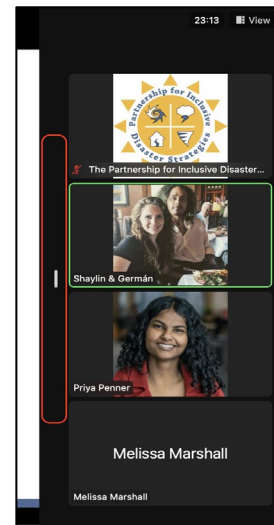
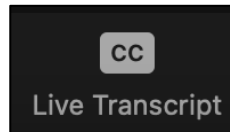
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# Accessibility for this Presentation

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- Please identify yourself before speaking
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# **Welcome and About Us**

# Who We Are: The Partnership

**The Partnership for Inclusive Disaster Strategies** is the only U.S. disability-led organization with a focused mission on equity for people with disabilities and people with access and functional needs throughout all planning, programs, services and procedures before, during and after disasters and emergencies.

**Thank you to our sponsor, CFI!**



# Ground Rules

- Safe space
- Ask questions
- Have fun!!!



# Today's Goals

## For you to understand:

- Why it is important to prepare for disasters
- Civil rights in disasters
- Ways to prepare for disasters and emergencies using the Disaster Preparedness Plan for People with Disabilities
- Your preparedness responsibilities
- Some disaster resources

# Objectives

- ✓ Know your risks
- ✓ Know your rights
- ✓ Stay informed
- ✓ Make a plan

# Disasters are Increasing

- "Washington's rate of natural disasters tripled in last couple decades."
- "Wildfires in the western United States are not only becoming more frequent, but larger in size and deaths."
  - States with the Highest Rate of Natural Disasters
- "Extreme heat kills more people per year than any other weather event."
  - National Weather Service

# Disproportionate Impact

“People with disabilities are 2-to-4 times more likely to die or be injured in a disaster than non-disabled people.”

- [United Nations](#)

“During Hurricane Katrina, Black people were 1.7 to 4 times more likely to die than white people.”

- [“Disparity in disaster preparedness between racial/ethnic groups”](#)

# Know Your Risks: Washington Disasters

## Includes:

- Extreme heat
- Wildfires
- Drought
- Flooding
- Severe storms (summer and winter)
- Earthquakes
- Landslides
- Tsunamis
- Volcanoes
- Lahars (volcanic mudflows)

**Questions?**

# **Civil Rights in Disasters**

**Disability Rights Are  
Civil Rights!**



# Questions for You

How familiar are you with the

- Americans with Disabilities Act
- Section 504 of the Rehabilitation Act

It is okay if you don't know about them yet.



# Civil Rights in Disasters

You have the same rights you did before the disaster.

**Civil Rights of people with disabilities  
are NEVER suspended, including during  
disasters!**

# Laws and Decision that Protect Our Rights

## **The Americans with Disabilities Act (ADA)**

- Protects the rights of people with disabilities including during disasters.

## **Section 504 of the Rehabilitation Act of 1973 (Rehab Act)**

- Creates the obligation not to discriminate against people with disabilities for recipients and subrecipients of federal funds.

# Laws and Decision that Protect Our Rights

## U.S. Supreme Court Olmstead Decision

- Supreme Court decision that stated that people with disabilities must receive services in the most integrated setting that meets their needs.

# Goals of the ADA and Rehab Act (504)

The goal of the ADA and Section 504 of the Rehab Act is to create a level playing field for people with disabilities through:

- Integration
- Full participation
- Equal opportunity

These laws don't give us "extra" benefits.

# Who Enforces Our Rights?

The government is responsible for enforcing our civil rights obligations.

- Local governments, state government, federal government

# Your Rights in Disasters

**Disaster-related programs and services must not discriminate against people with disabilities.**

**Your rights apply in:**

- Planning meetings
- Exercises
- Emergency alerts and notifications
- Transportation
- Shelters
- Disaster Recovery Centers

**Disaster-related Programs and Services cannot charge people with disabilities more to participate.**

# **Americans with Disabilities Act (ADA)**



# Your Rights: ADA

Sections of the ADA:

- **Title I:** Employment
- **Title II:** State and Local Government Entities
- **Title III:** Places of Public Accommodation
- **Title IV:** Telecommunications
- **Title V:** Miscellaneous

**Today, we are just discussing Tiles II and III.**

# Your Rights: ADA

- **You have a right to equally effective communication** throughout the disaster process, such as:
  - Video Remote Interpreting (VRI), American Sign Language (ASL) interpreters.
  - Communication Access Real-time Translation (CART) captions.
  - Materials in alternative format (Braille, large print, plain language).
  - Using your communication board or speech device to communicate.

# Your Rights: ADA

- When transportation is provided to the public, **you have a right to accessible transportation options.**
- **People with disabilities cannot be denied access to shelters** (shelters cannot discriminate when providing safety, comfort, or basic needs).
- **Shelters must be physically accessible.** You have the right to accessible sleeping, eating, medical and recreation areas, toilets, showers, and transportation (when transportation is available to others).

# Your Rights: ADA

**Service animals are *always* allowed in shelters, disaster recovery center, and all other public places, including disaster-related programs and services.**

# Your Rights: ADA

- **You have a right to request modifications to policies and practices** at shelters, such as:
  - Personal assistance services, backup power for medical devices, privacy for personal care, and accommodations for meeting disability-related needs for reduced stimulation.
  - Providing a specific diet to someone who requires it because of their disability.

# Your Rights: ADA

- It is a violation of your civil rights to be directed towards a “special needs or medical shelter,” a nursing home, hospital, or other medical or psychiatric facilities. **You have a right to an accessible shelter.**

# **Section 504 of the Rehabilitation Act**

## **Your Rights: Rehab Act (504)**

Section 504 of the Rehabilitation Act prohibits discrimination on the basis of disability by recipients and sub-recipients of federal funds.

This means that if any city, town, state, organization or business gets any federal money, it can't discriminate on the basis of disability.

Section 504 obligations are nearly identical to Title II of the ADA.



**Questions?**

# **Institutionalization During and After Disasters**

# Institutionalization During Disasters

When people go to nursing facilities and other institutions, they:

- Lose their independence
- Lose their social networks, jobs, and homes
- Get lost
- Get sick
- Die

# Your Right Not to Go to a Nursing Facility

Disabled people have the right under the ADA through the **Olmstead Supreme Court decision** to get services in “the most integrated setting appropriate to their needs.”

This means that you have the right not to go to a nursing facility if you don't want to go there.

# Tips to Stay Out of a Nursing Facility

- Know your rights. You have the right not to go into a facility if you don't want.
- If you go to a shelter, don't separate from loved ones.
- Keep a contact list of friends, family and advocates with you.
- Have a plan for non-institutional places you can evacuate to in a disaster.
- Don't go to a hospital unless you have a medical need to be there.

# **Disability Rights During Disasters Review**

# Disability Rights in Disasters: Review

Whenever disaster-related programs and services are provided to the general public, they must be accessible to and inclusive of people with disabilities.

- Shelters cannot deny you entry because you're disabled.
- You have the right to enter shelters that are physically accessible and ADA compliant.
- You have the right to equally effective communication.
  - ASL interpreters, large print, Braille, using your assistive technology

# Disability Rights in Disasters: Review

- You have the right to request reasonable modifications of policies or practices.
- You have the right to bring your service animal with you in a shelter, disaster recovery center, and all other public places, including disaster-related programs and services.
- You have the right not to go into a facility if you don't want.

**Disability Rights are NEVER suspended in Disasters!**



# What to Do if Your Rights are Violated

- **Tell someone!**
  - Staff at CFI
  - [Disability Rights Washington](#)
- **File a complaint**
  - [DHS Civil Rights and Civil Liberties Compliance Branch:](#)  
+1 (866) 644-8360 / TTY: 1-866-644-8361  
Or email [CRCLCompliance@hq.dhs.gov](mailto:CRCLCompliance@hq.dhs.gov)

# What to Do if Your Rights are Violated

- **File a complaint**

- [FEMA External Civil Rights Division:](#)

+1 (833) 285-7448 / TTY: 800-462-7585

[Press 1 for English, 2 for español, 3 for other languages]

Or email [FEMA-CivilRightsOffice@fema.dhs.gov](mailto:FEMA-CivilRightsOffice@fema.dhs.gov)

**Questions?**

# What to do to be ready

✓ Know your risks

⇒ Stay informed

✓ Know your rights

⇒ Make a plan

# Emergency Alerts

## Types



News broadcast



Radio



Social media



## Wireless Emergency Alerts



FEMA app



Fire alarm and  
carbon monoxide  
detector

# Make a Plan

Plans start with having conversations



Family



Friends



Support Network



Place of worship



Coworkers

## About



Sheltering-in-place



Evacuation plans

# Make a Plan

## Shelter-in-place:



Chemical spill



Dirty bomb



Snowstorm

## Evacuate:



Wildfire



Earthquake



Building fire

# Building Your Emergency Kit

- ✓ **Water** (one gallon per person per day for at least three days, for drinking and sanitation)
- ✓ **Food** (at least a three-day supply of non-perishable food) and manual **can opener**
- ✓ First aid kit
- ✓ Masks
- ✓ Battery-powered or hand **crank radio** and a NOAA Weather Radio with tone alert
- ✓ Flashlights and extra batteries
- ✓ Plastic sheeting and duct tape
- ✓ Chargers
- ✓ Moist towelettes, garbage bags and plastic ties
- ✓ Wrench or pliers (to turn off utilities)
- ✓ Local maps
- ✓ Whistle



# Important Documents

Keep important documents in waterproof bag and saved electronically.

- ✓ List of emergency contacts
- ✓ House deed, mortgage, or lease
- ✓ Health insurance and primary doctor information
- ✓ Birth certificate and social security card (if applicable)
- ✓ Prescription medication details
- ✓ Dietary requirements
- ✓ Information on your customized equipment

# Disability Preparedness



## **Think about your equipment**

- Wheelchair, walker, white cane, hearing aids, speech device, breathing machines



## **Think through what needs power to function?**

## **What other supplies do you need to maintain your independence?**

- Urinary and/or bowel supplies, wound care supplies, gloves, wipes

# Disability Preparedness

What are your communication needs?

- ASL, using a communication device, plain language, large print, Braille, etc.

What is your communication plan if you are unable to communicate during a disaster?

- Communication board, support network, paper and pen

**How will you communicate with your support network?**

# Building Your Emergency Kit

- Build your kit to meet your needs
- Prepare a go bag to survive at least 3 days
- Prepare a 2-week shelter-in-place kit



## **Important reminders:**

- Check on and update your supplies (as need) every six months
- Keep your kit in a cool, dry place, out of direct sunlight

**Questions?**

# Evacuations

## From home



Your Go Bag



Easy to grab



**Add:** power equipment chargers, consumable medical supplies, communication device, fidget devices

## Places you go often



Accessible egress



Evacuation instructions

# Evacuations

Where will you go?

- Family, friends, neighbor, shelter, place of worship

How will you evacuate?

- Car, friends, family, public bus, paratransit service

# Shelter-in-place: Tips

- Stay informed and wait for officials to declare it is safe to go out
- Keep doors and windows closed, cover air vents and fireplace openings
- Keep fans, air conditioning and forced air heating systems OFF
- Go into the center-most room with as least windows as possible
- With the plastic sheeting and duct tape, seal doors, windows and air vents

**What are some places you go often?**

**What do their shelter-in-place plans look like?**



# **Question for You**

**What other things are you considering for your emergency kits?**

# Things to Think About as You Plan

- ✓ How will I know about a disaster or emergency?
- ✓ What is my plan for sheltering?
- ✓ What is my plan for evacuating?
- ✓ What is my plan if power is out for an extended period of time?
- ✓ Who is a part of my support network?
- ✓ What is my communication plan?
- ✓ Do I have what I need?

**Questions?**

# Create a Culture of Preparedness

- Know that a disaster can happen at any time
- Update your plan regularly
- Make preparedness a part of your routine



**Practice your plan  
often!**

# Scenarios

# Scenarios

What do you do if disaster shelter staff tells you that you can't come into a shelter and must instead go to a hospital because you use a wheelchair?

# Scenarios

What do you do if a disaster shelter doesn't have an American Sign Language Interpreter and you need one?

# Scenarios

What do you do if you are blind and a disaster recovery center does not have electronic or print material in accessible format?



**Questions?**

# **Your Preparedness Responsibilities**

# Your Responsibilities in Disasters

Even though first responders, emergency management and others may assist you, ultimately YOU are responsible for your safety.

# Your Responsibilities in Disasters

Your responsibilities include

- Knowing your rights: the first step to preparedness
- Knowing your risks and staying informed
- Making a plan
- Carrying out your plan

**Questions?**

# **Disaster Preparedness Plan for People with Disabilities**

# Overview

- ✓ Disability Rights in Disasters
- ✓ Staying Informed Resources
- ✓ Emergency Kit Checklist
- ✓ Disability-related Preparedness Checklist
- ✓ Your Planning Guide

## My Emergency Kit

- ☐ Complete change of clothing appropriate for your climate and sturdy shoes
- ☐ Fire extinguisher
- ☐ Matches in a waterproof container
- ☐ Period hygiene supplies
- ☐ Personal hygiene items
- ☐ Paper cups, plates, paper towels and plastic utensils
- ☐ Paper and pencil, pen, and/or marker
- ☐ Books, games, puzzles, fidget devices, or other stimulating or distracting activities or devices

**Build your kit to meet your needs.**

**Prepare a go bag to survive at least 3 days.**

**Keep your kit in a cool, dry place, out of direct sunlight.**

**Prepare a 2-week shelter-in-place kit**

**Check on and update your supplies (as needed) every 6 months**

**Know escape routes and places where disaster services are provided. In a fire or other emergency, you may have to suddenly evacuate.**



## My Disability Preparedness

### What equipment do I use?

- |  |  |
|--|--|
| <input type="checkbox"/> Wheelchair or scooter                       | <input type="checkbox"/> Speech device |
| <input type="checkbox"/> Walker                                      | <input type="checkbox"/> White cane    |
| <input type="checkbox"/> Hearing aids                                | <input type="checkbox"/> Commode chair |
| <input type="checkbox"/> Hoyer lift                                  |  |
| <input type="checkbox"/> Breathing machine (ventilator, respirator)  |  |
| <input type="checkbox"/> Oxygen, suction, or home dialysis equipment |  |
| <input type="checkbox"/> Write in other                              |  |

### What equipment needs power to function?

- ☐ Wheelchair or scooter
- ☐ Hearing aids (batteries)
- ☐ Speech device
- ☐ Hoyer lift
- ☐ Breathing machine (ventilator, respirator)
- ☐ Medicine that needs to be kept refrigerated (i.e. insulin)
- ☐ Write in other

### What other supplies do I use?

- |                          |                               |                          |                     |
|--------------------------|-------------------------------|--------------------------|---------------------|
| <input type="checkbox"/> | Urinary and/or bowel supplies | <input type="checkbox"/> | Gloves and wipes    |
| <input type="checkbox"/> | Adult diapers                 | <input type="checkbox"/> | Wound care supplies |
| <input type="checkbox"/> | Bed pads (CHUX)               |                          |                     |
| <input type="checkbox"/> | Write in other                |                          |                     |

## My Emergency Plan

My plan if power is out for an extended period of time

My communication plan (support network and contact information)

# Resources

- Alerts: [How to Opt in to Wireless Emergency Alerts](#)
- Download the [FEMA App](#)
- Download the [Red Cross App](#)
- Finding a [shelter near you](#)
  - Text SHELTER and your ZIP Code to 43362  
(Example Text: "Shelter 98499")
  - Call Red Cross 1-800-733-2767
- [Ready Resources](#)
- [Poison control](#): Call 1-800-222-1222

# Resources

- The Partnership for Inclusive Disaster Strategies
  - **Disability & Disaster Hotline:**
    - Call / Text: +1 (800) 626-4959
    - Email: [hotline@disasterstrategies.org](mailto:hotline@disasterstrategies.org)
- Federal Emergency Management Agency (FEMA)
- 211 / United Way
- 311
- Region 10 - Northwest ADA Center
- Disability Rights Washington
- WA VOAD
- Red Cross WA
- Smart911

# Resources

- [WA Emergency Management Division \(EMD\)](#)
- [WA EMD: Personal Preparedness](#)
- [WA SILC: Coalition for Inclusive Emergency Planning \(CIEP\)](#)

## Emergency Alerts

- [Shake Alert](#)
- [King County](#)
- [Pierce County](#)
- [San Juan Island](#)
- [Skagit County](#)
- [Snohomish County](#)
- [Thurston County](#)
- [Whatcom County](#)



# Thank you!

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