Deaf Community Action Network
DeafCAN!
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TO: FCC (Federal Communication Commission)
FR: William H. Lockard, Program Director (BillLockard@deafcanpa.org)
RE: Comments for Proceeding Number 12-375
    Prison Telecommunication for Deaf & Hard of Hearing (D/HOH) Inmates

Our program currently volunteers with Deaf inmates at Graterford State Prison in Pennsylvania. I am one of the volunteers and have been working there, and occasionally at other area prisons, for over 15 years, 5 through DeafCAN!, and more than ten through a previous D/HOH agency.

When I began volunteering about 1997, none of them provided Sign Language interpreters, nor did they have text, amplified or other accessible phones. Through those years, we have educated and advocated for even minor levels of access, all while watching Deaf inmates unable to participate in any programs or services, not even the ones required to satisfy parole requirements. Therefore, Deaf inmates often served out their maximums or sentences longer than hearing inmates. Though that kind of access was not provided, they were still held ‘equally’ accountable for any actual or apparent breaches of rules and given ‘equal’ punishment. This included extra time in their cells, even though they were already much more isolated than other inmates, and even time in “the hole,” restricted housing/isolation units, for various infractions or misunderstandings. Because of the many communication barriers, it didn’t require much for other inmates or guards to frame Deaf inmates, or use such threats to extort whatever they wanted from them.

Of all the places in our society, places that have the least transparency and that are known for many levels of abuse and neglect, that should have led the efforts required by the Rehab Act of 1973 and ADA, prisons have instead been some of the worst at following Federal Civil Rights laws and have caused untold damage to their D/HOH inmates, their families and communities. It took the longest time to get TTYs (text telephones) and any level of interpreters at Graterford, even though both were critical to maintaining any level of connection with their outside worlds of possible hope, and inside worlds of possible opportunity to turn their lives around. Imagine not understanding any medical appointments, unable to receive any level of mental health or drug and alcohol treatment, participate in and defend oneself at discipline or parole hearings, or take required or optional programs offered other inmates.

Graterford and other State prisons that began to concentrate D/HOH inmates began to make some progress, but County jails often only see D/HOH inmates on occasion, and for shorter terms, and those inmates even today often get no or very few accommodations. However, because the D/HOH population is small, even when concentrated, they still are frequently forgotten and the inmates are often very careful about asking for accommodations for fear of reprisals. For example, only two years ago, the inmates at Graterford went for more than a full year with no phone access at all. Their one TTY apparently broke and, instead of having a back-up or plans or policies to get it
repaired or replaced, it remained broken, in spite of multiple requests by me and others to remedy the situation. After being ignored time and again, we offered to bring in as many used TTYs that they wanted because that technology had long since moved on to video and other phones and our Deaf Community had been donating them to us for others. This offer was finally accepted, months later, and then sat for more than another six weeks before they were finally installed.

After more advocacy, Graterford just finally installed their first “pilot” video phone but are only making it available to D/HOH inmates one day a week, from 1 -3 in the afternoon. Though this is ‘progress’, the inmates who have friends or family members (wives, children, mothers, fathers, sisters, brothers...) who work or are in school, obviously cannot be contacted. In addition, prison officials expressed surprise that more than half of the ten inmates have not even made requests to use the video phone. Similarly, about the same number of D/HOH inmates usually don’t ask for interpreters. In both situations, your have inmates who often no longer have any close friends or relatives on the outside and, those that may have, have no idea how to even get phone numbers to contact them. If one isolates people long enough, they can be ‘trained’ to accept their own isolation, low expectations, lack the skills to use new technology and, without connections and aspirations for so long, are hard pressed to use the access they have not had for so long.

Though video phones are a wonderful / equivalent access for Signing D/HOH inmates, those are actually a minority of inmates with hearing loss. Most D/HOH people do not Sign and would need amplified, caption or other specialty phones in order to use them. In addition, those inmates are spread throughout the State and County systems and, therefore, rarely have phone access. This has been mentioned to officials at both Graterford and officials the Department of Corrections but, to our knowledge, not addressed.

If ever there was an opportunity for the FCC to become involved in a situation that needs to be defined, have outside guidelines set, and assistance provided for equal access, this would be it – and it is not that complicated. Success in this area would hopefully lead to the DOJ and/or others then becoming involved in providing guidance and support for the provision of interpreters.

Should you have any questions or concerns, please feel free to contact me anytime.

Charitable registration and financial information may be obtained from the PA Dept of State by calling 1-800-732-0999. Choose “DeafCAN! - Christ the King Deaf Church” as your United Way Donor Choice.