

ADA National Network Learning Session

**The Disaster Response Efforts of the
Department of Homeland Security**

Office for Civil Rights and Civil Liberties

July 12, 2018

Presentation Topics

- About CRCL
- CRCL's Functions During Disasters
- Upholding Civil Rights in Disasters
- Cross-Cutting Themes from the 2017 Disasters
- Resources
- Contacting CRCL

About CRCL

Mission: The Office for Civil Rights and Civil Liberties (CRCL) supports the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law.

About CRCL (cont.)

CRCL integrates civil rights and civil liberties into DHS activities by:

- Promoting respect for civil rights and civil liberties in policy development and advising Department leadership and state and local partners
- Communicating with individuals and communities whose civil rights and civil liberties may be affected by Department activities

About CRCL (cont.)

CRCL integrates civil rights and civil liberties into DHS activities by:

- Investigating and resolving civil rights and civil liberties complaints
- Leading the Department's equal employment opportunity programs and promoting workforce diversity and merit system principles

About CRCL (cont.)

CRCL engages in policy work to ensure fair and equitable treatment of individuals and guard against discrimination based on race, color, national origin, disability, sex, and age in DHS programs and activities in accordance with civil rights authorities.

About CRCL (cont.)

Key Authorities:

- Title VI of the Civil Rights Act of 1964 (race, color, national origin including language)
- Section 504 of the Rehabilitation Act of 1973 (disability)
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (2000)
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (1994)

CRCL's Functions During Disasters

CRCL leads the Department's commitment to protecting civil rights in natural and man-made disasters.

CRCL's Functions During Disasters (cont.)

- Advise Departmental leadership, operational program managers, and public affairs officials regarding civil rights and civil liberties considerations related to the federal response
- Investigate and resolve formal complaints
- Participate in disability stakeholder calls to understand the impacts, address issues, and provide civil rights related information and resources

CRCL's Functions During Disasters (cont.)

- Collaborate with FEMA's Offices of Equal Rights, Disability Integration and Coordination, and External Affairs
- Coordinate with the Department of Justice Disability Rights Section and Federal Coordination and Compliance Section and other federal civil rights offices
- Work within DHS to promote clear, consistent, and timely messaging regarding immigration enforcement

CRCL's Functions During Disasters (cont.)

- Develop and post emergency-specific civil rights resources on the CRCL web site
- Coordinate with FEMA on communications with DHS grantees to reemphasize their obligations under Title VI of the Civil Rights Act and Section 504 of the Rehabilitation Act
- Following the disaster, conduct community engagement sessions with national and local disability stakeholder organizations to identify and document civil rights issues

Upholding Civil Rights in Disasters

- Self-Determination – People with disabilities are the most knowledgeable about their own needs
- No “One Size Fits All” – People with disabilities do not all require the same assistance and do not all have the same needs

Upholding Civil Rights in Disasters

- Equal Opportunity – People with disabilities must have the same opportunities to benefit from emergency programs, services, and activities as people without disabilities
- Inclusion – People with disabilities have the right to participate in and receive the benefits of emergency programs, services, and activities provided by governments, private businesses, and nonprofit organizations

Upholding Civil Rights in Disasters (cont.)

- Integration – Emergency programs, services, and activities typically must be provided in an integrated setting
- Physical Access – Emergency programs, services, and activities must be provided at locations that all people can access, including people with disabilities

Upholding Civil Rights in Disasters (cont.)

- Equal Access – People with disabilities must be able to access and benefit from emergency programs, services, and activities equal to the general population
- Effective Communication – People with disabilities must be given information comparable in content and detail to that given to the general public, as well as accessible, understandable, and timely

Upholding Civil Rights in Disasters (cont.)

- Program Modifications – People with disabilities must have equal access to emergency programs and services, which may entail modifications to rules, policies, practices, and procedures
- No Charge – People with disabilities may not be charged to cover the costs of measures necessary to ensure equal access and nondiscriminatory treatment

Upholding Civil Rights in Disasters (cont.)

Examples of how civil rights compliance contributes to effective emergency management:

- Achieving inclusion of disability stakeholders as preparedness partners contributes to more effective planning for community members with access and functional needs
- Achieving effective communication ensures that individuals with disabilities will be able to act upon public alert and warning information

Upholding Civil Rights in Disasters (cont.)

Examples of how civil rights compliance contributes to effective emergency management:

- Achieving integration of individuals with disabilities in mass evacuation and sheltering frees up critical resources for people who have the most acute medical needs

Cross-Cutting Themes from the 2017 Disasters

CRCL, along with FEMA's Office of Disability Integration and Coordination and FEMA's Office of Equal Rights, held listening sessions in states and territories heavily impacted by the hurricanes and wildfires to hear directly from disability stakeholders in communities that were impacted by these disasters

Cross-Cutting Themes from the 2017 Disasters (cont.)

Preparedness

- Proactively integrate disability stakeholders within emergency planning and preparedness efforts including exercises is paramount

Communication Access for People with Disabilities

- Alternative means of communication about alerts, warnings, and other messaging can support equal access for people with disabilities.
- Use of qualified ASL interpreters before, during, and after disasters must be a priority

Cross-Cutting Themes from the 2017 Disasters (cont.)

Evacuation

- Training of first responders on disability awareness and rescue strategies can support disability access

Sheltering

- Shelter providers should strengthen their disability related capacity and training of their staff and volunteers

Cross-Cutting Themes from the 2017 Disasters (cont.)

Access to FEMA Resources and Programs

- Individuals should be able to specifically document their disability related needs within the FEMA application

Cross-Cutting Themes from the 2017 Disasters (cont.)

Concerns in Puerto Rico and US Virgin Islands

- Difficulties in obtaining oxygen for those living in the community (Puerto Rico)
- Impact of the loss of power
- Lack of training for personnel staffing local shelters
- Challenges in communicating disaster-related information to deaf communities
- Mental health impacts across all populations

Resources

To review resources on Civil Rights in Disasters, go to:

- Guidance to State and Local Governments and Other Federally Assisted Recipients
- Notice for Recipients on Nondiscrimination During Disasters
- Guide to Interacting with People Who Have Disabilities
- Tips for Effectively Communicating with the Whole Community in Disasters

Resources

To review resources on Civil Rights in Disasters, go to:

- Accommodating Individuals with Disabilities in Disasters
- CBP and ICE Statement Regarding Hurricane Harvey

Links to these and other resources, visit:

<https://www.dhs.gov/antidiscrimination-group>

Contacting CRCL

To obtain **technical assistance** or **file a complaint**, contact us:

Office for Civil Rights and Civil Liberties,
U.S. Department of Homeland Security
Building 410, Mail Stop #0190
Washington, D.C. 20528

Phone: 202-401-1474 | 1-866-644-8360 (toll free)

TTY: 202-401-0470 | 1-866-644-8361 (toll free)

Fax: 202-401-4708

E-mail: crcl@dhs.gov

Visit: <https://www.dhs.gov/office-civil-rights-and-civil-liberties>

Contacting CRCL (cont.)

If you wish to **file a complaint** with CRCL, please download the fillable complaint form and e-mail, fax, or mail the completed form back to CRCL or if you wish to file a complaint without using the optional complaint form, please provide a detailed written description of the pertinent events via email, fax, phone, or postal mail.

Visit: <https://www.dhs.gov/file-civil-rights-complaint>

Contacting CRCL (cont.)

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