

DISABILITY ACCESSIBILITY IN WASHINGTON COURTS

LUKE BYRAM

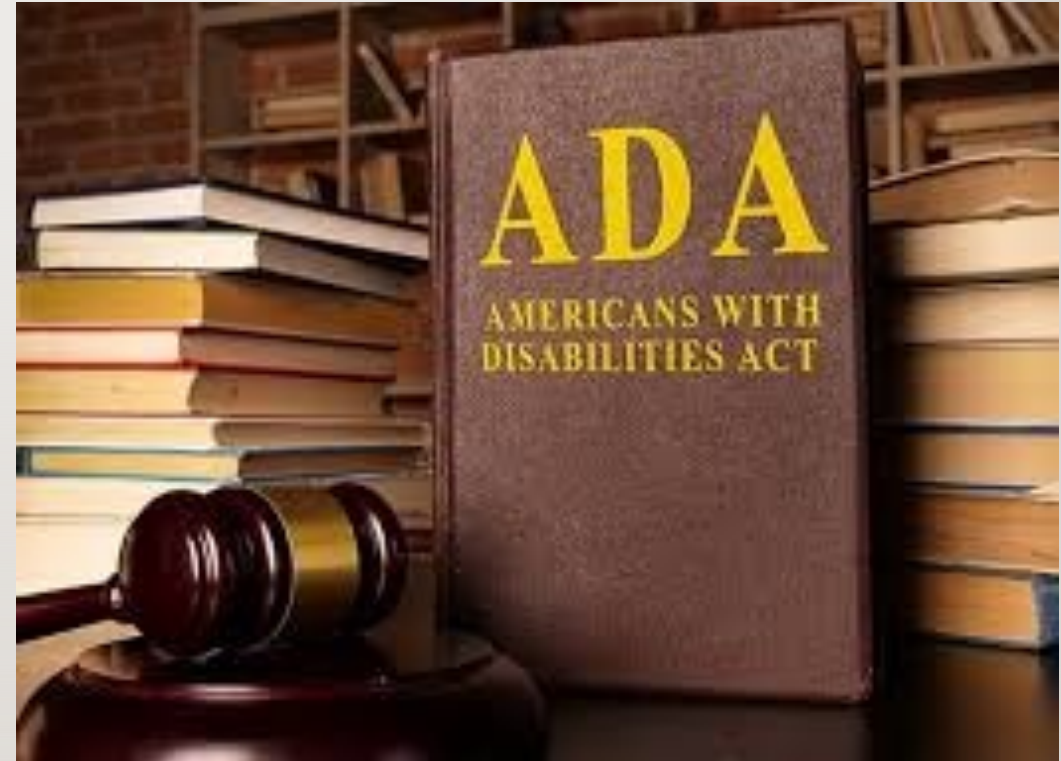
LAW & POLICY

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RESEARCH QUESTIONS

- What barriers to effective communication for individuals with disabilities exist in courtrooms?
- What remedies could be designed to address barriers to effective communication for individuals with disabilities in courtrooms?
- How can court processes and procedures better be understood by defendants with hearing, intellectual, learning disabilities or autism spectrum disorder?



THEORETICAL FRAMEWORK AND METHODOLOGY

- Theoretical framework: Jurisprudence
- Conducted 17 semi-structured interviews with participants through qualitative data analysis (conducted during pandemic)
- Analysis made was through content analysis
- Recruited attorneys and participants through Washington State Bar Association Legal Directory and other directory and attorney websites as well as snowball sampling



ANALYSIS AND RESULTS



- Built Environment of the Courtroom and Technology Use
 - “And in several courtrooms, I presided in on the second floor and what's called the new wing, we did not have wheelchair access to the jury box, I think it was a real problem.”
- Therapeutic courts: mental health court
 - “Mental health courts have a very good program, but they are rather risk adverse sometimes they don't let in a lot of high needs individuals that would benefit most from the program and partially that's due to their funding they want to be success they want to keep their number of success rates up success numbers up so that they keep their funding, which I understand...I had one gentleman who repeatedly went to hospitals to get assistance and he would always end up in some sort of physical altercation and constantly being charged with assaulting doctors and nurses and they won't take high needs individuals, which is contrary to what I believe their best practices are supposed to be...”
- Accommodations in the Courtroom
 - “The Supreme Court issued a rule it's called general rule 33 or GR 33 which requires that trial courts provide assistance to people with disabilities to participate in court proceedings and so that's a mandate from the Supreme Court.”

RESULTS AND PROPOSED SOLUTION

- American Sign Language in the Courtroom
 - “And a certified interpreter is really important, because sometimes that my experience has been that different terms and different traditions and different language groups can lead to misleading results and outcomes.”
- Mobility and Transportation Challenges in Rural Counties
 - “So anyways yeah so, no matter what, when you're dealing with the case, you're gonna have to most likely travel to a different island or travel to the mainland, and that is a big issue here.”
- Diversity in Legal System
 - “That you've got a diverse bench that hopefully draws from people who understand these experiences. People who understand who have experience with hearing loss with no vision and it's really hard to get people on the bench from these different from diverse experiences.”
- Funding
 - “A lot of mainstream candidates for judge can draw on wealthy benefactors and if we want a diverse bench to try to make sure that that accessibility is a priority. I think we need to make sure that money is spent in a way so that there are better opportunities for people of diverse experiences to get on the bench.”
 - “So, there are accommodations to assist those who are deaf or blind, but they are expensive, such as infrared hearing systems where sound is amplified from different speakers, from microphones set up in the courtroom, sometimes they work sometimes they don't.”

Solution: International standard or law that promotes and demands accessibility in the courts internationally