

Understanding the Intersection of Fetal Alcohol Spectrum Disorders (FASD) and the Prison Rape Elimination Act (PREA)

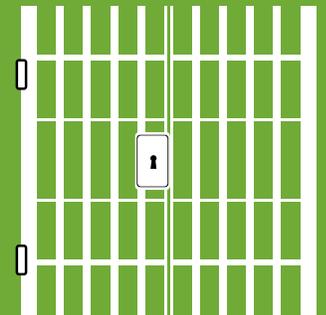
Why is it important to consider FASD in the context of PREA?

The Americans with Disabilities Act protects people with disabilities, including those with brain injuries associated with an FASD. The law sets forth protections for people with disabilities who are incarcerated.



What is PREA?

PREA establishes standards to prevent, detect, respond to, and monitor sexual abuse in confinement settings, including prisons, jails, juvenile facilities, lockups, and community confinement facilities.



What is the law?

Facilities are required to take steps to ensure that individuals with an FASD have an equal opportunity to participate in and benefit from the protections PREA provides.

Materials, services, and education must be accessible to people on the fetal alcohol spectrum who are incarcerated.

Agencies must take disabilities like FASD into account when making decisions about the risk for sexual victimization.

Facilities must also take into account disabilities when making decisions about disciplinary sanctions.



Recommendations for Facilities Related to PREA and FASD



CENTER FOR FASD
JUSTICE & EQUITY

People with brain injuries associated with an FASD may experience barriers to communication, processing information, and retaining information. Facilities should be prepared to modify their delivery of PREA information and services to ensure that people with disabilities have equitable access to the protections the law requires.



Ensure facilities are trained on FASD and that staff understand FASD and implications for PREA.



Provide information in various formats.

PREA

Spell out acronyms.



Ensure there are alternatives and complements to written formats for sharing information with people who experience reading difficulties.



When providing oral communication or videos with the person, check for understanding with follow-up questions that require the person to demonstrate their understanding.



Minimize distractions in the learning environment, such as noise and wall decorations.



Provide a staff person as a note-taker for people with learning and memory challenges.



When creating written information ensure the most important information is listed first and highlighted.



Use visuals and pictures along with written materials



Use clear, simple, and concrete language.

