



FOR IMMEDIATE RELEASE

Maryland Settles Discrimination Case by Blind Inmates for \$1.4 Million *National Federation of the Blind Assisted Blind Inmates Challenging Disability Discrimination*

Annapolis, Maryland (June 5, 2019): Nine current and former Maryland prison inmates have settled their discrimination lawsuit, *Brown v. Department of Public Safety and Correctional Services*, for \$1.4 million in damages and attorneys' fees. The Maryland Board of Public Works has just approved the settlement payment. Under the settlement, the Maryland Department of Public Safety and Correctional Services (DPSCS) will modify prison procedures and provide assistive technology for the blind to comply with the Americans with Disabilities Act (ADA) and other applicable laws.

The lawsuit, brought with the assistance of the Baltimore-based National Federation of the Blind and the Prisoner Rights Information System of Maryland (PRISM), alleged that DPSCS denied the blind inmates access to prison jobs, kept them in prison longer, denied them access to prison programs and information, and put them in danger because of their disabilities. Specifically, because they were blind, the inmates were housed at a medium-security prison, even when they were eligible for lower security or for programs at the state's 26 other facilities. Blind inmates were also excluded from the prison work programs that allow prisoners to learn job skills and earn higher wages and credits off their sentences.

The suit further alleged that the blind prisoners did not have equal access to prison services and privileges available to other inmates because the prison communicates with inmates primarily in print, but made no accommodations for inmates who could not see. The ADA, enacted in 1990, prohibits discrimination against inmates with vision disabilities and requires state agencies, including prisons, to ensure "equally effective communication" with blind and low-vision inmates. The plaintiffs in the case alleged that the prison's discrimination denied them the ability to communicate and endangered their safety. They had to rely on other inmates to help them navigate prison facilities, read their mail (including attorney-client communications), read the rules in the inmate handbook, use the commissary and prison library, file grievances and requests for medical attention, and more. Not surprisingly, this subjected them to mistreatment by other inmates, who took advantage of the blind prisoners' need for help by extorting money, commissary items, and even sex.

Some of the changes that DPSCS will make under the settlement agreement include:

- Setting up computers with text-to-speech screen reader software, document scanners, and other assistive technology in the prison library, classrooms, and other locations to allow blind prisoners to conduct research and read and prepare documents independently;

- Ensuring that blind inmates have access to qualified human readers and scribes who meet certain security and disciplinary criteria; and
- Providing training for blind inmates in skills that will allow them greater independence.

“These blind inmates do not seek special treatment,” said Mark Riccobono, President of the National Federation of the Blind. “They seek only equal and independent access to the same facilities, services, and privileges that are available to other inmates. Lack of that access has not only denied them their rights but led to a nightmare of extortion, threats, and violence. We are happy the Department of Public Safety and Correctional Services has agreed to make changes and hope that corrections officials throughout the nation take note. The National Federation of the Blind will continue to fight for the rights of our blind brothers and sisters, including those behind bars.”

Background: A National Problem

According to the [Bureau of Justice Statistics](#), about 7 percent of state and federal prisoners have vision disabilities, significantly higher than the 2 percent of people not in prison. As people age in prison, that number increases to 15 percent. According to the report [“Making Hard Time Harder”](#) by the Amplifying Voices of Inmates with Disabilities Project at Disability Rights Washington, “While prison is hard for everyone, incarceration is even more challenging for inmates with disabilities. Research shows that inmates with disabilities are sentenced to an average of fifteen more months in prison as compared to other inmates with similar criminal convictions. The time they serve is also harder, with more sanctions imposed and less access to positive programming than other inmates.”

Abused, Depressed, and “Frightened All the Time”

Gregory Hammond, one of the plaintiffs, lost his sight in prison due to multiple sclerosis. He says of his experiences: “I wanted to work in one of the vocational shops at the prison to reduce my sentence and learn some skills for when I got out, but they said blind people weren’t allowed to work in the shops. They assigned me an inmate walker to guide me around instead of letting me use a white cane or teaching me how to navigate myself. Then they made me share a cell with him and he stole from me because I was blind and couldn’t see my things. He assaulted me because I bumped into his TV, and I couldn’t defend myself. And I had to depend on him for everything – going out of my cell, reading mail or rules, writing medical slips. I even had to pay him to write the medical slip to get help for the injuries he gave me. But they still would not give me a single cell. Later, when my MS acted up, no one would write a medical slip for me, so I was paralyzed in my bed overnight. Inmates I had to pay to read my mail for me even went after my family. One threatened to hook up with my mother because, while he was reading my mail, he saw a picture of her. Another wrote obscene letters to my little sister because he got her picture and address from reading my mail. I couldn’t ask them to write grievances about themselves, even if I could have afforded to, and the computers in the library weren’t accessible for the blind, so I couldn’t do anything. I was mentally abused and powerless, and it changed me. It made me depressed. I was scared and frightened all the time. And it’s hard to cope when you are a grown man and you have to depend on someone else, another inmate, to help you, and he’s just taking advantage of you.”

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About the National Federation of the Blind

The National Federation of the Blind (NFB), headquartered in Baltimore, is the oldest and largest nationwide organization of blind Americans. Founded in 1940, the NFB consists of affiliates, chapters, and divisions in the fifty states, Washington DC, and Puerto Rico. The NFB defends the rights of blind people of all ages and provides information and support to families with blind children, older Americans who are losing vision, and more. We believe in the hopes and dreams of blind people and work together to transform them into reality. Learn more about our many programs and initiatives at www.nfb.org.

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