



## FOR IMMEDIATE RELEASE

Tues., Jan. 3, 2012

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### **ACLU Indiana Says Deaf Prisoner Denied Phone Access**

Indianapolis – Inmates at the New Castle Correctional Facility are granted unfettered daily access to telephones; that is, unless, they happen to be deaf.

Today the American Civil Liberties Union of Indiana filed a complaint against the Indiana Department of Correction with the U.S. District Court in Indianapolis on behalf of Robert David, a totally deaf prisoner committed to the DOC in New Castle.

The ACLU of Indiana is asking the DOC to acknowledge that David’s civil rights have been violated under the federal Rehabilitation Act and the Americans with Disabilities Act, and to provide him with comparable access to telephone usage by moving its TTY telephone out of a restricted area.

According to Ken Falk, legal director for the ACLU of Indiana, because of his disability, David is unable to use a conventional telephone, and must use a TTY phone on which the conversation is typed rather than spoken. But the TTY phone is kept in a locked office and David must seek access through written requests that often must be made 24 hours in advance. David’s requests are sometimes denied. For five years, when David was housed at the Plainfield Correctional Facility, he was granted telephone access equal to the hearing inmates.

“The DOC must provide all prisoners, regardless of disability, comparable access to telephone use,” said Falk. “The deaf and disabled are guaranteed equal treatment under federal law, and it is up to the DOC to honor those laws.”

The case, *Robert David v. Indiana Department of Correction*, was filed in the United States District Court for the Southern District of Indiana under cause number 1:12-cv-0001JMS-MJD.

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