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**FEDERAL BUREAU OF PRISONS SUED FOR
LACK OF EFFECTIVE COMMUNICATION FOR DEAF PRISONER**

August 14, 2012. Over three decades since the passage of legislation ensuring access to federal programs for people with disabilities, a deaf man who must report to federal prison later this month is seeking preliminary relief to ensure that the Federal Bureau of Prisons (BOP) provides him with adequate means to communicate effectively with prison staff and medical personnel, telephone his family and attorney, participate in rehabilitative, educational and religious programs, and have visual notification of emergencies while he is incarcerated.

The plaintiff, Larry Berke, is deaf, and uses American Sign Language (ASL) to communicate. He was convicted of a non-violent offense and sentenced to a term of 24 months, beginning August 23, 2012. Mr. Berke's sentencing judge recommended that BOP assign him to a facility that would accommodate his deafness. The BOP will incarcerate Mr. Berke at a minimum security facility, the United States Penitentiary Florence ADMAX Satellite Camp ("ADX Camp") located in Florence, Colorado.

Despite the sentencing judge's recommendations, the ADX Camp has virtually no auxiliary aids to allow effective communication for deaf prisoners. It has no means of providing sign language interpreter services to ensure that Mr. Berke understands the prison orientation, prison proceedings, medical services, and other important communications. It also lacks videophones for deaf inmates, and any visual safety alarms for emergencies. Defendants have been sued on at least two other recent occasions for failure to provide interpreter services, videophones, and visual notifications to other deaf prisoners and detainees.

Ivy Finkenstadt, a Washington Lawyers' Committee attorney who represents Mr. Berke noted, "What is especially compelling about this case is that, although other ADX Camp prisoners have access to telephones, Mr. Berke will have no way to call his deaf family and friends, including his wife and children. Mr. Berke's youngest children are too young to be able to read or write, and the only way they could communicate with their father while he is incarcerated would be through videophone."

Mr. Berke's Complaint and Motion for Temporary Restraining Order was filed today in the U.S. District Court for the District of Columbia. Mr. Berke is represented by the Washington Lawyers' Committee for Civil Rights and Urban Affairs and Ballard Spahr LLP. The Washington Lawyers' Committee is a non-profit organization established in 1968 to provide legal services to address discrimination. Ballard Spahr LLP, a national firm with more than 500 attorneys in 13 offices, combines a national scope of practice with strong regional market knowledge.