



Settlement Reached in Tennessee Deaf Prisoner Case: Tennessee Department of Correction commits to provide necessary technology and services to ensure equal access.

Media Contacts:

Disability Rights Tennessee: Lee Sherwood, 615-490-3844, LeeS@DisabilityRightsTN.org

Fox & Robertson: Amy Robertson, 303-917-1870, arob@foxrob.com

Disability Rights Advocates: Madeleine J. Reichman, 332-217-2318, mreichman@dralegal.org

Disability Law United: Cynthia L. Rice, 303-551-9389, CRice@DLUnited.org

March 5, 2025 – Nashville, TN – In a significant achievement for the rights of deaf prisoners, three deaf men and Disability Rights Tennessee reached [a settlement with the Tennessee Department of Correction \(TDOC\)](#) that will provide videophones, sign language interpreters, and other necessary accommodations for deaf people incarcerated in TDOC facilities. The settlement concluded the long-running case of *Trivette v. Tennessee Department of Correction*, filed in March of 2020 alleging TDOC was violating the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act by failing to provide effective communication for deaf people in its custody.

[Disability Rights Tennessee](#) (DRT), the Protection and Advocacy (P&A) System for people with disabilities in Tennessee, took the lead in investigating and litigating the case. DRT and the deaf plaintiffs were also represented by a team of lawyers from [Fox & Robertson](#), a Denver disability rights firm, and the nonprofits [Disability Rights Advocates](#) and [Disability Law United](#).

In the settlement, TDOC commits to provide appropriate auxiliary aids and services and reasonable accommodations so that deaf prisoners have an equal opportunity to participate in and benefit from TDOC services, programs, and activities.

Specifically, TDOC will provide sign language interpreters for crucial interactions such as intake and orientation, medical and mental health appointments, educational and vocational programming, religious services, and discipline and parole-related proceedings. TDOC will also provide videophones – the telecommunications technology required by people who communicate in sign language – at every facility housing a deaf prisoner as well as TDOC's intake facilities.

To ensure that deaf prisoners are identified and provided with the auxiliary aids and services they need, TDOC will screen all incoming prisoners as well as older prisoners and those who request a screening. For prisoners who are deaf, TDOC will then conduct an individualized accommodation needs assessment to determine the technology and services necessary to ensure effective communication and access to services.

In May 2021, Judge Aleta A. Trauger of the United States District Court for the Middle District of Tennessee issued a [preliminary injunction](#) on behalf of two deaf men then in TDOC's custody requiring the department to provide videophones on terms equivalent to the terms on which it provided conventional telephones to other prisoners.

In July 2024, Judge Trauger granted [partial summary judgment](#) in favor of DRT and several plaintiffs, holding that TDOC violated the ADA by failing to provide videophones and sign language interpreters for prison programming, medical appointments, religious services, and legal processes such as discipline or parole to deaf prisoners.

Disability Rights Tennessee served as an organizational plaintiff in the case, representing the interests of current and future deaf prisoners who are not named plaintiffs in the lawsuit.

"This settlement means that deaf prisoners in state facilities will have an equal opportunity to get their education, attend religious services, and access their medical care, which is critical to their rehabilitation and success once they return to society," says Stacie Price, Legal Director of DRT.

"Being deaf in prison can be tantamount to solitary confinement," said Amy Robertson of Fox & Robertson. "With this settlement, Tennessee joins states around the country that are starting to ensure that deaf prisoners have access to communications technology and other accommodations so they can serve their sentence on terms equal to others."

"We are pleased that Tennessee has finally agreed to provide the protections to which deaf prisoners are entitled under federal disability rights laws," said Madeleine Reichman of DRA. "With this settlement agreement, deaf prisoners will not only get lifelines to their communities outside of prison but will also be able to participate in crucial services on an equal footing with everyone else."

"It should not have taken more than four years and a lawsuit to get this relief. The settlement reflects the importance of organizations like DRT who advocate for disabled people and protect their rights when they may not be able to do so on their own. The settlement also provides for DRT to actively work with TDOC to ensure implementation of these requirements and monitor conditions of deaf prisoners," said Albert Elia, attorney for Disability Law United.

###

About Disability Rights Tennessee: Disability Rights Tennessee (DRT) is a non-profit agency that assists, advocates for, and protects the rights of Tennesseans living with disabilities and/or mental illness. DRT works to keep people safe from abuse and neglect in places such as where they live, work, go to school, and other places where services are received. As the designated Protection and Advocacy (P&A) system and Client Assistance Program (CAP) in Tennessee, DRT offers free help in all 95 counties. For over 45 years, DRT's work has been guided by the needs and lived experiences of the community we serve. For more information or to request help contact us via email at GetHelp@DisabilityRightsTN.org; via voice call at 1-800-342-1660; or on our website at www.DisabilityRightsTN.org.

About Fox & Robertson: Fox & Robertson is a law firm based in Denver, Colorado with a practice focused on impact disability rights litigation as well as individual advocacy and education. More information is available at www.foxrob.com.

About Disability Rights Advocates (DRA): With offices in California, New York, and Illinois, Disability Rights Advocates is the leading national nonprofit disability rights legal center. Its mission is to advance equal rights and opportunity for people with all types of disabilities nationwide. DRA represents people with all types of disabilities in complex, system-changing, class action cases. Thanks to DRA's precedent-setting work, people with disabilities across the country have dramatically improved access to education, health care, employment, transportation, disaster preparedness planning, voting, and housing. For more information, visit www.drakelegal.org.

About Disability Law United (DLU): Disability Law United (formerly the Civil Rights Education and Enforcement Center) is a nonprofit legal organization that fights for liberation through the lens of intersectional disability justice with a combination of education, legal advocacy direct services, and impact litigation. DLU's work includes a focus on addressing effective communication and access for the deaf and hard of hearing and others suffering from unlawful disability based discrimination.

Background:

- [Settlement Agreement \(January 2025\)](#). (The signature pages of the agreement, pages 25-27 of the pdf, are not accessible. Exhibit A –TDOC policy 113.95 – is not accessible as attached to the settlement [but a more accessible copy of the policy is linked here](#).)
- [Order on partial summary judgment \(July 2024\)](#)
- [Preliminary injunction order \(May 2021\)](#)
- [Order on motion to dismiss \(Nov 2020\)](#)