

## SFRSC Questions and Answers about Narcotics Anonymous Additional Needs

Disclaimer: Narcotics Anonymous does not enforce the law. This listing of the law, and the consequences for groups not complying with the law, are included so that your group can make a fully informed choice. This is in line with Chapter 4 in the Basic Text: “We believe that the sooner we face our problems within our society, in everyday living, just that much faster do we become acceptable, responsible and productive members of that society.” Additionally, Narcotics Anonymous supports the right of every addict to find recovery through Narcotics Anonymous. To assist Groups and the NA Service Structure to fulfill Tradition 3 and Tradition 5 in reaching out to those with Additional Needs, the following Question and Answer article is being provided. This article is meant to address some of the many questions addicts have shared about Additional Needs and the Group’s responsibilities. This article is only a general guidance on a complex set of issues and concerns to the Fellowship. Groups and Service bodies may find that their situation may not be covered in this article. In these cases, or at any time, it is highly suggested to contact your Area Service Committee, SFRSC Region and Regional PR, Region PR Additional Needs POC and NAWS to obtain further assistance.

Additional Needs is a topic that has been addressed by the Fellowship of NA since 1986. It started with a group of people, many who were disabled, who realized that many addicts to include themselves were not able to access meetings due to disabilities of a vision, hearing and a physical nature. After much ground work, a WSC Additional Needs Committee was created. Through the efforts of many recovering addicts, in particular Billy Z and Mary H., literature was created to give guidance on NA Groups addressing problems concerning those with Additional Needs. The result was three Conference Approved pieces of literatures in 1998 and 1999 to give the Groups guidance in these matters:

### IP 26 Additional Needs

#### Additional Needs Resource Information Guide

#### The Group

This literature was timely as the United States Federal government was also creating Civil Rights laws to address the inequality of access that those with disabilities faced on a daily basis. That set of laws, originally voted into law in 1990 and has been amended many times over the years, is called the Americans with Disabilities Act (ADA). The ADA does affect our meetings and will be explained more thoroughly in the Q & A.

As you read through the following questions and answers, please remember the following spiritual principles:

Tradition 3: The only requirement for membership is a desire to stop using

Tradition 5: Each group has but one primary purpose – to carry the message to the addict who still suffers.

Step 12: Having had a spiritual awakening as a result of these steps, we tried to carry this message to addicts, and to practice these principles in all our affairs.

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Q. What is the Americans with Disabilities Act (ADA)?

A. The ADA became law in 1990. The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life. The purpose of the law is to make sure that people with disabilities have the same rights and opportunities as everyone else. There are many sections of this set of laws. For the purpose of NA meetings, we will confine ourselves to the part of the law that addresses public access and accessibility....in other words being able to get into a meeting and use the same facilities as able bodied addicts, and being to receive the life saving message of NA.

Q. What is accessibility?

A. By ADA law, and in simple language, it means:

- 1) A person in a wheel chair or other physical disability can enter into the doorway of a meeting place and the meeting room and enter and use the bathroom (if there is a bathroom for use). This includes if the doors are very heavy, that the disabled person can still gain access through the doorway.
- 2) If a meeting is upstairs, or has stairs to the doorway entrance, that there has to be a way for the disabled person to get have access to that meeting either by use of a ramp or an elevator.
- 3) If the person is vision impaired, that they can safely enter into the meeting area, and that there is literature available for them.
- 4) If the person has a hearing impairment, that accommodations are made so that the person can also receive the lifesaving message of NA. In some cases, an interpreter would be considered.

Q. What are the consequences of not following the ADA?

A. The ADA is a Federal Mandate. Therefore it is a violation of civil law when a place of public access does not follow the law. There can be civil charges, which can include fines and penalties and even go to court, as well as the Department of Justice (DOJ) deciding to bring criminal charges, depending on the situation. Many States also have laws that reflect the ADA Federal law and may also have civil and/or criminal charges, as well as fines and penalties. Florida State is one of those states.

Q. What does the ADA have to do with NA meetings?

A. In Title III of the ADA law, it spells out the requirements for what is a place of public access. NA, as well as all 12 Step Programs, has been determined by the DOJ to be a place of public access. This is because NA meetings:

1. Either own, lease or operate a meeting place that is open to the public.

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2. Is a place of public gathering.
3. Sells literature

(Note: a closed meeting is opened to the public in the eyes of the law)

Therefore, the DOJ has made a formal decision that 12 Step Program meetings, to include NA, are a place of public accommodation and must follow the ADA law for accessibility.

Q. NA, and NA meetings, are a not for profit so shouldn't it be excluded?

A. There are only 3 categories of exemptions from the ADA: religious organizations, certain private clubs (and the criterion for this is strict) and Native American Tribes (and again, certain criteria must be met). Since NA does not fall into one of those categories, nor does not for profits nor nonprofit organizations, NA is not excluded.

Q. Many of NA meetings are in churches. Since religious organizations, and therefore churches, are excluded, would not the NA meetings also be excluded?

A. No, NA (or any 12 Step) meetings are not covered under the umbrella of the church/religious organizations. This is because, in our own Traditions, NA does state:

Tradition 6: An NA group ought never endorse, finance or lend the NA name to any related facility or outside enterprise, lest problems of money, property or prestige divert us from our primary purpose.

Tradition 7: Every NA group ought to be fully self-supporting, declining outside contributions.

NA Traditions specifically state that we are not affiliated with any organization....to include religious ones. Traditions also state that NA groups are self supporting and decline outside contributions. Since NA is not a part or function of the church, NA is not covered by the church for ADA law purposes. Either the meeting is a NA meeting in accordance to Traditions, or it is religious based meeting. Claiming a religious exemption would mean it is not a NA meeting. (Note: an interesting fact is that courts/judges do uphold NA Traditions)

Q. Isn't it the landlord's responsibility?

A. It depends on the lease and the situation. Generally speaking, the NA meeting has the first requirement of being accessible, as with any other place of public accommodation. The landlord also does have a partial responsibility. This is a case by case basis and where it would be highly suggested to contact SFRSCNA Public Relations/Additional Needs POC to get further assistance.

Q. How can the ADA law, or even State law, be enforced on groups? Groups have no money, no one is in charge. If someone was to try, the meeting could just be closed down or relocated.

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A. First, remember what it says in NA's Chapter 4 in the Basic Text: "We believe that the sooner we face our problems within our society, in everyday living, just that much faster do we become acceptable, responsible and productive members of that society." So, no matter what, groups should be making an effort to achieve accessibility. So yes, a person could decide to sue a group for a violation of the ADA, either by lawsuit or through a complaint filed with the DOJ, or even under State law. Keep in mind that no one is just going to walk up to a meeting or group and just hold out a paper with charges. Research and investigation will have been done, trusted servants and group members identified and everything will legally be in place. Most judges will be quite reasonable about judgments, if any, if a group was already moving towards accessibility. For a more technical answer, refer questions to PR/POC (Point of Contact) Additional Needs.

### MISCELLANEOUS

Q. I am not/my group has no disabled people, why should I care?

A. If a group has no disabled members, the group needs to look at the meeting place and see if it is accessible. That well could be the reason there are no disabled members attending. Do remember that accidents happen, recovering addicts grow older and sickness occurs. It eventually happens to us all. When these life events occur, you too will want to still be able to attend your group.

Some other things heard:

- It is very hard to get a meeting room, so if we have to get one that is not accessible, then at least we are serving some addicts.
- We can't worry about everyone.
- It's not my group's responsibility to carry the message to everyone.
- A power wheelchair cannot get in the door? Just use a manual chair and have someone give you a ride (note: manual will not get in the door either with person sitting in it).
- Bathroom not accessible? Well do not use it.
- It's a service dog? Don't bring that dog in here.

The list goes on. Please remember that NA groups should apply spiritual principles in all affairs....not just the easy ones.

At this point some groups will say: "We are not accessible! Help! What can we do? We have no money, the landlord will not help, etc. Do know that there are many ways to attain accessibility, many with little to no money. Contact your SFRSC PR/POC Additional Needs for assistance.