

BUREAU OF JUSTICE ASSISTANCE

Intellectual and Developmental Disabilities: 10 Facts Law Enforcement Officers Need to Know

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SERVING SAFELY OVERVIEW

Serving Safely: The National Initiative to Enhance Policing for Persons with Mental Illnesses and Developmental Disabilities

Objectives	Facilitate greater access to mental illnesses (MI) and intellectual developmental disabilities (IDD) training, technical assistance, resources, research, and subject-matter experts to enhance practice
	Equip police and their service partners with tangible tools and knowledge to safely respond to and resolve incidents involving persons with MI/IDD
	Build and support a national community of practice
	Promote a no-wrong-door approach to MI/IDD training and technical assistance



Contributions to the Field	Expose police agencies to a wide range of response models
	Streamline access to other BJA- and federally-funded MI/IDD training and resources
	Identify gaps and recommend an agenda to inform future police-oriented MI/IDD research

Practical Benefits to Your Agency	Ensure safe interactions with persons with MI/IDD
	Facilitate clear and effective communication between your agency, MI/IDD service providers, and community stakeholders
	Identify partnership strategies and models to refer MI/IDD cases to professionals and community supports rather than jail, when appropriate
	Promote the destigmatization of MI/IDD across your agency and in community
	Support planning, deployment, tactics training, and other operational priorities through the use of data and technology

Who is The Arc?



- The Arc website: www.thearc.org
- Started in 1950 as a grassroots effort led by parents
- Largest intellectual/developmental disability (I/DD) organization in the United States (with over 600 chapters)
- What We Do:
 - Education
 - Health care/benefits
 - Employment
 - Housing
 - Criminal Justice: The Arc's National Center on Criminal Justice & Disability® (NCCJD)

Mission of National Center on Criminal Justice & Disability®



- Build the capacity of the criminal justice system to respond to gaps in existing services for people with disabilities, focusing on people with I/DD
- For more information, please visit:
www.thearc.org/nccjd

Key Takeaways

- Learn key facts about people with I/DD
- Know about practical tips you can use during interactions involving people with I/DD
- Find out where to get training on I/DD

The Case of Paul Gordo

- An 18-year-old with autism had a meltdown and ran into an elderly woman who then had a concussion
- Charged with felony assault
- Autism connected to outbursts, meltdowns, and aggressive behavior due to sensory issues
- Defense attorney notes: Because of his disability, he did not form an intent to commit the act
- Equal access to justice is about providing accommodations even if an arrest is needed

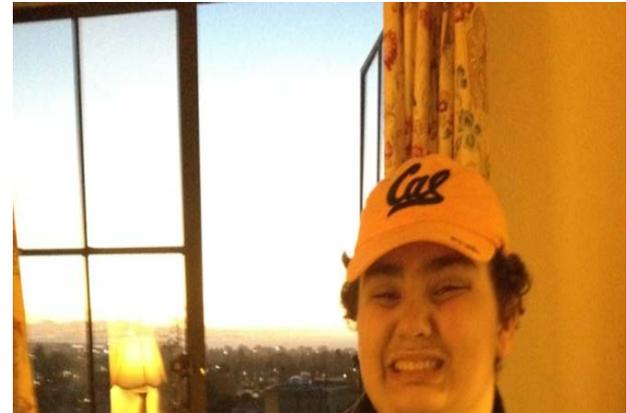


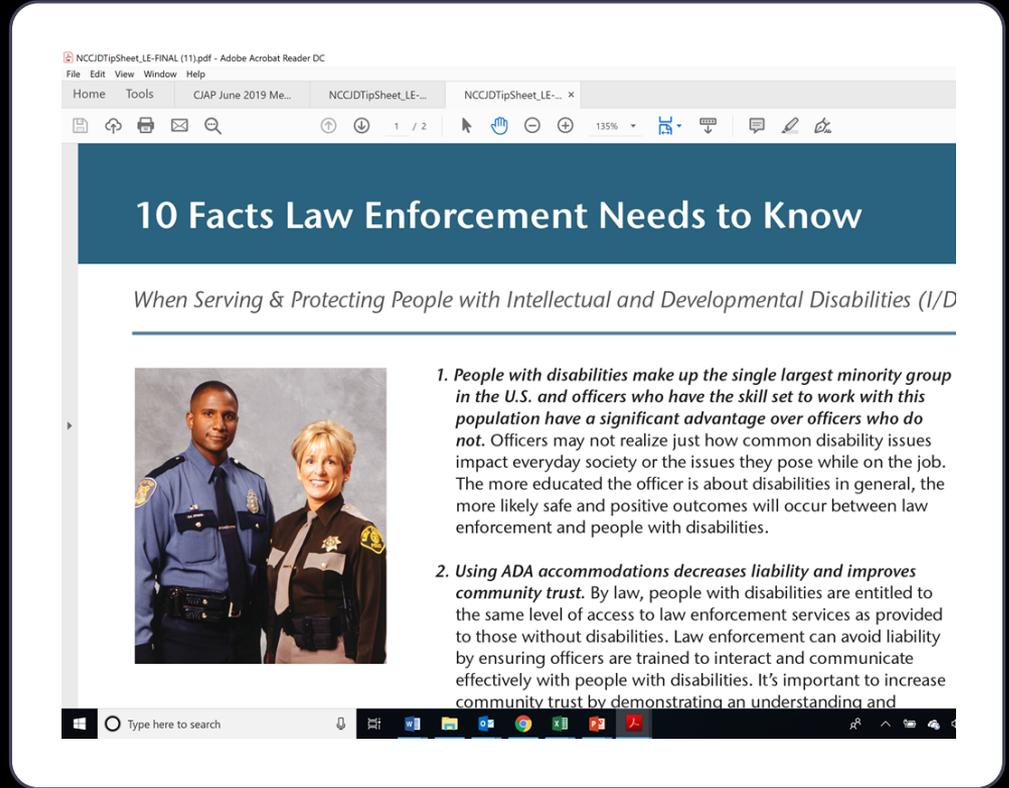
Image taken from Change.org:

<https://www.change.org/p/our-autistic-son-s-symptoms-are-not-a-crime>

Get The Facts

How to Use:

- Online training
- Roll call
- Crisis Intervention Training (CIT) 40-hour training
- CIT advanced training
- Pathways to Justice training



Why Now?

- Training for law enforcement on I/DD is rare, yet the need is rising
- CIT programs may or may not include I/DD
- CIT is not offered in all police departments, and typically not mandatory

Why Now? (cont.)

- Citizens with I/DD are overrepresented in the system
- Disability can play a role in getting in the system
- Two to three times more likely to be victims of violent crime
- As suspects, they are highly suggestible and often desperate for connection to other people, making it that much easier for perpetrators to take advantage of them

It's the Law



- The Americans with Disabilities Act enforces rights regarding access and accommodations
- Using accommodations decreases liability and improves community trust
- To be in compliance, officers are trained to interact and communicate effectively with people with I/DD

Definition: Developmental Disability

- Physical and/or mental impairments with onset before age 22
- Substantial functional limitations in at least three of these areas: Self-care, learning, moving around, self-direction, independent living, economic self-sufficiency, and language

Definition: Intellectual Disability

- Onset before the age of 18
- Impacts two areas:
 - Adaptive behavior (conceptual, social, and practical skills)
 - Intellectual functioning (IQ)

Fact:

About 85 percent of people with intellectual disabilities fall into the lower support needs category.

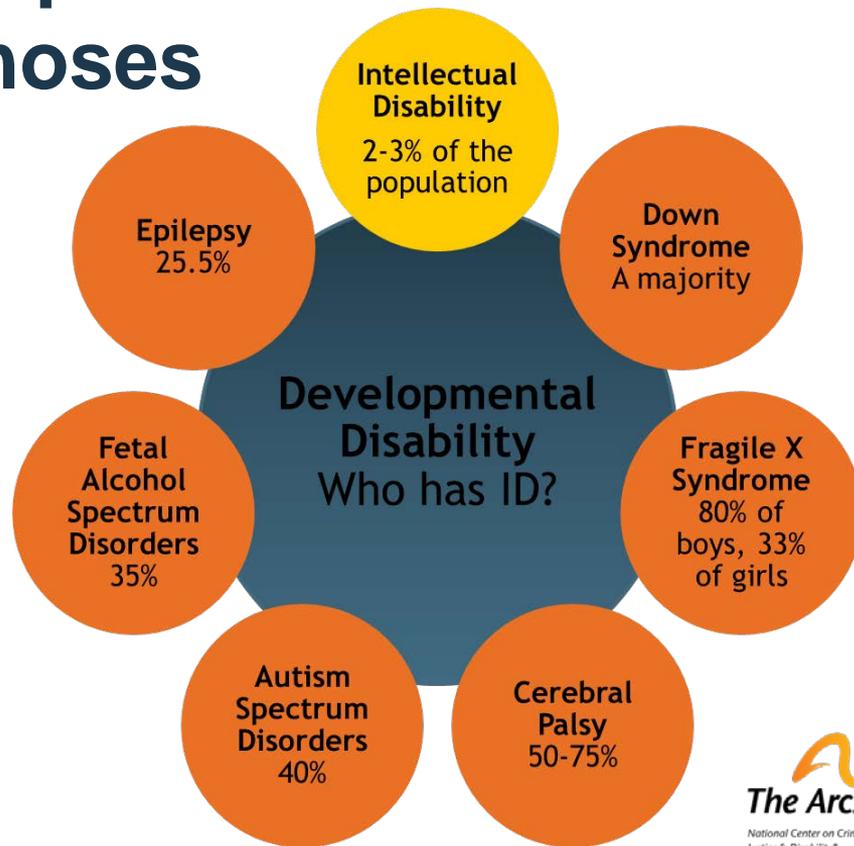
**Common
Diagnoses**

Remember: It's About General Awareness, Not Trying to Diagnose

- Intellectual disability (no specific diagnosis)
- Autism spectrum disorder
- Fetal alcohol spectrum disorders
- Down syndrome
- Dual diagnosis (I/DD and mental health disability)

Intellectual and/or Developmental Disabilities Related Terms and Diagnoses

- Intellectual and/or developmental disabilities
- Cognitive disabilities
- Brain-based disabilities

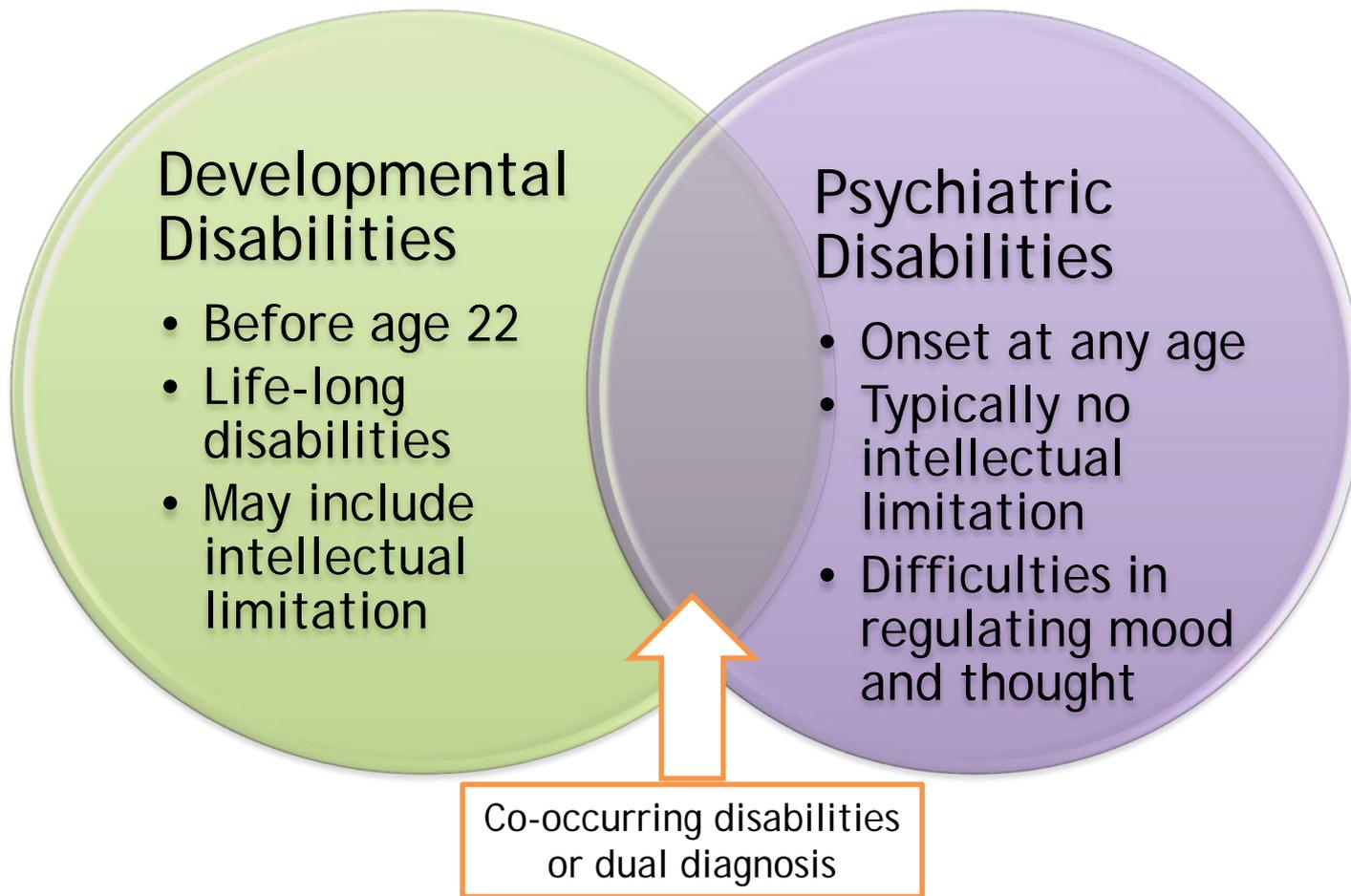


Hidden Disability

- People with I/DD have hidden disabilities that often go undetected by officers
- About 85 percent fall into the lower support needs category and are part of everyday life in the community
- Some have physical characteristics, most do not
- Officers come into contact with people with I/DD more often than they realize

Is Intellectual and/or Developmental Disabilities a Mental Health Disability?

- Intellectual disability and mental health disability is NOT the same
- This is critical to understand because individuals may require different responses
- Some people can have both



Signs of Intellectual and/or Developmental Disabilities

- Difficulty communicating and expressing themselves
- Easily influenced by and eager to please others
- Desire to hide disability (making serious efforts to cover it up)
- Unresponsiveness or does not understand verbal commands
- Become overwhelmed by the officer's presence
- Try to run away or become upset if being detained

People with Intellectual and/or Developmental Disabilities May...

- Not understand their rights, but pretend to understand
- Say what they think officers want to hear in the effort to hide a disability or feel accepted
- Have difficulty describing facts or details of offense with help
- Be the first to leave the scene of the crime, and the first to get caught
- Be confused about who is responsible for the crime and "confess" even though they are innocent

Why the Risk of Criminal Justice Involvement is High

- History of trauma
- Lack of impulse control
- Poor judgment skills
- Tendency toward explosive episodes
- Difficulty planning, connecting cause and effect, empathizing, taking responsibility, and delaying gratification
- Higher vulnerability to peer pressure (e.g., may commit a crime to please their friends)

Use of Force

- If a crisis is imminent and unavoidable, minimizing use of force is crucial
- Incorporate de-escalation strategies or revise protocols regarding interactions with people with I/DD
 - Ex: use of handcuffs during arrest
- Focus on crisis **pre**vention first, then crisis **inter**vention

Collaboration is Key

- Building safer communities is a **shared responsibility** that should not fall to law enforcement alone
- Law enforcement needs support from people with disabilities, the disability community, and the larger criminal justice community to tackle this issue effectively

Pathways to Justice®

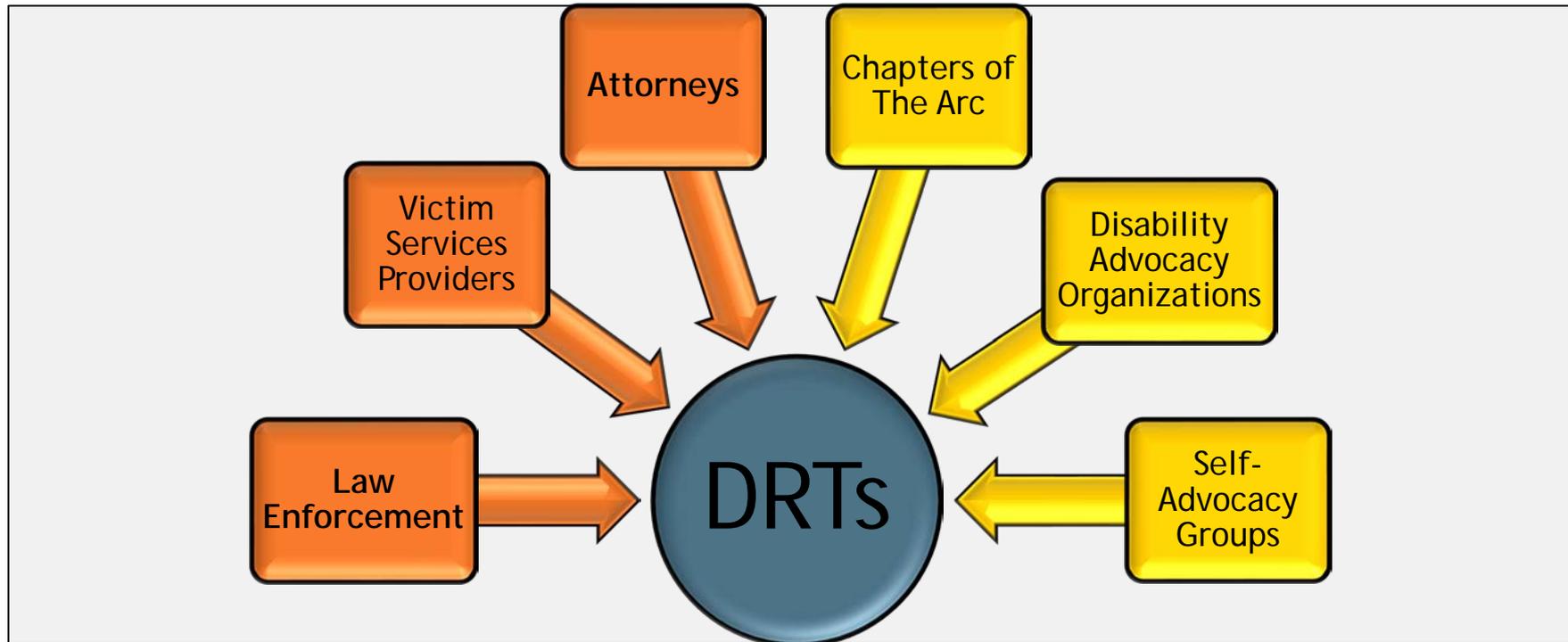
STEP 1:
Disability
Response
Team (DRT)

STEP 2:
Training
for Justice
Professionals

STEP 3:
Ongoing
Technical
Assistance

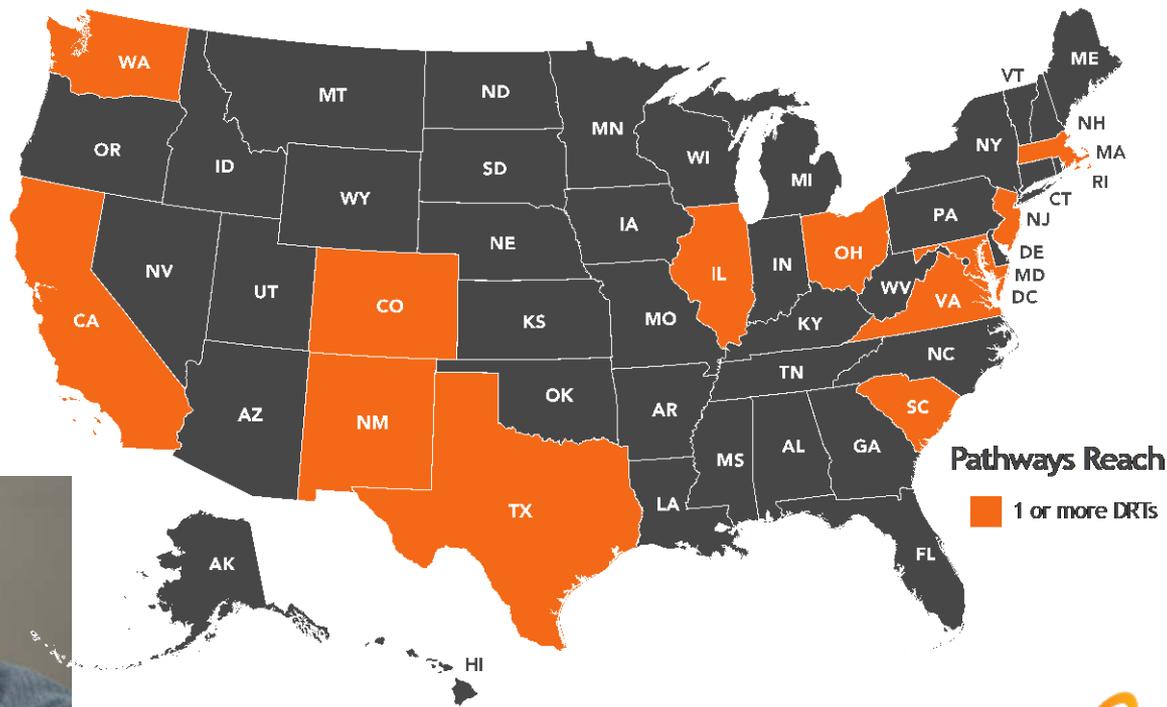


Disability Response Teams



Pathways to Justice: The Impact

- 15 Disability Response Teams in 12 different states
- Over 1,200 justice professionals trained since 2015



Pathways to Justice: International Efforts

- Zero Project is a national partnership with Ashoka Austria supporting innovative disability solutions internationally
- Twenty-one projects were supported in first two years – one being NCCJD's Pathways to Justice® in 2019
- NCCJD is also working with Open Society Foundation to create an international hub of knowledge on criminal justice and disability issues



“For me the most invigorating aspect of the Impact Transfer programme has been the affirmation that our work is meaningful and worth expanding, and that it can grow.” - Daniel Kish, Ashoka Fellow

NCCJD Resources for Law Enforcement

- National information and referral service
- Pathways to Justice® and Disability Response Teams
- CIT advanced training on I/DD
- Office of Community Oriented Policing Services' (COPS Office) podcasts about I/DD:
<https://cops.usdoj.gov/thebeat>
- “*10 Facts Law Enforcement Need to Know*”

Procedural Justice and I/DD

https://ici.umn.edu/products/impact/301/Procedural-Justice/#Procedural-Justice

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overview

Supporting Procedural Justice For People With Intellectual Disabilities:

An Evidence-Based Law Enforcement Practice That Works

By Melissa Bradley, Leigh Ann Davis and Will Johnson

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For the last two decades, policing has become more effective, both better equipped and better organized to tackle crime. Despite this, the public's assessment and confidence in law enforcement has remained flat. Indeed, among some sectors of the population, including the disability community, confidence appears to be declining because community members care as much about how police interact with them as they care

Source: <https://ici.umn.edu/products/impact/301/Procedural-Justice/#Procedural-Justice>
COPS Office: <https://cops.usdoj.gov/thebeat>

“A traditional police response has been to resolve a situation quickly. Procedural justice philosophy strongly encourages officers to slow things down.”

(Bradley, Davis & Johnson, 2017)

<https://ici.umn.edu/products/impact/301/Procedural-Justice/#Procedural-Justice>

QUESTION AND ANSWER

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