Moving from Crisis Intervention to Crisis Prevention: Ensuring Justice for People with I/DD as Victims, Suspects and Offenders

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The Arc’s National Convention
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Introductions

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Today’s Agenda

• Case Scenario - John K.
• What We Know - Victims & Suspects
• What do you do when you get THAT call (Before, During and After)
• Tools for families
• Q&A
John K.

• 57 year old on autism spectrum (IQ is 62, 3rd grade reading level)
• Viewed child pornography on work computer (first offense)
• Signs of loneliness and anxiety
• Sexually abused at age 19 while training at Goodwill and never told anyone until 2012
• Many people with I/DD experience both sides of the issue, and both sides of the system

“Needless to say, this is a nightmare! My frustration has been that most of the professionals that I’m dealing with are not knowledgeable about people with I/DD so I have done my best to advocate for my son and educate, educate about I/DD.”
What We Know ....

As Suspects/Offenders
• Not want their disability to be noticed - often hard to recognize visually
• Not understand their rights, but pretend to
• Say what they think others want to hear
• Have little options for alternative sentencing and/or treatment

As Victims/Witnesses
• Easily victimized and targeted for victimization
• Less likely to be able to report
• Easily influenced by and eager to please others
• Think that perpetrator is a “friend”
• Not be considered a credible witness
Why Risk Is So High

- Lack of impulse control
- Difficulty planning, connecting cause and effect, empathizing, understanding responsibility, delaying gratification or making good judgments
- Vulnerability to peer pressure (e.g., may commit a crime to please their friends)
- Intellectual deficits
- Poor judgment skills
- A history of undisclosed and/or untreated abuse and/or neglect

* In Canada, the Lethbridge Regional Police Service trains “FASD Justice Officers” who provide support to youth with FASD
Overrepresentation

• Represent 4-10% of prison population, with even more in juvenile facilities and jails
• BJS Study reveals 2 in 10 prisoners and 3 in 10 jail inmates report having a cognitive disability
• People with cognitive disabilities had highest rate of victimization compared to other types of disabilities (NCVS, 2011)
• National survey of education services in juvenile corrections found 33% received special education services

Cognitive disability: Because of a physical, mental, or emotional problem, do you have serious difficulty concentrating, remembering, or making decisions?
What do you do when you get *THAT* call

- **Before** - training and education for all individuals
- **During** - how do we get through the legal system or how to talk to the attorney?
- **After** - how do we get counseling, re-entry support, find employment?
Pathways to Justice™ Model

**Steps:**
- Identification
- Accommodations
- Support

**Community**
- First contact
- Investigation
- Jail
- Trial/plea agreement
- Transition

**Victim/witness**
- 911 complaint
- Law enforcement
- Communicate
- Forensic interview
- Charges filed
- Victims' rights
- Prepare for trial
- Witness/testimony
- Crime victims' notification request
- Coping/prevention

**Suspect/offender**
- Law enforcement
- Arrest
- Initial detention
- First appearance
- Bail/bond
- Plea
- Diversion
- Court
- Prison
- Jail incarceration
- Probation/parole

**Indicates number of people intersecting with system.**

Tools for Families and Self-Advocates
Before - Training and education for all individuals

As Suspects/Offenders
- Signs & Symptoms
- Outreach
- Training
- Resources

As Victims/Witnesses
- Signs & Symptoms
- Outreach
- Training
- Resources
Pathways to Justice
Crisis Prevention vs. Crisis Intervention Approach

• Do you think people with I/DD most often come in contact with officers in crisis situations or for other reasons?
• CIT programs focus on addressing mental health crisis (mental illness), little focus on I/DD
• Shift focus to community policing principle of relationship-building and procedural justice, as well as disability principle of inclusion
• England’s example of Disability Engagement Officers or DEOs - part of Neighborhood Policing Team
Pathway to Justice
Disability Response Teams (DRTs)

Multidisciplinary teams of criminal justice professionals and disability advocates.
During - EX: how do we get through the legal system/talk to the attorney?

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The Arc of Aurora

• Law Enforcement Training Videos
• Communication Quick Tips
• Police Academy Training
• Relationships
NCCJD Web Site

• Pathways to Justice™ video & conversation guide
• State-by-state map; list of resources searchable by profession and location
• List of expert witnesses (103 and counting)
• List of legislation, federal and state (over 320)
• Blog posts from NAC members, chapter and NCCJD staff
After - how do we get counseling, re-entry support, find employment?

As Suspects/Offenders
- Signs & Symptoms
- Outreach
- Training
- Resources

As Victims/Witnesses
- Signs & Symptoms
- Outreach
- Training
- Resources
National Outreach
What if there was ONE place you could go to for I&R, Training and Resources?

NCCJD’s Mission: To 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
About NCCJD

• Four years, $800,000 from Bureau of Justice Assistance (BJA)

• Goal: Build capacity of CJ system to respond to gaps in services

• First national effort of its kind to focus on both victim and suspect/offender issues with a focus on I/DD
NCCJD White Papers

• Violence, Abuse and Bullying Affecting People with Intellectual and Developmental Disabilities

• Sex Offenders with Intellectual and Developmental Disabilities

• Justice Involved Youth with Intellectual and Developmental Disabilities

• Competency of Individuals with Intellectual and Developmental Disabilities in the Criminal Justice System

http://www.thearc.org/NCCJD/publications
Training: Pathways to Justice®

Module 1: Introduction to DRTs and the Pathways to Justice Training Program
Module 2: Disability Basics
Module 3: Law Enforcement
Module 4: Victim Service Providers
Module 5: Attorneys
Module 6: Developing a PTJ Action Plan
Pathways to Justice Sites 2015

- The Arc of Maryland
- The Arc of the Midlands (SC)
- The Arc of New Jersey
- The Arc of Pikes Peak (CO)
- The Arc of Spokane (WA)
Pathways to Justice® 2017 Sites

• The Arc of New Mexico*
• The Arc of Texas*
• Berkshire County Arc (MA)
• The Arc of Loudoun County* (VA)
• The Arc of Ventura County* (CA)
• The Arc of Winnebago, Boone and Ogle Counties* (IL)

* Has a Crisis Intervention Training (CIT) Program
2017 White Paper/Webinars

• Policing People with Disabilities Webinar Series
  – Subtopics include: Race and Disability, Innovative Solutions, & Procedural Justice

• The Intersection of Race, Disability, and Policing - January 19, 2017 1-3 pm EST
  [Website Link]
  http://www.thearc.org/NCCJD/training/webinars
NCCJD’s New Initiatives

• Special Hope Foundation - video for health care professionals on violence prevention
• COPS Office MOU to address use of force/intersectionality issues
• Vera Institute of Justice projects
  – Uniting to End Violence Against People with Disabilities
  – OVC National Resource Center on Reaching Underserved Victims
Questions?

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