Policing and People with Developmental Disabilities: Emerging Issues in the Field

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Featuring:

Chief William Scott
San Francisco (CA) Police Department

Chief Ronald Sellon
Mansfield (MA) Police Department

Russell Lehmann
Speaker, Author, and Advocate

Leigh Ann Davis
The Arc of the United States and the National Center on Criminal Justice and Disability
Welcome and Introduction

Dr. Hannah D. McManus
Co-Principal Investigator
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Opening Remarks

Elissa Rumsey
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Today’s Moderator

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Disclaimer

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Reminders

Questions

Please submit your questions to the presenters in the Q&A pod. The presenters will address as many questions as time permits at the end of the presentation.
Recording

This webinar is being recorded.
Slides will be disseminated in the days following the webinar.
We have arranged for ASL interpretation services during this meeting.

The ASL interpreters for this meeting are:
- Michele Johnson
- Katie Lambe

Live transcription from Zoom is available.
- Click Live Transcript CC and then select Show Subtitle.
- Subtitles can be moved within the window and resized.
Introducing Today’s Presenters: Chief William Scott

San Francisco Police Chief William Scott was sworn in by Mayor Ed Lee on January 23, 2017. Chief Scott joined SFPD after serving 27 years in the Los Angeles Police Department.

Chief Scott’s focus is on community policing with an emphasis on implementing major reforms especially as it relates to providing service with dignity and respect.

One of the first steps of this endeavor was to create a viable and sustainable strategic plan to successfully implement the reform initiatives that were outlined in the Department of Justice’s Collaborative Review Initiative performed on the SFPD, while at the same time addressing public safety and reducing crime. These reforms, which include 272 recommendations, focus on five key areas of policing: Accountability; Bias; Community Policing; Recruitment, Hiring, and Personnel Practices; and Use of Force.

Chief Scott grew up in Birmingham, Alabama, and is married with three children. He attended the University of Alabama with a degree in accounting. He is also a graduate of Senior Management of Institute of Policing.
• Ronald Sellon is the proud father of a child with disabilities, passionately committed to improving services and is the Police Chief for the town of Mansfield Massachusetts since 2013.

• He is a military veteran, holds a Bachelor's degree in law enforcement, a Masters degree in Public Safety Administration, and a Juris Doctor law degree.

• Chief Sellon is a licensed attorney, a graduate of the FBI National Academy session 245 and Police Executive Research Forum session 65.

• He sits on the Board of Directors of the Bristol County Police Chiefs Association and is currently the First Vice President of the Metropolitan Law-Enforcement Council.

• He currently sits on the Executive Board of the International Association of Chiefs of Police as Vice President Treasurer, having previously been a member of the Human and Civil Rights Committee.
Introducing Today’s Presenters: Russell Lehmann

Russell Lehmann
Internationally Recognized
Motivational Speaker, Author, and Advocate

• Russell Lehmann is an award-winning and internationally recognized motivational speaker and poet contextualizing autism, mental health, disabilities, and the overall human condition. His words have been featured in the USA Today, LA Times, NPR, Yahoo! News, Success Magazine and archived in the Library of Congress. Russell is also a contributor for Psychology Today.

• A graduate of MIT’s “Leadership in the Digital Age” course, Russell sits on the national Board of Directors for The Arc and is a council member for the Autism Society of America. He has also been the Youth Ambassador for the mayor of Reno, Nevada, and a member of the Nevada Governor’s Council on Developmental Disabilities as well as the Nevada Commission on Autism Spectrum Disorders.

• Russell showed signs of autism as a newborn, however, he was not formally diagnosed until the age of 12 after suffering through 5 weeks in a lockdown psychiatric facility.

• His new book, “On the Outside Looking In” recently hit bookstores nationwide.
Introducing Today’s Presenters: Leigh Ann Davis

Leigh Ann Davis
Senior Director of Criminal Justice Initiatives, The Arc of the United States

- Leigh Ann Davis is Director of Criminal Justice Initiatives at The Arc of the United States. She directs The Arc’s National Center on Criminal Justice and Disability® (NCCJD®).
- She oversaw the development of NCCJD’s signature training: *Pathways to Justice*® and passionately works to establish NCCJD and The Arc’s 650-chapter network as the go-to place for information and training on justice and disability.
- As The Arc’s SME on the topic of justice and IDD, she provides consultation to federal and non-profit agencies and has provided guidance to White House officials.
- Her mission is to ensure that people with IDD have a platform and the training they need to advocate for themselves, especially as citizens who are overrepresented in the criminal justice system.
Learning Objectives

• Understand the importance of law enforcement training on developmental disabilities by viewing a realistic case scenario

• Learn key tips officers can use during interactions with people with developmental disabilities in the following areas:
  • Assess
  • Identify
  • Communicate
  • De-escalate

• Explore emerging issues involving law enforcement and the developmental disability community
Case Scenario: Police Encounter a Teen with Autism

1. What training do your officers have on effective interactions with youth or adults with IDD?

2. What, if any, policies or MOUs are in place to address IDD-related issues?

3. How could this scenario go differently, what would have been more effective as a response?
What are Developmental and Intellectual Disabilities?

- Developmental disability (or DD) is an umbrella term
  - Includes many diagnoses that start before age 22 and is lifelong

- Intellectual disability (or ID) characterized by:
  - Occurs before the age of 22 and is lifelong
  - Functioning and adaptive behaviors
  - Intellectual functioning

- ID Facts
  - Between 1-3% of Americans have ID
  - Common diagnoses: autism, Down syndrome, Fetal Alcohol Spectrum Disorder
Victims

People with intellectual disability are 7x more likely to experience sexual assault than those without disabilities. (Source: NPI)

Individuals with cognitive disabilities* face the highest rates of violent victimization. (Source: Bureau of Justice Statistics)

*Cognitive disabilities include Down syndrome, autism, dementia, learning disabilities, intellectual disability, and traumatic brain injury.

- Reports of victimization are not believed
- Cases may go unprosecuted, especially if there are communication challenges
- Inaccessible services and supports
Suspects/Defendants/Incarcerated People

- 2 in 10 prisoners and 3 in 10 jail inmates reported having a cognitive disability*, the most commonly reported type of disability.

  *Cognitive disabilities include Down syndrome, autism, dementia, learning disabilities, intellectual disability, and traumatic brain injury.

  Source: Bureau of Justice Statistics

- More than 25% of those later exonerated after giving a false confession to police had characteristics of intellectual disability.

  Source: National Registry of Exonerations

Barriers to Justice

- Disability goes unrecognized or is dismissed as irrelevant
- Face higher rates of arrest, conviction, and longer sentences
- Inaccessible diversion and rehabilitation programs
Common Interactions

- Being used by others to unknowingly carry out criminal activity
- Reports of suspicious or out-of-the-ordinary behavior
- Disturbances
- Wandering
- Seizures

Source: IACP’s model policy on IDD is available online
Assess the Situation

• Consider applying situational awareness training to interactions involving people with developmental disabilities

• Ask yourself “What’s really going on here?”

• Consider what in the environment might serve as a trigger to someone with disabilities (for example, loud sirens and flashing lights)

• Build rapport with the person, ask them questions, assess the entirety of the situation
Tips for Identification

• 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 do not understand verbal commands
• Becomes overwhelmed by the officer’s presence
• Tries to run away or become upset if detained
• Makes little or no eye contact
Tips for Identification, cont.

• Do not ask the person directly if they have a disability
  • Instead, ask “Is there anything you want to tell me?”

• Did or does the person attend special education classes?

• How does the individual support himself or herself?

• Does the person receive any financial assistance, such as Social Security Income (SSI), related to having a disability?

• Does the person carry an identification card with the name of a support person or advocate you can contact?
• Take extra time during interactions, when communicating
• Speak slowly, clearly; check for understanding
• Use simple language, pictures, symbols, communication boards, apps that help with communication
• Ask if a support person is available
• Call on local disability agencies, such as a local chapter of The Arc
• Assist in filling out forms as needed, use plain language
Tips for De-escalation

• Identify triggers and apply situational awareness
• Use the environment to your advantage
• Consider training and education on effective response to people with IDD

As a police executive, invest in and reinforce options that promote de-escalation (including community policing) to support your officers in their interactions
How to Spot *Hidden* Disabilities
*Three Steps that can Save a Life*

1. **Look deeper**
   - Hidden disabilities are identified by behaviors, not appearance

2. **Slow down**
   - Call your supervisor/support staff to the scene
   - Call the person’s support staff or person/advocate/attorney

3. **Ask yourself**
   - What is really going on here? How could disability be playing a role?
   - Who can I call for support or assistance?
Emerging Issues

• Evolution of community policing and co-response programs
  • Community policing should be the foundation and priority
  • Ensure outreach to and inclusion of people with IDD
  • Include people with IDD as paid peer support specialists and as co-trainers

• Officer wellness
  • Establishing a mindset that impacts how officers approach challenges

• The use of technology, policing and people with IDD
  • Examples: using iPhones or apps to communicate, use of locative technology, use of social media to outreach to disability community
IACP’s Project: Home Safe

- Kevin and Avonte’s Law enacted in 2018
- Provides funding to law enforcement and public safety agencies to implement locative technologies and develop or operate programs to prevent wandering, increase individuals’ safety, and facilitate rescues
- Identify and/or develop best practices
- Dedicated webpage - https://www.theiacp.org/projects/home-safe
STEP 1: Disability Response Team (DRT)

STEP 2: Training for Justice Professionals

STEP 3: Ongoing Technical Assistance
Pathways to Justice: The Impact

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

Pathways Reach

1 or more DRTs
Key Take-Aways:

Final Thoughts from Panelists
Resources Available for Download

https://www.informedpoliceresponses.com/

Mental Health Conditions & Developmental Disabilities

Why Know the Difference?

The difference between mental health conditions (also referred to as mental illnesses) and developmental disabilities is often unclear, and it is not uncommon for people to confuse them with another. In crisis response, it’s important to know the difference because people with different types of conditions may require different responses from police officers, including different strategies for communication and referral to different types of resources and supports in the community. Knowing the difference can ensure better interaction for all involved.

A mental health condition is defined as a wide range of conditions that can affect mood, thinking, and/or behavior. A developmental disability is defined as a physical and/or mental impairment that begins before age 22, is lost or continues indefinitely, and results in substantial functional limitations in at least three of the following areas: self-care, home living, socialization, community use, learning, work, mobility, self-direction, and health and safety. Mental health conditions and developmental disabilities can coexist and overlap, leading to unique challenges for individuals who come into contact with the criminal justice system.

Examples of Law Enforcement Encounters with People with Developmental Disabilities

Many people with DD function at a level that requires some degree of support or assistance from the community. People with DD live in the communities and may come into contact with law enforcement. Reason for encounters may include the following:

- Reports of suspicious or out-of-the-ordinary behavior
- People with DD may exhibit socially inappropriate behavior or both suspicious or offensive behaviors. For example, people with DD may run off the personal or public places of others, “chase without derision” (walking or running through public places, inappropriate laughing or crying, or pulling, hitting, or touching others)
- Differences
- People with DD may react to a situation or event differently than those without a disability. Differences may exist when a person with a disability does not act or react in the same way as someone without a disability. For example, people with disabilities may be more or less sensitive than others to situations involving touch, sound, smell, or taste.
- Being used by others to intentionally carry out criminal activity
- People with DD may be used to commit criminal acts, either passively or actively, without knowing that these are being used. It is not uncommon for people with DD to give false “consent” to others to participate in activities that they may not know are against the law.

DEVELOPMENTAL DISABILITIES:

What Law Enforcement Officers Need to Know

People with disabilities are victimized almost four times more frequently than persons without disabilities. People with cognitive disabilities, which include developmental disabilities (DD), face the highest rate of victimization. Estimates suggest that one in four individuals in private rooms having a cognitive disability and almost a quarter of individuals in state and federal prison report participating in sexual education classes. Similar to mental health conditions, developmental disabilities can go undetected in individuals who come into contact with the criminal justice system. As first responders, law enforcement officers can benefit from being trained to recognize people with DD and knowing appropriate responses to physical and verbal interactions.

Research: What do you think you know?

Access resources
Follow our work

Learn more about the Academic Training to Inform Police Responses at
https://www.theiacp.org/projects/academic-training-to-inform-police-responses

https://www.informedpoliceresponses.com/