

People with Developmental Disabilities in the Criminal Justice System

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For people with intellectual and developmental disabilities (I/DD)

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In collaboration with **The Arc of Oregon.**

Problem: The Criminal Justice System (CJS) has a Blind Spot regarding Developmental Disabilities (DD)

Proposal: Legislative resolve to support evidence-based, ADA-compliant best practices at the intersection between DD and CJS, regardless of victim, suspect or witness status



What is Developmental Disability?

CDC & ORS say

Group of conditions causing impairments in physical, learning, language and/or behavior domains

Begins during developmental period

Impacts daily functioning

Lasts a lifetime



Examples

Attention-Deficit / Hyperactivity Disorder (ADHD)

Autism Spectrum Disorder (ASD)

Hearing Loss

Cerebral Palsy

Down Syndrome

Intellectual Disability

Developmental Delay (Prematurity)



For people with intellectual and developmental disabilities (I/DD)

Autism is ...

Biologically-based spectrum of neurodevelopment diversity affecting how people perceive the world and interact with others:

- **Communication challenge:** difficulty w/ satire, sarcasm, ambiguity
- **Social Interactions** are concrete, uncertainty interpreting eye contact, body language
- **Sensory sensitivity:** lights, noise, crowds
- **Restricted, repetitive patterns of behavior, interests, activities (focus)**
- **Spectrum or impairments from non-verbal to high functioning**



Autism is NOT !

- An Illness
- A Disease
- Mental Illness

**ADA: do not misrepresent disability
characteristics**



DD Vulnerabilities

- **Sexual Assault: 7-fold Increase (all crime categories inc'd)**
- **Arrests: 6-fold Increase**
- **Incarceration: 4-fold increase**
- **Grooming, False Friends**
- **Neglect, Implicit and Explicit bias (abuse)**



Simulations

I Love Dogs (language challenges, receptive and expressive)

Rule bound, both lanes

<https://www.youtube.com/watch?>



Accommodations Basic

Simple and Inexpensive: Communication & Sensory Accommodations

Broadly Applicable: Just as curb cuts assist able bodied people pushing strollers

Slow down: Count three five seven; Slow is smooth, smooth is fast.

Sensory Awareness

Regardless of Portal: Victim, Witness or Suspect



Americans with Disabilities Act

Do Include People with Disabilities and their Advocates

Do Preserve Disability Information

Don't misrepresent benign characteristics as deceptive, criminal or mental illness

Don't discriminate, neglect or abuse

Do Provide Reasonable Accommodations





Blind Spots



To Err is Human Institute of Medicine, 1999

Up to 98,000 deaths
annually due to
medical errors.

Improvement goal:
Reduce by 50% in 5
Years.



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100,000 Lives Campaign Results

- Estimated 120,000 lives saved by participating hospitals through overall improvement (*IHI cannot attribute change in mortality to the Campaign per se – research studies pending*)
- Over 3,100 Hospitals Enrolled
 - Over 78% of all acute care beds
- Participation in Campaign Interventions
 - Rapid Response Teams: 60%
 - AMI Care Reliability: 77%
 - Medication Reconciliation: 73%
 - Surgical Site Infection Bundles: 72%
 - Ventilator Bundles: 67%
 - Central Venous Line Bundles: 65%
 - **All six: 42%**



The Arc.
Benton County

Triple Quadruple Aim



Compare sectors

Sector	Guidance	Template	When
Education	IDEA / 504	I. E. P.	1 st Grade Fwd
Health Care	ADA / OHA	I.T.P. Care Coordination	ASAP(ractical)
Criminal Justice	ada?	? ? ?	Late / Never



What is the solution?

Implement evidence-based best practices using professional guidance and technical assistance across the spectrum of CJS professionals.

These resources are available today:

The Arc of the U.S. (Pathways to Justice)

The Arc of Oregon and other DD advocates)

Bureau of Justice Assistance

US Department of Justice

Vera Institute of Justice

The Arc of Benton County (CommCards)



Request:

Legislative resolve to support evidence-based, ADA-compliant best practices at the intersection between DD and CJS, regardless of victim, suspect or witness status.

Thank you!



WHEREAS...



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