Creating Pathways to Justice & Employment for People with I/DD

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NCCJD: What We Do

Training and technical assistance
- For criminal justice professionals

Information and referral
- For people with disabilities and their families

Resource collection and creation
- White papers, fact sheets, articles

Education
- Social media, webinars, and conferences
Meet the Team!

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The Struggle is Real

• Represents 4-10% of prison population

• 2 in 10 prisoners and 3 in 10 jail inmates report having a cognitive disability* (BJS, 2015)

• 65-70 percent of justice-involved youth have a disability (3x higher the rate) (NDRN, 2015)

• People with I/DD experience highest rate of victimization compared to other types of disabilities and experiences sexual assault at 7x the rate (NCVS, 2017 and BJS, 2018)

* Cognitive disability: Because of a physical, mental, or emotional problem, do you have serious difficulty concentrating, remembering, or making decisions?
What are your biggest barriers to providing criminal justice related training and services?

- Lack of funding - 75%
- Lack of resources or tools - 31%
- Little buy in or support from their own agency - 12.5%
Pathways to Justice®

Inspiring a movement toward criminal justice reform and inclusive justice for people with intellectual and developmental disabilities within The Arc and beyond.
Where Do We Start?

• How do we comprehensively define and address the problems faced by people with I/DD when caught up in the criminal justice system?

• We needed a framework to simplify this complex issue
Pathways to Justice® Model

Community
<table>
<thead>
<tr>
<th>Phase</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>FIRST CONTACT</td>
<td>Public safety and legal systems personnel have limited experience with and knowledge of people with disabilities. One study found that law enforcement officers accurately identified individuals with I/DD only 30% of the time, although many were confident in their ability to identify I/DD based on physical appearance alone (Douglas &amp; Cuskelley, 2012).</td>
</tr>
<tr>
<td>INVESTIGATION</td>
<td>During investigation and first contact a disproportionate number of people with I/DD give false confessions and many do not understand their Miranda and other legal rights (Smith, Polloway, Patton, &amp; Beyer, 2008).</td>
</tr>
<tr>
<td>JAIL</td>
<td>When incarcerated, people with I/DD are extremely susceptible to victimization in jails and prisons, are punished for rule infractions they may not fully understand, and are removed from the general population and placed in solitary confinement for extended periods of time (Alexander, 2015).</td>
</tr>
<tr>
<td>TRIAL/PLEA AGREEMENT</td>
<td>Attorneys are only slightly better than officers at recognizing I/DD and often don’t realize how disability status could be an essential element to building a successful defense (Douglas &amp; Cuskelley, 2012).</td>
</tr>
<tr>
<td>TRANSITION</td>
<td>For people moving from prison/jail back into the community, re-entry programs often do not provide needed accommodations, or staff training, that can help ensure a successful transition by individuals with disabilities.</td>
</tr>
</tbody>
</table>

Impact Feature Issue: The justice system and people with intellectual, Developmental, and other disabilities (UMN Institute on Community Integration, Spring 2017)
Pathways to Justice®

Pathways Principles:
• Nothing about us, without us
• Community-based
• Multidisciplinary
• Relationship-oriented

STEP 1: Disability Response Team (DRT)
STEP 2: Training for Justice Professionals
STEP 3: Ongoing Technical Assistance
The Impact of Pathways to Justice®

- 15 Disability Response Teams in 12 different states
- Over 5,000 justice professionals trained since 2015
Next Steps for Pathways to Justice®

- Creating stronger evaluation tools
- Supporting 10 additional Pathways programs in 2019
- Refining the Pathways to Justice Trainer Certification Course (train-the-trainer)
- Partnership with Growth Through Opportunity (GTO) - JusticeWorks
NCCJD’s Impact

• Responded to roughly 150 information and referral requests (since May 2018)

• Began online Community of Practice for chapters only “NCCJD Criminal Justice Community of Practice”

• Quoted or mentioned in national media (NPR, USA Today, Chicago Tribune, HuffPost among others)

• Attracted partners and funders for a number of projects...
NCCJD’s Projects & Initiatives

• BJA: Serving Safely – A National Training & TA Center for Law Enforcement on MH and I/DD
• OVC: Healing Crime Victims with Disabilities (web site)
• WITH Foundation: Talk About Sexual Violence (focus on males)
• Kessler Foundation: JusticeWorks (training)
• People with Disabilities Foundation (NM training)
• Open Society Foundations (international knowledge hub)
• Small contracts with OVC and Council of State Governments
• Unfunded: COPS Office within DOJ (videos), Natl Coalition for Sexual Health, and Natl Council of Juvenile and Family Court Judges, LRIDD
Supporting Procedural Justice for People with Intellectual Disabilities

An Evidence-Based Law Enforcement Practice that Works

By Melvin Brodsky, Gail Amel Dzak, and Will James

For the last two decades policing has become more efficient, both better equipped and better regulated, but also more threatening and powerful. Despite this, the public’s awareness and willingness to law enforcement has remained the same, causing serious concerns about the legitimacy of police work. This report explores the factors that contribute to the shift in perceptions of police legitimacy and the implications for procedural justice.

Procedural justice refers to the idea of fairness in the power made by courts and decision-makers. It is a concept that, when understood, promotes procedural change and future better relations between the community and police. Understanding the factors that contribute to this principle and law enforcement practices that can be enhanced to improve the public’s perception of fairness is the focus of this report. These are often referred to as the four pillars (see Figure 1).

- Being true in purpose
- Being transparent in practice
- Reaching out for feedback from the community in order to improve
- Being responsive to feedback

The elements of ‘21st Century Policing’ (see Figure 1) and the factors that influence the power made by courts and decision-makers need to be understood by the police force and its community.

Creating Pathways to Justice® Across the U.S.

The Arc’s Training for Justice System Professionals

By Ashley Bragg

Equal Access to Justice for People with Intellectual and Developmental Disabilities

A Framework for Change

There have long been gaps in disability rights for criminal justice professionals. While there is a national Human Rights Act and Disability Discrimination Act, there is also a lack of understanding and training for those working in the field. This report outlines the importance of training for criminal justice professionals.

A central part of the disability rights movement is the concept of ‘Pathways to Justice’. The report provides an overview of the law regarding disability and justice and how it can be used to improve the quality of life for people with disabilities.

The Arc’s Pathways to Justice Program is designed to provide training for criminal justice professionals on how to work effectively with people with intellectual and developmental disabilities.

Figure 1: Disability Response Teams (DRTs)

Multidisciplinary Teams of Criminal Justice Practitioners and Disability Advocates

Ashley Bragg is the senior criminal justice policy analyst for the Arc of the US. Ashley is also the executive director of the National Council for Criminal Justice in Washington, DC. She is also the founder of the National Council for Criminal Justice. She can be reached at info@arc.org. 301-529-3133 Extension 320.

Figure 2: Equal Access to Justice for People with Intellectual and Developmental Disabilities

A Framework for Change
Together, we are creating Pathways to Justice by...

- Changing systems in order to identify I/DD in all stages of the criminal justice system
- Requiring effective training for law enforcement, attorneys, victim service providers and others
- Creating opportunities for alternatives to sentencing and pre-trial diversion for people with I/DD
- Ensuring people with I/DD are included in key criminal justice reform programs, such as pre-trial diversion
Now is the time...

• You may already have resources in your community to start reforming the criminal justice system

• Criminal justice professionals are eager for knowledge and training about disability

• Your efforts can make all the difference in the life of someone with I/DD
GROWTH THROUGH OPPORTUNITY

every day is an opportunity to change a life

facebook.com/pages/GTO-CADETS  www.gtocadets.org
Uniforms = Cultural Assimilation & Mutual Respect
Acceptance & Mentoring
On the “right side” of the law
Changing Misperceptions: People with I/DD in the Criminal Justice System
Developing Vocational Skills
Phenomenal Experiences
Transferrable CONFIDENCE
JusticeWorks
Overview

• Pathways to Justice®
• Growth Through Opportunity
• How did this partnership begin?
Problem & Key Challenges

• Dismal employment rates for people with intellectual and developmental disabilities (I/DD)
• Lack of job opportunities, including within civil service and public safety agencies
• Few opportunities to build relationships and mentors outside of the disability world
• Misunderstandings and bias against people with disabilities in the community, including first responders
What is JusticeWorks?

• Creates pathways to employment and justice for people with I/DD

• Combines two innovative programs to create sustainable change in communities

• Offers a new and creative approach to addressing two of the most challenging issues facing people with I/DD today
JusticeWorks: The Results

• New pathway to employment!

• Builds non-forced, authentic and long-term relationships between people with I/DD and officers

• Plant seeds of what is possible for people with I/DD in employment
WHY JusticeWorks!

• Less criminal justice involvement = increased chances for employment

• Changes attitudes and creates broader acceptance
Contact Information

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